

RESPONSE TO QUESTIONS ON NOTICE – BALLINA SHIRE COUNCIL - INQUIRY INTO CROWN LAND

Question One - Net Cost of Managing Crown Land

Council Response:

Council has reviewed our financial reporting in response to this question. As our financial reports are not always directly dissected between Council and Crown Land it has been necessary to apply some assumptions in respect to determining a reasonable response.

Council's annual working expense budget for our Open Spaces and Reserves Program is approximately \$1.3m. We estimate the crown reserve component of our open space at approximately 40% of the total area maintained, recognising that as a coastal council we have large areas of crown reserves. Based on this assumption the estimated cost of maintaining the crown reserve component is approximately \$520,000 per annum.

Our sporting field program is allocated based on specific sporting fields and the estimated cost of maintaining the crown reserve fields is \$110,000 per annum.

We also have vegetation management programs focussed on crown reserves that total approximately \$80,000 per annum.

Another area of expenditure relates to community buildings located on crown reserves. We estimate this expenditure at around \$400,000 per annum, acknowledging that many of the buildings, that do provide significant social benefits, also generate little in the way of revenue and are provided at a net cost to Council.

Other examples of Council services provided at a net cost that directly relate to crown reserves include:

- Provision of life saving services and beach cleaning - \$291,000 recurrent budget
- Ballina Shire Coastal Zone Management Plan - \$45,000 recurrent budget with Council facing significant liabilities based on the actions identified in the Plan
- Foreshore Protection Works - \$76,000 – recurrent budget for maintenance of revetment and retaining walls along the foreshore and rivers
- Boat Ramps - \$38,000 – recurrent budget for maintenance and cleaning.

This recurrent annual expenditure is well in excess of \$1 million however it must be acknowledged that the community also significantly benefits from the use of these crown reserves.

**SUPPLEMENTARY QUESTIONS - INQUIRY INTO CROWN LAND
QUESTIONS FOR ALL LOCAL COUNCILS – RESPONSE FROM BALLINA SHIRE COUNCIL**

1. With regards to Plans of Management can you provide the following information:

(a) Do Plans of Management provide the best mechanism for the management of crown land?

An overarching management plan document is considered to be a good mechanism for the long term planning and management of crown land. However, this does not necessarily need to be in the form of a Plan of Management under the terms of the current Crown Lands Act.

Ballina Shire Council has had success with the application of master plan style documents as the basis for planning for and using crown land where Council is appointed as the Reserve Trust Manager. Council's view is that this success is because master plans are typically more tangible for the community, they are easier to understand, are less legalistic in their nature and Council's plans have been founded in local community engagement to determine land management and use outcomes.

One way to achieve overarching crown land management outcomes and enable master planning to occur and give it some formality is to establish generic or broad plans of management for Crown Land in local government areas (incorporating multiple land parcels). Site specific requirements and detailed plans can be identified in such documents. This allows progressive planning for land under a set of guiding principles and demonstrates a holistic management approach to the land asset. This could be done in a way similar to the generic plan of management approach used by local government in managing community land owned by councils.

A key issue for local government is the cost of financing plans of management for crown land as there is typically very little funding available from the State Government to local government for plan preparation. The bureaucracy associated with the completion of a formal Plan of Management is also problematic particularly in relation to the time frame involved.

(b) What crown land is best served by the development of a Plan of Management?

Some land parcels or groups of land parcels have features of special significance or are key sites to the community for particular reasons. These kinds of areas can benefit from site specific plans of management. However, as indicated above, it is considered more important to have a planning framework in place that the community can input into and relate to rather than specifically having a plan of management under the terms of the Crown Lands Act.

Notwithstanding the above, Council has had a Plan of Management in place for the Ballina Coastal Reserve and this plan has functioned successfully over a significant period of time. This plan is based on a model of a collective set of land parcels with somewhat common characteristics being managed under an overarching POM with precinct based plans that specify more detailed outcomes along different parts of the coastline.

(c) What crown land does not need a mechanism such as a Plan of Management?

As outlined above, it is considered important for all crown land to be subject to a management framework but this does not necessarily need to be through a formal plan of management under the terms of the Crown Lands Act.

(d) What is the best consultation period for developing Plans of Management?

Periods for engagement with the community in relation to plans for the management of crown land should be determined on a case by case basis having regard for the relevant issues, stakeholders, resources and intended project outcomes. It is suggested though that a minimum period of 28 days is a reasonable starting point and is consistent with the approach for other planning and policy processes undertaken by local government.

(e) What are the best consultation methods for developing Plans of Management?

Similar to the response to the timeframe question, methods for engagement with the community in relation to plans for the management of crown land should be determined on a case by case basis having regard for the relevant issues, stakeholders, resources and intended project outcomes.

There are extensive local government examples of various engagement methods being utilised successfully to engage community, stakeholders and agencies to inform and prepare documents to support the management, embellishment and use of crown land.

(f) What are the best mechanisms to appeal a Plan of Management?

Council does not have any specific suggestion for a change to the current processes for preparing Plans of Management as they relate to appealing an outcome.

(g) What are the best mechanisms to amend a Plan of Management?

It is suggested that where Plans of Management are to be amended, that a process similar to that used by local government to prepare and amend plans of management for community land holdings would be suitable. This could include a requirement for public exhibition as well as an opportunity for a public hearing or similar format to receive feedback.

(h) Do you have suggested improvements for the development of Plans of Management?

The current State based processing and address of plans of management is typically slow and drawn out. Given this, it is suggested that the process for preparing Plans of Management should be adjusted to remove barriers to decision making and plan implementation.

The preparation of Plans of Management are usually resource intensive, particularly if prepared with underpinning community engagement. There is typically very little funding available from the State Government as the asset owner to support plan preparation. This situation could be improved through the recognition of the work undertaken by Reserve Trust Managers through the availability of financial resources to support land planning processes.

(i) Is there a better way to manage the crowns asset?

From a local government perspective, a greater level of collaboration with stakeholders (including Reserve Trust Managers), recognition of local knowledge and involvement in land use and management and active management of land assets would provide an improved platform for the management of crown land.

There is considered to be merit in the Crown Lands White Paper approach to the transfer of some crown land assets to local government to manage. This reflects the fact that local government already manages a significant proportion of crown land assets drawing on the resources of the local community and is often well placed to carry out this management on the basis of local knowledge, community interaction and community uses of the land.

However, it is important that such an approach suitably addresses the resourcing of ongoing land management in a financial sense in order to maximise the benefits of the Crown's public land assets.

(j) What community consultation should take place prior to the sale of any crown land parcel?

As indicated above, the type and level of engagement with the community in relation to crown land should be considered on a case by case basis. As a minimum standard though, it is suggested that the proposed sale of crown land holdings should be subject to a community notification and submission period.

In the case of crown land holdings that might be transferred to local government as an outcome of the White Paper process, there is already a suitable process in place for the management of Council land holdings where they are proposed for sale (through the community and operational land classification system).

2. How do you ensure local indigenous communities are consulted during the development of a Plan of Management?

When planning for future land use outcomes (whether it be through a Plan of Management or other document), Council considers the type and extent of community engagement on a case by case basis. This includes consideration of the involvement of the local Aboriginal community.

Engagement with the local Aboriginal community typically occurs by way of provision of information to the local Aboriginal land council in order to invite feedback and participation in planning processes. Other Aboriginal stakeholders may also be engaged depending on the nature of the issues being considered and the land holdings involved.

3. How do you identify and protect sites with indigenous importance on Crown Land?

Council seeks to consult with the local Aboriginal land council as well as other Aboriginal stakeholders where appropriate when planning processes occur in relation to crown land holdings.

Protection in relation to Aboriginal cultural heritage sites typically relates to existing State Government legislation through the NPWS Act and under the terms of the EP&A Act in relation to planning matters. One local example of specific recognition of Aboriginal cultural heritage values in relation to crown land is the declared East Ballina Aboriginal Plan over crown land at East Ballina.

Question Two – Small Chronology for Coastal Cycleway

Council Response:

Key decisions regarding the Council decision making process for this project, from 2008 onwards, is as follows:

- **27 November 2008 - Ordinary Meeting– Notice of Motion – Cr Jeff Johnson**

11.6 Motion on Notice - Cycleway

271108/ 1 RESOLVED

That Council staff prepare and present an urgent briefing so that Council can progress a policy on the cycleway between Lennox Head and the Ballina CBD.

- **11 December 2008 – Councillor Workshop held**
- **2 September 2009 - Civil Committee– considered submissions**

4.1 Coastline Shared Pathway Project

RECOMMENDATION

That in respect of Lennox Head North to the shire boundary Council defers a decision for the preferred location and also acknowledges and explores opportunities that may exist for Route Option 3.1.

RECOMMENDATION

For Lennox Head Village (*Rutherford Street to Byron Street* section 1) Council confirms Route Option 1.3 (Park Lane) as the preferred location for the Coastline Shared Path Project.

RECOMMENDATION

For Lennox Head Village (*Byron Street to northern extent of village*) Council confirms Route Option 2.1 (Pacific Parade) as the preferred location for the Coastline Shared Path Project. This route option also provides the capacity to connect to the Lennox Head North to the Shire Boundary segment by traversing Barrett's Land as detailed in the original GeoLINK report.

RECOMMENDATION

For the segments from Lennox Head to Flat Rock Council confirms the exhibited Route Option as the preferred location for the Coastline Shared Path Project. In endorsing this option, Council recognises the possible environmental, cultural and financial constraints and therefore will consider a further report that contains conceptual designs both for this option and the option recommended to the April Civil committee meeting. That additional report will then assist Council in determining how the delivery of a preferred route option is to progress.

RECOMMENDATION

1. That Council receive a further report on providing a shared path network for connecting North Creek Road / Skennars Head Road to Skennars Head. This report is to provide estimated costs along with a possible funding strategy. However, this option should be considered as a stand-alone project.
 2. For Ballina (*Regatta Avenue to Kerr Street*) Council confirms Route Option 4.1 as the preferred location for the Coastline Shared Path Project.
 3. For Ballina (*Kerr Street to Fishery Creek Bridge*) Council confirms Route Option 5.2 as the preferred location for the Coastline Shared Path Project.
 4. For Ballina (*western side of Fishery Creek Bridge to Burns Point Ferry Road*) Council confirms Route Option 6.1 as the preferred location for the Coastline Shared Path Project.
 5. That in respect to the delivery of the Coastline Shared Path Project Council endorses the timetable outlined in this report and requests that a further report be submitted that details how this timetable could be funded.
- **24 September 2009 - Ordinary Meeting – Adopted Civil Committee recommendations from 2 September 2009**
 - **21 June 2010 - Civil Committee Meeting**

RECOMMENDED

- (a) That Council endorses the recommended route as per attachments Lennox Head to Pat Morton Lookout and the two options for Angels Beach South (Coast Road and Coastal Reserve) subject to consultation with the Aboriginal Community.
- (b) Subject to consideration and negotiation with relevant stakeholders, minimising the impact on Themeda Grass and making fullest use of the Crown Road reserves the Mayor and General Manager are delegated to determine and recommend to Council the alignment of the pathway using the Coastal Reserve between Flat Rock and Pat Morton Lookout.

RECOMMENDED

1. That Council confirms that Route Option 4.1 (Regatta Avenue to Kerr Street) is the interim preferred route with those sections that are adjacent to the Richmond River (up to and around the RSL boardwalk) are an area where it is necessary for cyclists to dismount and walk, and that from CWA park the path is to travel along the RSL boardwalk, in front of the RSL carpark and onto River Street.
2. That Council also records that its ultimate preferred route from the RSL carpark to Kerr Street is to be adjacent to the river.

RECOMMENDED

That the LPMA be requested to put on hold the closure of the Crown Road Reserves within the Coastal Reserve.

RECOMMENDED

1. That Council confirms an initial preference to restrict vehicle traffic on Regatta Avenue to one way west to east to facilitate the shared pathway through this area, and seek public comment on this proposal, including specific consultation with property owners on Regatta Avenue and other key stakeholders.
 2. That Council confirms its support for the design options presented for Route Option 5.2 (Kerr Street to Fishery Creek Bridge) and Route Option 6.1 (Fishery Creek Bridge to Burns Point Ferry Road).
 3. That based on the endorsed sections of the recommended route Council authorises the General Manager to obtain all necessary approvals to allow the works to progress in accordance with the available funding.
- **24 June 2010 - Ordinary Meeting adopted Civil Committee recommendations from 21 June 2010**

240610/ 2 RESOLVED

That Council confirms the minutes of the Civil Committee meeting held Monday 21 June 2010 and that the recommendations contained within the minutes be adopted.

- **26 August 2010 - Ordinary Meeting - Mayoral Minute – deferred matter to workshop**
- **14 September 2010 – Councillor Workshop held**
- **23 September 2010 - Ordinary Meeting – Mayoral Minute**

7.1 Mayoral Minute - Coastline Shared Path

230910/ 3 RESOLVED

1. That in respect to part (a) of the recommendation from the Civil Committee Meeting held 21 June 2010 relating to the Angels Beach South segment Council confirms that the preferred route(s) from Angels Beach South to Flat Rock are the two options as presented by GHD Pty. Ltd. for Angels Beach south, with these two options to then join to the existing Angels Beach car park, then follow that car park to the existing shared pathway which then joins the existing walking track to Flat Rock (as per the yellow route options in sheets one and two of eleven from GHD - drawings numbers 22-14801-G001 and G002).
2. That for future planning Council endorses an overall objective of constructing a Commuter Coastal Cycleway to connect West Ballina to Lennox Head and Coastal Walk for access between Ballina and Lennox Head.
3. Council's objective for the Coastal Cycleway between West Ballina and Lennox Head is to provide an efficient, safe and accessible transport route between Lennox Head and the Ballina town centre, with easy access to schools, sporting fields and other facilities in between.
4. Council's objective for the Coastal Walk between Ballina and Lennox Head is to provide a walking track that is designed for high use by persons of all ages and physical condition (i.e. shoe standard) that maximises the coastal experience.

5. That Council endorses the following preferred route in respect to the Commuter Coastal Cycleway between Ballina and Lennox Head:
 - k) Segment One (Angels Beach) - as per point one of this resolution, with the shared path then to follow the existing shared path over the overpass and then along The Terrace Road, to the subdivision known as Angels Beach (North)
 - l) Segment Two - from Angels Beach North to Headlands Drive on the western side of the Coast Road
 - m) Segment Three - from Headland Drive to Skennars Head Road on the western side of the Coast Road
 - n) Segment Four (option one) - From the intersection of Skennars Head Road / The Coast Road along Skennars Head Road and North Creek Road, ultimately joining the existing shared path at Amber Drive
 - o) Segment Four (option two) - From the intersection of Skennars Head Road / The Coast Road crossing to the eastern side of the Coast Road and then following the Coast Road (approximately as per the yellow route presented in GHD maps six to ten of 11 - Drawing Nos. 22-14801-G006, G007, G008, G009 and G010). The construction of this segment is to be deferred until the upgrade of the Skennars Head Road / The Coast Road intersection is completed to allow the feasibility of an underpass (or overpass) to be determined.
6. That Council endorses the following preferred route in respect to the Coastal Walk between Ballina and Lennox Head:
 - k) Segment One (Angels Beach) - as per point one of this resolution to the Flat Rock Tent Park - this segment is to be constructed to a shared path standard
 - l) Segment Two - Flat Rock to Sharpes Beach Car Park along the coastline (approximately as per the blue route presented in GHD maps three and four of 11 - Drawing Nos. 22-14801-G003 and G004)
 - m) Segment Three - Sharpes Beach Car Park to Iron Peg Car Park along the coastline (approximately as per the blue route presented in GHD maps five and six of 11 - Drawing Nos. 22-14801-G005 and G006)
 - n) Segment Four - Iron Peg Car Park to northern end of Boulder Beach along the coastline (approximately as per the blue route presented in GHD maps seven and eight of 11 - Drawing Nos. 22-14801-G007 and G008)
 - o) Segment Five - Northern end of Boulder Beach to Pat Morton along the coastline (approximately as per the blue route presented in GHD maps nine and ten eight of 11 - Drawing Nos. 22-14801-G009 and G010)
7. Council authorises the General Manager to seek planning consent, where required, for these preferred options, with the final alignment of both routes to be based on minimising the environmental and cultural impacts.
8. Council authorises the General Manager to finalise negotiations with PW and RM Stewart in respect to land swaps, easements etc that will allow both the Commuter Coastal Cycleway and the Coastal Walk to be constructed, subject to any agreement being reported back to Council for formal approval.

9. That Council receive a further report in respect to the reclassification of the Council operational land described as Lot 59, DP 197904 to community land. This report is to clarify which parts of this land should be retained as operational land to ensure that the Flat Rock Tent Park can operate effectively as a Council business.
10. That in providing the Coastal Walk, Council will strive to maximise disabled access along the walk.
11. That in respect to the Coastal Walk and Commuter Coastal Cycleway Projects, the Coastal Walk is the number one priority for funding, albeit that funding allocations will be the subject of Council's annual budget deliberations.

- **12 December 2011 - Civil Committee Meeting**

- 4.2 Coastal Walk and Coastal Shared Path Projects**

RECOMMENDATION

1. That Council endorses the draft concept design, as attached to this report, and authorises the General Manager to further advance the Coastal Shared Path project.
2. That Council endorses the draft concept design, as attached to this report, for the Coastal Walk project subject to a further report being presented to the Council which addresses the following amendments.
 - The sections proposed to be constructed with a consolidated gravel surface are changed to an asphaltic concrete surface
 - the surface of the finger path proposed connecting the car park at Pat Morton Lookout to the Coastal Walk is changed from grass to asphaltic concrete
 - the proposed stairs and any other aspects of concept design, that prevent disabled access are to be eliminated where practicable.
3. That future references to the coastal path/walkway project be referred to as the coastal recreational pathway. Further that Council in consideration of the further development of the recreational pathway, confirm that priority be given to the construction of the recreational pathway between Pat Morton Lookout carpark and Angels Beach.

- **15 December 2011 - Ordinary Meeting Adopted Civil Committee recommendations from 12 December 2011**

- **25 January 2012 – Ordinary Meeting**

Coastal Recreational Pathway

RESOLVED

That Council endorses, for the segment of the Coastal Recreational Path from Flat Rock to Sharpes Beach underpass, the use of a combination of asphalt and boardwalk to provide disabled access to the Australian Standard as per Revision D, as attached to this report.

RESOLVED

That Council endorses, for the segment of the Coastal Recreational Path from Sharpes Beach underpass to Boulder Beach, the use of consolidated gravel or similar treatment, and steps, as required, as per Revision D, as attached to this report.

RESOLVED

That the segment of the Coastal Recreational Path from Boulder Beach to Pat Morton car park and Pat Morton Lookout be referred to a workshop with the consultant being present to explore what can be achieved to optimise access and the direction of this path with a standard to asphalt and boardwalk surface.

- **23 February 2012 – Ordinary meeting**

- 13.3 **Rescission Motion - Recreational Pathway**

- 230212/ 4 RESOLVED**

- That Resolution 250112/6, be amended as follows:

- That Council endorses, for the segment of the Coastal Recreational Path from Sharpes Beach underpass to Boulder Beach, the use of consolidated gravel or similar treatment, at natural grade, as required, as per Revision D, as attached to this report.*

- **22 March 2012 - Ordinary Meeting**

- 220312/5 RESOLVED**

- 1. That Council endorses for the segment of the Coastal Recreational Path from Boulder Beach to Pat Morton the use of consolidated gravel / boardwalk or similar treatments, as required, as per Revision D, as attached to this report, and with a preferred maximum grade of 15% (1.65).
 2. That Council now proceed to finalise consent for the construction of the recreational pathway.

- 220312/6 RESOLVED**

- That Council expend up to \$10,000 of the existing funding allocation for seating and plantings on the coastal recreational pathway on the segment from Lennox Head to Pat Morton as part of the 2011/12 budget.

- **6 August 2013 - Councillor Briefing/Presentation held**

- **3 June 2013 - Part V and two DA's lodged**

Part V 2013/0009 - Ballina to Lennox Head Coastal Recreational Path

DA 2013/194 - Shared Pathway - Construction of a shared path along a 115 metre section of the Coast Road through the buffer zone of SEPP 26 - Littoral Rainforest. This 115 metre section forms part of a broader proposal to construct shared path from the intersection of Headlands Drive and Skennars Head Road to Pat Morton Lookout located predominantly along the eastern side of The Coast Road with the exception of the 115 metre section (DA 2013/194), the entire shared path falls under Part 5 of the EP&A Act. An environmental Impact Assessment has been prepared for the entire shared path proposed from Skennars Head to Pat Morton Lookout

DA 2013/195 - Shared Pathway - Skennars Head Road To Undertake the Construction of a 2.5 metre wide Shared Path (Construction Option 1 consisting of retaining wall and barrier fence) along the northern edge of Skennars Head Road through the area mapped under SEPP 14 - Coastal Wetlands only

- **June/July 2013** - The Coastal Recreational Path (Part V and two Development Applications) placed on public exhibition (in conjunction with Shared Path East (SPE) and Shared Path West (SPW) from 26 June 2013 until 26 July 2013.

- **30 August 2013 - Councillor Inspection held**

- **10 October 2013 - Councillor Briefing/Update held**

13 December 2013 – staff approved under delegated authority (**Part V and DA 2013/195**) Shared Pathway “West” (SPW) which under the provisions of the Environmental Planning and Assessment Act 1979 (the Act) comprised a Part 5 Project and Part 4 Development Application 2013/195. The majority of the SPW alignment was considered under Part 5 and approved via Delegated Authority on 13 December 2013, while approximately 425 metres of the path proposed through SEPP No. 14 – Coastal Wetlands on the northern side of Skennars Head Road was considered under Part 4 of the Act and accompanying Environmental Impact Statement and approved via Delegated Authority on 13 December 2013.

SPW is typically a 2.5 metre wide shared path for pedestrian and cycleway use (part asphalt or concrete hardstand construction) and runs from Silver Gull Drive, East Ballina to Amber Drive, Lennox Head (contained wholly within the existing Road and Public Reserves).

- **19 December 2013 - Ordinary Meeting**

Coastline Shared Path and Recreational Walk - Funding Allocation

191213/1 RESOLVED

1. Council authorises the General Manager to commence the construction of Stages 1 and 2 of the Shared Path (Coastline Cycleway) project, as detailed within this report, to take advantage of grant funding and the impending approval for this component of the overall project.
2. Council notes that following development consent and detail design completion, a further report will be presented to Council for the purpose of Council determining its preferred staging program for the remaining elements of the Shared Path (Coastline Cycleway) and Recreational Path projects.

- **19 December 2013 – Reserve Trust Meeting – accepts \$100,000 grant**

4.1 Coastline Recreational Walk

RT191213/2 RESOLVED

The Ballina Shire Council, acting as the Reserve Trust Manager for the Ballina Coastal Reserve, resolves to accept the grant of \$100,000 offered by the Deputy Premier under the Crown Lands Funding Program for the purposes of the construction of the coastal recreational path.

- **23 January 2014 – Ordinary Meeting** – Council resolved to re-affirm its position with regards to construction priority of the coastal cycleway/recreational path

230114/4RESOLVED

That Council re-affirm its position with regards to the construction priority of the coastal cycleway/recreational pathway by confirming the resolution of the Civil Committee of 12/11/2011, that priority be given to the construction of the recreational pathway between Pat Morton Lookout car park and Angels Beach as the next stage of this project.

- **20 March 2014** – staff approved under delegated authority Shared Pathway “East” (SPE) that also comprised both a Part 5 Project and Part 4 Development Application 2013/194 under the provisions of the Act. The majority of the SPE alignment was considered under Part 5 of the Act and approved via Delegated Authority on 20 March 2014, while approximately 615 metres of the path proposed through SEPP No. 26 – Littoral Rainforest core and buffer on the eastern side of The Coast Road was considered under Part 4 of the Act and accompanying Environmental Impact Assessment and approved under Delegated Authority on 20 March 2014.

SPE is typically a 2.5 metre wide shared path for pedestrian and cycleway use (part asphalt hardstand construction and 3 metre wide raised boardwalk) predominately along the eastern side of The Coast Road from Skennars Head Road, north to Pat Morton Lookout.

- **Shared Path West of Coast Road (SPW)**

- **27 March 2014 - Ordinary meeting** - The preferred route for the section of shared pathway to be constructed between North Angels Beach and Headlands Drive requires the acquisition of a small section land, for road dedication purposes, from the property owned by Dr and Mrs Stewart. Agreement has been reached on that acquisition and the purpose of this report is to obtain Council approval to proceed with finalising the acquisition process.

270314/25 RESOLVED

1. That Council approves the acquisition of land described as Part Lot 2 DP 1184436, being an area of approximately 48.6 square metres, as per the second attachment to this report, for the purchase price of \$2,200.
2. That Council authorises the Council seal to be attached to the purchase contract and any other associated documentation.
3. This land is to be dedicated as public road once acquired.

- **26 June 2014 - Ordinary meeting** approved the Part 5 Application for Coastal Recreational Pathway from Angels Beach, East Ballina to Pat Morton Lookout, Lennox Head

8.3 Part 5 Project - Ballina to Lennox Head Recreational Path

260614/3 RESOLVED

1. That Part 5 Project, No. 2013/0009, for the Coastal Recreational Pathway from Angels Beach, East Ballina to Pat Morton Lookout, Lennox Head be **APPROVED** subject to the mitigation/ameliorative measures attached.
2. That Council meet in its role as Reserve Trust Manager of the Ballina Coastal Reserve (1010068) and request Crown Lands to either:
 - (i) Close any unformed Crown Road Reserves upon which the CRP will traverse and include these lands in R1010068 (Ballina Coastal Reserve); OR
 - (ii) Transfer the Crown Road Reserves to Council's control for continued management consistent with the Reserve Trust's plans.
3. That Council consider the use of mutual respect signage (bikes/ walkers / wheelchairs – keep left) on this and other shared pathways.

- **28 August 2014 - Ordinary meeting** resolved to consider alternatives to the approved CRP which follows the eastern boundary of the Flat Rock Tent Park to identify an alignment that would provide improved separation between pathway users and camp sites within the Park.

13.2 Notice of Motion - Coastal Recreational Path

280814/4 RESOLVED

1. That amendments be made to the drawings that specify that part of the Coastal Recreational Path which passes around the Flat Rock Tent Park by changing that path's location, as follows:
 - a) Delete that section that intrudes/follows the eastern boundary of the tent park from chainage 1250 (approx.) to 1670 (approx.) and
 - b) Replace that alignment with one that starts at 1250 and proceeds to 1670 in two sections. The first is an arc that passes east of the tent park east boundary to a point near and east of 1550 and with a clearance of about 15 to 20 metres, on average, from that boundary fence. The second is fairly straight and follows the existing cleared path. The revised alignment is to be located in a manner that takes maximum advantage of areas that have minimal ethnic vegetation.
2. That the General Manager be authorised to initiate all actions including ongoing dialogue with stakeholders necessary to obtain all required consents and approvals to allow construction.

- **16 January 2015** - Grant approval of \$200,000 received under the 2014/15 Public Reserves Management Fund to Ballina Coastal Reserve Trust for construction and completion of a coastal recreational pathway.
- **September 2015** - A Part 5 project application was submitted by Council's Civil Services Group in late September 2015 for determination.
- **17 December 2015** – Council resolved to accept the tender from B & S Landscaping for construction of part of the Coastal Recreational Path Section 1 between Angels Beach and Sharpes Beach. Scope of works was also changed to delete finger path at Sharpes Beach.

11.1 Tender - Construction of Coastal Recreational Path (part of Section One)

171215/5 RESOLVED

1. The tender from B&S Landscaping & Earthworks for \$419,515 with an option for the Flat Rock deviation section of \$102,596 (exclusive of GST) for the construction of part of the Coastal Recreational Path (CRP), Section 1 between Angels Beach and Sharpes Beach, in accordance with RFT817, be accepted.
2. The General Manager and Mayor be authorised to sign and seal any contract documents required for the implementation of point one above.
3. The Council endorse the following table as the revised project budget and funding sources for the Coastal Recreational Path (CRP), Section 1 between Angels Beach and Sharpes Beach.

Current 2015/2016 operational plan budget (available funds)	\$1,340,000
Coastal path reserve	\$ 130,000
Civil works reserve (roads contingency)	\$ 330,000
Roads s94 internal recoupment reserve	\$ 100,000
Total	<u>\$1,800,000</u>

4. The scope of works for Coastal Recreational Path (CRP), Section 1 between Angels Beach and Sharpes Beach, be adjusted by the deletion of the "finger" path at Sharpes Beach.
5. That Council extend the works to the Sharpes Beach underpass at an estimated cost of \$75,000 with the funding to be determined by the General Manager.

- **1 March 2016** – construction commenced on the section of the Coastal Recreational Path between Flat Rock and Sharpes Beach by Contractor B & S Landscaping and Earthworks.
- **15 March 2016 – Finance Committee Meeting**

4.11 Community Infrastructure - Non-recurrent Projects and Funding

RECOMMENDATION

That Council reallocate the \$850,000 from the Coastal Shared Path project to the Coastal Recreational Walk project and that Council apply for matching funding from the Public Reserve Management Fund, with the priority sequence being Section B, C and D as referenced in this report.

- **24 March 2016 – Ordinary Meeting – when adopting Finance Committee minutes from 15 March 2016**

Community Infrastructure - Non-recurrent Projects and Funding (Coastal Shared Path and Coastal Recreational Path)

240316/5 RESOLVED

That Council reallocate the \$850,000 from the Coastal Shared Path project to the Coastal Recreational Walk project and that Council apply for matching funding from the Public Reserve Management Fund, with the priority sequence being Section B, C and D as referenced in the report to the Finance Committee on 15 March 2016.

- **7 April 2016** – Grant application lodged under the Public Reserve Management Fund (PRMF) – seeking an amount of \$965,000
- **6 June 2016** – construction commenced on the section of the Coastal Recreational Path between the Angels Beach pedestrian overpass and south of the Flat Rock Tent Park by Contractor, B & S Landscaping and Earthworks. It is expected that boardwalk construction will take 8-weeks to complete (subject to weather).

The next stage which includes an asphalt pathway east of the Flat Rock Tent Park will commence. This stage will connect the boardwalk section to the Sharpes Beach section and through to the underpass at Headlands Estate. These works will commence once the Aboriginal Heritage Impact Permit (AHIP) has been updated and approved. This work has now commenced.

- **26 May 2016 - Ordinary meeting** approved Part 5 Application around Flat Rock Tent Park

8.1 Part 5 Project - Re-alignment of Coastal Recreational Path

260516/6 RESOLVED

1. That Part 5 Project, No. 2015/0001, for the alternative alignment of the Coastal Recreational Pathway in the vicinity of the Flat Rock Tent Park extending approximately 500 metres from Chainages 1240 and 1670 (approximately) be **APPROVED** subject to the mitigation/ameliorative measures.
2. That Council meet in its role as Reserve Trust Manager of the Ballina Coastal Reserve (1010068) and endorse the optional approved route.

- **1 July 2016** – the section of the Coastal Recreational Path between Flat Rock and Sharpes Beach is opened to the public.
- **23 June 2016 - Reserve Trust Meeting** endorses the approved route around Flat Rock Tent Park.

4.1 Decisions Relating to Reserve Trust Managed Land

RT230616/7 RESOLVED

That Council in its capacity as Reserve Trust Manager endorses the decisions of Ballina Shire Council as referenced in Table 2 of this report.

Table 2

Item	Realignment of Coastal Recreational Path
Council Meeting and Minute No.	26 May 2016
Council Resolution	260516/2 <i>1. That Part 5 Project, No. 2015/0001, for the alternative alignment of the Coastal Recreational Pathway in the vicinity of the Flat Rock Tent Park extending approximately 500 metres from Chainages 1240 and 1670 (approximately) be APPROVED subject to the mitigation/ameliorative measures.</i> <i>2. That Council meet in its role as Reserve Trust Manager of the Ballina Coastal Reserve (1010068) and endorse the optional approved route.</i>
Reserve and Trust Details	Ballina Coastal Reserve (1010068)
Comments	Nil.

- **28 July 2016 - Ordinary meeting** resolved to undertake a review of the CRP on Beachfront Parade from the Angels Beach Underpass.

13.4 Notice of Motion - Coastal Recreational Path Alignment

280716/8 RESOLVED

That as a matter of urgency Council undertake a review of the Coastal Recreation Path covering a distance of 160 metres of the segment from the Angels Beach Underpass to approximately chainage 160 of the GeoLink plan to determine whether there are options to further improve the safety and the experience of the walk.

- **12 August 2016** – Advice that grant application lodged under the Public Reserve Management Fund (PRMF) seeking an amount of \$965,000 was unsuccessful.
- **15 August 2016 - Cr Briefing scheduled on Coastal Recreational Path.**