

# NOTICE OF MEETING



## TRANSPORT AND INFRASTRUCTURE ADVISORY COMMITTEE MEETING

A Transport and Infrastructure Advisory Committee Meeting of Byron Shire Council will be held as follows:

Venue	<b>Conference Room, Station Street, Mullumbimby</b>
Date	<b>Thursday, 16 November 2017</b>
Time	<b>9.00am</b>

A handwritten signature in black ink, appearing to read 'Phillip Holloway'.

Phillip Holloway  
Director Infrastructure Services

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## CONFLICT OF INTERESTS

**What is a “Conflict of Interests”** - A conflict of interests can be of two types:

**Pecuniary** - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

**Non-pecuniary** – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Local Government Act (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

**Remoteness** – a person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 448 of the Local Government Act.

**Who has a Pecuniary Interest?** - a person has a pecuniary interest in a matter if the pecuniary interest is the interest of the person, or another person with whom the person is associated (see below).

**Relatives, Partners** - a person is taken to have a pecuniary interest in a matter if:

- The person’s spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter.

N.B. “Relative”, in relation to a person means any of the following:

(a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person’s spouse;

(b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

**No Interest in the Matter** - however, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company or other body, or
- Just because the person is a member of, or is employed by, the Council.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

### Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
  - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or
  - (b) at any time during which the Council or Committee is voting on any question in relation to the matter.

**No Knowledge** - a person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

### Participation in Meetings Despite Pecuniary Interest (S 452 Act)

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 452 of the Local Government Act.

**Non-pecuniary Interests** - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

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## RECORDING OF VOTING ON PLANNING MATTERS

### Clause 375A of the Local Government Act 1993 – Recording of voting on planning matters

- (1) In this section, **planning decision** means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979:
  - (a) including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but
  - (b) not including the making of an order under Division 2A of Part 6 of that Act.
- (2) The general manager is required to keep a register containing, for each planning decision made at a meeting of the council or a council committee, the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- (3) For the purpose of maintaining the register, a division is required to be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- (4) Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document, and is to include the information required by the regulations.
- (5) This section extends to a meeting that is closed to the public.

# BYRON SHIRE COUNCIL

## TRANSPORT AND INFRASTRUCTURE ADVISORY COMMITTEE MEETING

### BUSINESS OF MEETING

#### 1. APOLOGIES

#### 2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

#### 3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

- 3.1 Transport and Infrastructure Advisory Committee Meeting held on 17 August 2017
- 3.2 Extraordinary Transport and Infrastructure Advisory Committee Meeting held on 2 November 2017

#### 4. STAFF REPORTS

##### **Infrastructure Services**

- 4.1 Presentation of draft Transport Asset Management Plan - Customer Levels of Service ..... 4
- 4.2 Update on the 2017/18 Local Roads Capital Works Program ..... 6
- 4.3 2017/18 - 2020/21 Local Roads Capital Works Program ..... 11
- 4.4 Pedestrian Crossing - Lawson Street Byron Bay..... 14

**STAFF REPORTS - INFRASTRUCTURE SERVICES**

**Report No. 4.1**                      **Presentation of draft Transport Asset Management Plan - Customer Levels of Service**

5    **Directorate:**                      Infrastructure Services  
**Report Author:**                  Blyth Short, Asset Management Coordinator  
**File No:**                              I2017/1763  
10   **Theme:**                              Community Infrastructure  
   Asset Management

**Summary:**

15    A draft Transport Asset Management Plan has been completed. The document is currently being reviewed. A key feature is Customer Levels of Service and an update/ presentation will be provided to the Committee to continue the process of engagement.

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**RECOMMENDATION:**

**That the Committee note the presentation of the customer levels of service for transport infrastructure.**

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**Report**

5 A draft Transport Asset Management Plan has been completed. The document is currently being reviewed. A key feature is Customer Levels of Service and an update/ presentation will be provided to the Committee to continue the process of engagement.

**Financial Implications**

10 Progressing customer levels of service is a key element of asset management and supporting investment in sustainable infrastructure.

**Statutory and Policy Compliance Implications**

15 Council has used the International Infrastructure Management Manual (IIMM) as a guide to improve asset management. Customer levels of service are identified in the IIMM as important to increasing the asset management maturity of an organisation.

**Report No. 4.2                    Update on the 2017/18 Local Roads Capital Works Program**

**Directorate:**                    Infrastructure Services

**Report Author:**                Henry Spangler, Acting Works Engineer  
Karen Mackay, Administration/Customer Service Officer

5                                        Tony Nash, Manager Works

**File No:**                         I2017/657

**Theme:**                         Community Infrastructure  
Local Roads and Drainage

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**Summary:**

To provide the Committee a status report on the progress of the 2017/18 Local roads Capital Works Program.

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**RECOMMENDATION:**

**That Council notes the actions taken to implement the 2017/18 Local Roads Capital Works Program.**

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Report

**Projects completed to date throughout 2017/18**

- 5 • Orana Road, Ocean Shores
- Leslie Street Drainage, Bangalow
- Marine Parade, concrete path at eastern end to proposed boardwalk
- Coomburra Crescent, Ocean Shores



- The Terrace road reconstruction, Brunswick Heads



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- Pine Avenue, Mullumbimby – pavement renewal



- Devines Hill Lookout path
- Pedestrian walkway, South Arm Bridge, Brunswick



- 5
- Car park extension, Federal Drive, Federal
  - Reseal Broken Head Road



**Works currently in Progress:**

- Sunrise Boulevard/Ewingsdale RAB (contract)



- 5
- Shara Blvd – Pedestrian refuge and footpath extensions
  - Byron Bay Road, Bangalow – Pedestrian refuge and footpath extensions
  - Broken Head Road, North of Midgen Flat Road – Road Reconstruction
  - Bangalow Road, Hayters Hill – road reconstruction



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- Marine Parade, Wategos, Byron Bay - Board Walk (see images below)



- Flood Damage restorations by 4 contract crews
  - Rural Road Reseals
- 5      Federal Drive  
        Possum Creek Road  
        Friday Hut Road  
        Coolamon Scenic Drive

**Works to be commenced in November 2017**

- 10      • Helen Street, South Golden Beach – Drainage Works  
        • Durrumbul Causeway – Bridge works

**Consultation:**

- 15      There has been consultation within the Works Team for the preparation of this report; implementation of the 2017/18 Local Roads Capital Works Program and the individual projects at our weekly meetings; periodic preconstruction meetings; and one off site and office meetings on individual projects. This will continue throughout 2017/18.
- 20      Status reports of the delivery of the 2017/18 Local Roads Capital Works Program will be provided 7to each meeting of the Transport and Infrastructure Advisory Committee during this FY.

**Financial Implications**

- 25      All projects are fully funded by Council for delivery in 2017/18.

**Statutory and Policy Compliance Implications**

- 30      There are no negative impacts proposed in this report.

**Report No. 4.3**                    **2017/18 - 2020/21 Local Roads Capital Works Program**  
**Directorate:**                    Infrastructure Services  
**Report Author:**                Tony Nash, Manager Works  
**File No:**                         I2017/1140  
5 **Theme:**                         Community Infrastructure  
    Local Roads and Drainage

**Summary:**

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To provide the Committee with information about the approved 2017/18 Local Roads Capital Works Program and the indicative programs for 2018/19 to 2020/21.

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**RECOMMENDATION:**

**That the Committee note the information on the Council website about the approved 2017/18 Local Roads Capital Works Program and the indicative programs for 2018/19 to 2020/21.**

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**Report**

5 Each year Byron Shire Council undertakes a program of capital works for our road, footpath, kerb and gutter, drainage and bridge assets. This program includes a range of new works as well as renewals and reconstructions of existing assets.

When it comes to our roads, a renewal / reconstruction can consist of resealing the surface of the road pavement only, or renewal/reconstruction of the road pavement materials. The Capital Works Program is approved annually for one financial year at a time and any projects indicated in future financial years are indicative only.

10 Capital works projects timeline

The delivery of a capital works project involves the following stages:

- 1. Scoping
- 2. Investigation
- 15 3. Survey
- 4. Design
- 5. Environmental assessments
- 6. Cost estimates
- 7. Project approval
- 20 8. Construction
- 9. Finalisation

25 Completion of pre-construction activities (1 to 7 above) for each capital works project are undertaken progressively throughout each financial year. This is because not all of these activities have been fully completed for all projects at the start of the financial year.

The contact person for each individual capital project varies throughout the delivery stage of the project. Generally stages 1 to 7 are undertaken by the Infrastructure Planning team and stages 8 and 9 by the Construction team.

30 The sources of funds for roads projects are not the same and may include funding from the following sources:

- Revenue
- Loans
- Grants
- s94 developer contributions
- 35 ▪ Reserves
- Special Rate
- 2017/18 Special Rate Variation

40 The planned timing for construction of the capital works depends on a number of factors, but predominantly:

- impact to the community and residents
- normal wet and dry seasons
- conditions of grants
- location on the road network
- 45 ▪ impacts from traffic from school holidays and events
- peak road usage periods

2017/18 Local Roads Capital Works Program

The approved program can be found in the following link and also in the attachments.

<http://www.byron.nsw.gov.au/capital-works-road-projects-in-2017-18>

5 <http://www.byron.nsw.gov.au/cycleways-footpaths-bridges-drainage-kerb-and-gutter-2017-18>

<http://www.byron.nsw.gov.au/capital-works-planning-projects-for-2017-18>

[file:///fapmho2/users\\$/tnash/Downloads/pdf%20\(6\).pdf](file:///fapmho2/users$/tnash/Downloads/pdf%20(6).pdf)

[file:///fapmho2/users\\$/tnash/Downloads/capital\\_works\\_project\\_maps\\_v2%20\(1\).pdf](file:///fapmho2/users$/tnash/Downloads/capital_works_project_maps_v2%20(1).pdf)

10 Funding sources

Information about the budget and sources of funds for each capital project in 2017/18 can be found in the above links and also in the attachments.

15 This information is updated periodically throughout each financial year. Typically this includes after reporting of the Financial Quarterly Review to Council, in November, February and April. Other updates will be dependent upon specific Council resolutions, for example the awarding of contracts.

20 Future road projects

Council reviews the capital works program for future financial years annually and typically approves in June of each year. The projects for these financial years will only be updated after Council approves its capital works program for the next financial year.

25 The indicative programs and sources of funds can be found in the following links and also in the attachments.

[file:///fapmho2/users\\$/tnash/Downloads/capital\\_budget\\_2018\\_19\\_to\\_2020\\_21\\_as\\_at\\_26\\_6\\_17%20\(6\).pdf](file:///fapmho2/users$/tnash/Downloads/capital_budget_2018_19_to_2020_21_as_at_26_6_17%20(6).pdf)

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Need more information?

35 The Council website allows for requests for further information and feedback about projects in 2017/18 or future financial years.

**Financial Implications**

40 All projects are fully funded by Council for delivery in 2017/18.

45 Projects in the programs for 2018/19 to 2020/21 are indicative only for planning purposes. Each year Council undertakes a review of its planned Capital Works Program, which is included in our Integrated Planning and Reporting (IP&R) documents. These documents are placed on public exhibition, submissions invited and considered before Council adopts its Capital Works Program for the next financial year.

**Statutory and Policy Compliance Implications**

50 There are no negative impacts proposed in this report.

**Report No. 4.4**                    **Pedestrian Crossing - Lawson Street Byron Bay**  
**Directorate:**                    Infrastructure Services  
**Report Author:**                Evan Elford, Team Leader Infrastructure Planning  
**File No:**                         I2017/1550  
5 **Theme:**                         Community Infrastructure  
    Roads and Maritime Services

**Summary:**

10 Cr Lyon has requested the options for pedestrian crossing management and the interaction and impacts on traffic movements in Lawson Street between the Jonson Street and Shirley Street roundabouts at Byron Bay be discussed at the next available Transport and Infrastructure Advisory Committee meeting.

15 The report provides some initial considerations that will inform the discussion.

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**RECOMMENDATION:**

**That Council staff undertake further investigations and prepare a report on the options available and indicative costs to manage pedestrian and traffic movements in Lawson Street, Byron Bay between Jonson Street and Shirley Street roundabouts.**

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Report

Cr Lyon has requested the options for pedestrian crossing management and the interaction and impacts on traffic movements in Lawson Street between the Jonson St and Shirley St roundabouts be discussed at the next available Transport and Infrastructure Advisory Committee meeting

Council staff have made initial enquiries regarding options and matters for consideration as follows:

- 10 • Does the facility need to cater for elderly and meet access mobility standards?
- Is it acceptable to hold up traffic and have queuing?
- 15 • Past research suggests that pedestrian crossings may be safest when the pedestrian is required to pick a gap. That is, when the onus is on the pedestrian rather than the motorist. This would support the use of central pedestrian refuges, particularly in this case where further disruptions to traffic movement in that section of Lawson Street should be avoided. However, pedestrian refuges generally shouldn't be used where there are two or more lanes in one direction on one or both sides. This is a problem in Lawson St. despite there already being such a refuge in place. Perhaps the reason this works at the moment is because the kerb lane (inbound) doesn't carry much traffic as the through lane. RMS usually requires pedestrian signals in those instances.
- 20 • Port Macquarie, for example, used the shared area approach where they actually eliminated the perception of anyone (motorist or pedestrian) having right of way which has proved to be very successful. However, it is used in a substantially different situation than applies in Lawson St such that it may not be appropriate for Lawson St although there are other locations in the town centre where it might be an appropriate solution. Note the Port Macquarie example is not signed as a share zone but is a raised intersection controlled by Stop Signs.
- 25 • Essentially, for the section of Lawson Street being considered there are not many options other than pedestrian refuges of the type already in place or pedestrian signals (eg. Pelican Crossing).
- 30 • For a pedestrian refuge, there needs to be some attention given to the problem associated with the two inbound lanes. In that respect zebra markings may be inappropriate and may not be supported by RMS. Consequently, the pedestrian refuge solution would at least require a platform (raised) crossing to ensure that vehicles slow on the crossing approach and that the crossing point is highly apparent. Again, RMS support could be problematic.
- 35 • If Council were to install pedestrian signals (pelican crossing) they would have to operate 24/7. In busy periods this should not really obstruct the traffic movement because the capacity constraint appears to be the roundabout at Jonson St rather than the Lawson St cross section. Further investigation would confirm if this assumption is correct.
- 40 • A pedestrian crossing may provide some real benefits in effectively signalling the Jonson St roundabout and increasing the capacity of the east approach in to the roundabout.
- 45 • The technical solution are likely to be a pelican crossing with cycle and phasing being designed with regard to the potential positive effect on the Jonson St roundabout operation. Alternatively, the other choice is a central refuge in the form of a platform (raised) crossing (without zebra markings), but resistance from RMS is likely.
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- 55

**Financial Implications**

None at this stage

**5 Statutory and Policy Compliance Implications**

None at this stage