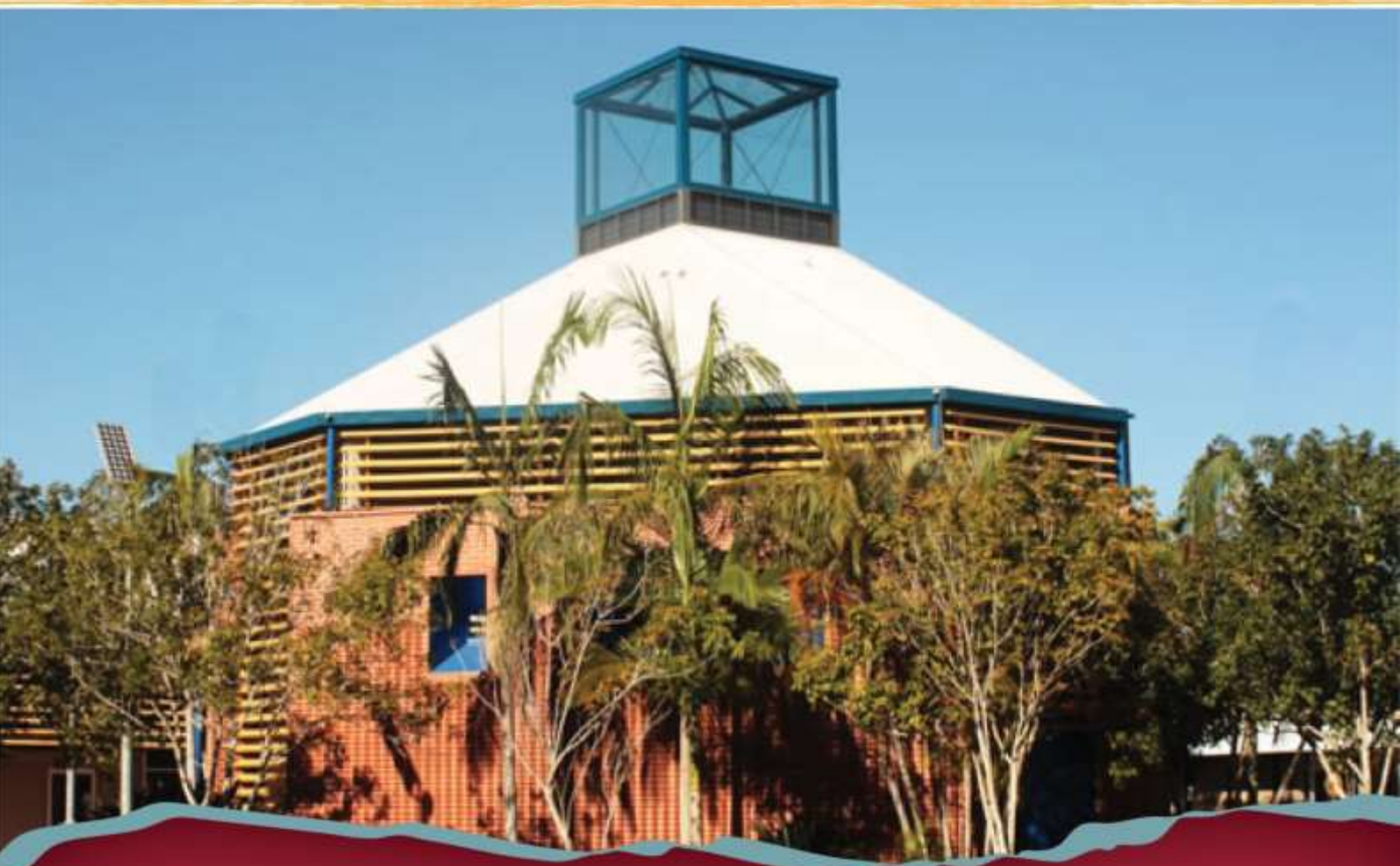




Byron Shire Council



Agenda

Extraordinary Meeting

Thursday, 17 May 2018

held at Council Chambers, Station Street, Mullumbimby
commencing at 4.30pm

Public Access relating to items on this Agenda can be made between 9.00am and 10.30am on the day of the Meeting. Requests for public access should be made to the General Manager or Mayor no later than 12.00 midday on the day prior to the Meeting.

Mark Arnold
Acting General Manager

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)

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
EXTRAORDINARY MEETING

BUSINESS OF EXTRAORDINARY MEETING

1. PUBLIC ACCESS
2. APOLOGIES
3. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY
4. STAFF REPORTS

Corporate and Community Services

| | | |
|-----|--|----|
| 4.1 | Public Exhibition - Draft 2018-2019 Statement of Revenue Policy..... | 4 |
| 4.2 | Delivery Program 2017-2021 (Revised) and Operational Plan 2018-2019..... | 12 |
| 4.3 | Community Strategic Plan 2028..... | 17 |

Councillors are encouraged to ask questions regarding any item on the business paper to the appropriate Executive Manager prior to the meeting. Any suggested amendments to the recommendations should be provided to the Administration section prior to the meeting to allow the changes to be typed and presented on the overhead projector at the meeting.

STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

Report No. 4.1 Public Exhibition - Draft 2018-2019 Statement of Revenue Policy**Directorate:** Corporate and Community Services5 **Report Author:** James Brickley, Manager Finance**File No:** I2018/864**Theme:** Corporate Management

Financial Services

10

Summary:

15 The preparation of Council's annual Operational Plan, including Statement of Revenue Policy (comprised of Budget Estimates, Rates and Charges, Borrowings and Fees and Charges) is regulated under the Integrated Planning and Reporting Framework requirements legislated by the Local Government Act 1993 (Sections 402 to 406). Management, in consultation with the elected Council, have developed the 2018-2019 Statement of Revenue Policy comprised of Budget Estimates, Rates and Charges, Borrowings and Fees and Charges.

20 The information in this report is directly linked to and supports the report also included in the agenda to this Extraordinary Meeting of Council concerning the Integrated Planning and Reporting documents relating to the Community Strategic Plan 2018-2028, Delivery Plan 2017-2021(Revised) and Operational Plan 2018-2019.

25 This report recommends placing these documents, subject to any amendments, on public exhibition for not less than 28 days.

RECOMMENDATION:

1. **That Council adopt for exhibition the Draft 2018-2019 Statement of Revenue Policy, comprising Budget Estimates, Rates and Charges, Borrowings and Fees and Charges.**
2. **That the Draft 2018-2019 Statement of Revenue Policy, comprising Budget Estimates, Rates and Charges, Borrowings and Fees and Charges be placed on public exhibition for a period of 28 Days.**

Attachments:

30

- 1 Draft 2018-2019 Budget Estimates (Detailed), E2018/40146 [⇒](#)
- 2 Draft 2018-2019 Budget Summary Statements and Reserves, E2018/40147 [⇒](#)
- 3 Draft 2018-2019 Revenue Policy, E2018/40158 [⇒](#)
- 4 Draft 2018-2019 Fees and Charges, E2018/39749 [⇒](#)
- 35 5 Draft 2018-2019 Special Rate Variation funded Works , E2018/40301 [⇒](#)

Report

- 5 The preparation of Council's annual Operational Plan, including the Statement of Revenue Policy (comprised of Budget Estimates, Rates and Charges, Borrowings and Fees and Charges) is regulated under the Integrated Planning and Reporting Framework requirements legislated by the Local Government Act 1993 (Sections 402 to 406). Management, in consultation with the elected Council, have developed the 2018-2019 Statement of Revenue Policy comprised of Budget Estimates, Rates and Charges, Borrowings and Fees and Charges.
- 10 The information in this report is directly linked to and supports the report also included in the agenda to this Ordinary Meeting of Council concerning the Integrated Planning and Reporting documents relating to the Community Strategic Plan 2018-2028, Delivery Plan 2017-2021 (Revised) and Operational Plan 2018-2019.
- 15 This report recommends placing these documents, subject to any amendments, on public exhibition for not less than 28 days.

Draft 2018-2019 Budget Estimates

- 20 The Draft 2018-2019 Budget Estimates are based on the 2017/2018 budget reviewed at 31 December 2017 and the proposed 31 March 2018 Quarter Budget Review with various changes to reflect the updated cost of service delivery across all programs developed from the input received from each Council Directorate.
- 25 The Draft 2018-2019 Budget Result on a Consolidated (All Funds) basis forecast a surplus budget result with the details of that result being included below at Table 1.

Table 1 – Forecast Budget Result 2018-2019 Consolidated (All Funds)

| Item | Amount \$ |
|--|---------------------|
| Operating Result | |
| Operating Revenue | 80,318,500 |
| Less: Operating Expenditure | 80,748,400 |
| Operating Result – Surplus/(Deficit) | (429,900) |
| Funding Result | |
| Operating Result – Surplus/ (Deficit) | (429,900) |
| Add: Non cash expenses – Depreciation | 13,177,900 |
| Add: Capital Grants and Contributions | 19,235,500 |
| Add: Loan Funds Used | 3,899,000 |
| Add: Asset Sales | 0 |
| Less: Capital Works | (50,920,000) |
| Less: Loan Principal Repayments | (2,638,800) |
| Funding Result – Surplus/(Deficit) (Cash Movement) | (13,876,300) |
| Reserves Movement – Increase/(Decrease) | (13,892,100) |
| Overall Budget Result – Surplus/(Deficit) (Operating + Funding) | 15,800 |

- 30 The detailed Draft 2018-2019 Budget Estimates are prepared with the second year of the Special Rate Variation (SRV) included as detailed at Attachment 1. The amount of SRV revenue available for 2018-2019 is \$2.495million including \$219,100 unexpended from the 2017/2018 financial year.
- 35 This funding coupled with other funding will provide capital and maintenance works consistent with the SRV approval of \$3.424million. Specific details of the SRV funded program can be found at Attachment 5.

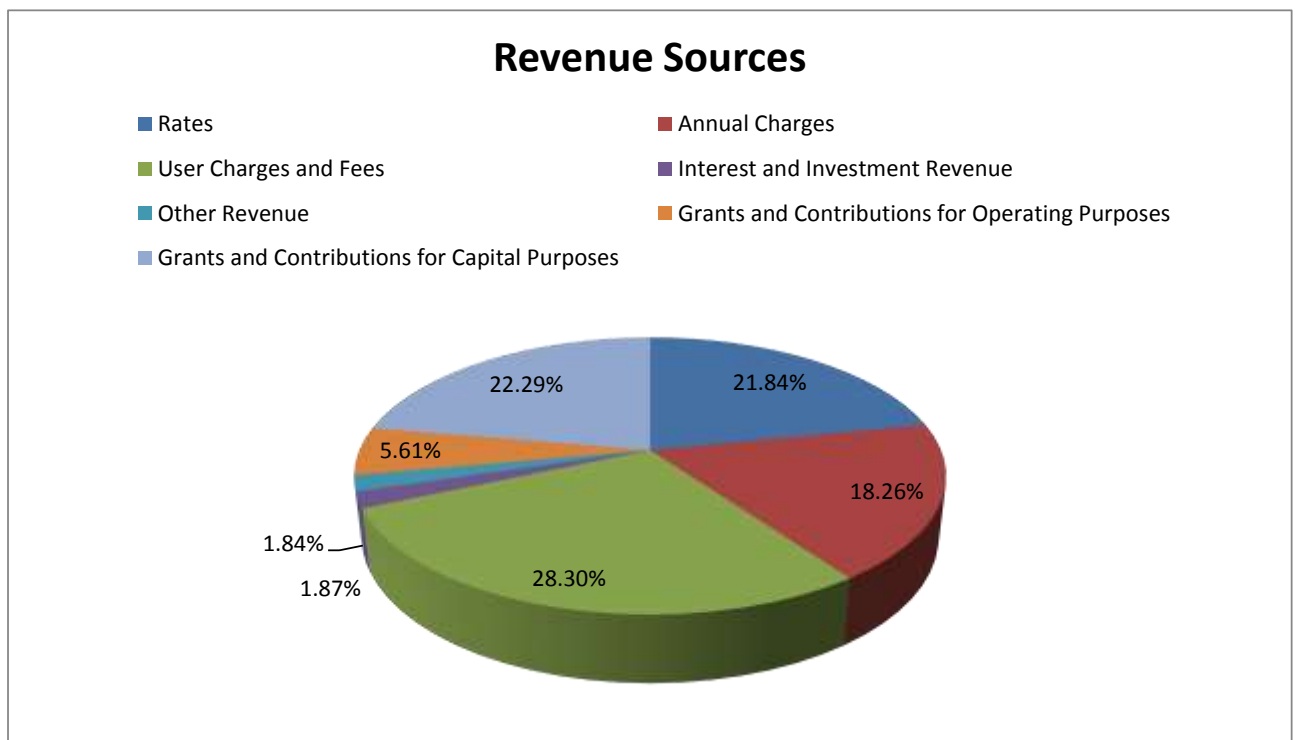
Table 1 indicates a forecasted budget surplus result of \$15,800 and this relates to the General Fund. The forecast General Fund Unrestricted Cash Balance position based on the draft budget included at Table 1 is outlined in Table 2 below:

5 Table 2 – Forecast General Fund Unrestricted Cash Balance

| Item | \$ |
|--|------------------|
| Forecast unrestricted cash balance to 30 June 2018 at 31 March 2018 Budget Review (proposed) | 1,145,200 |
| Add: Estimated initial draft 2018-2019 budget result | 15,800 |
| Forecast unrestricted cash balance at 30 June 2019 | 1,161,000 |

10 In addition to Table 1 above, budgeted financial statements incorporating a Operating Statement and Cash Flow Statement have been produced. These financial statements replicating the format of Council’s Annual Financial Statements are included in Attachment 2 along with a one page summary of all Council budget program outcomes and the estimated balance of Council reserves as at 30 June 2019.

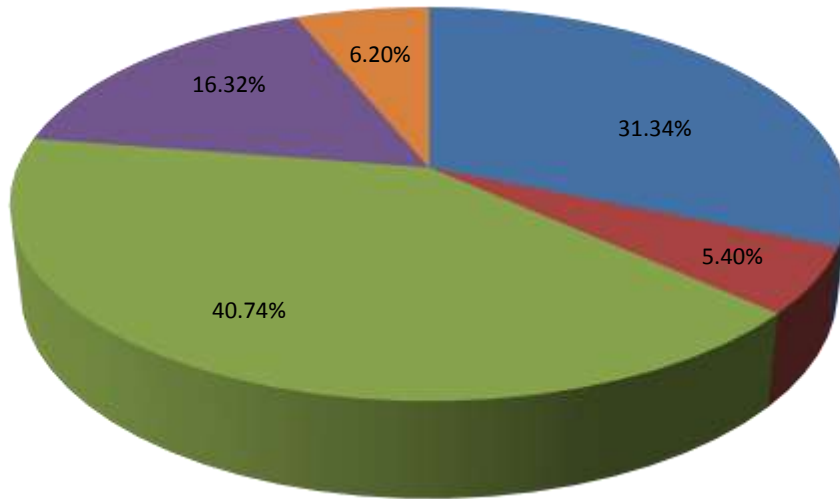
15 To arrive at the Draft Budget Results outlined in Table 1 for the 2018-2019 financial year, Council’s revenue and operational expenses are expected to be derived from the following sources and allocated respectively as outlined in the graphs below:



20

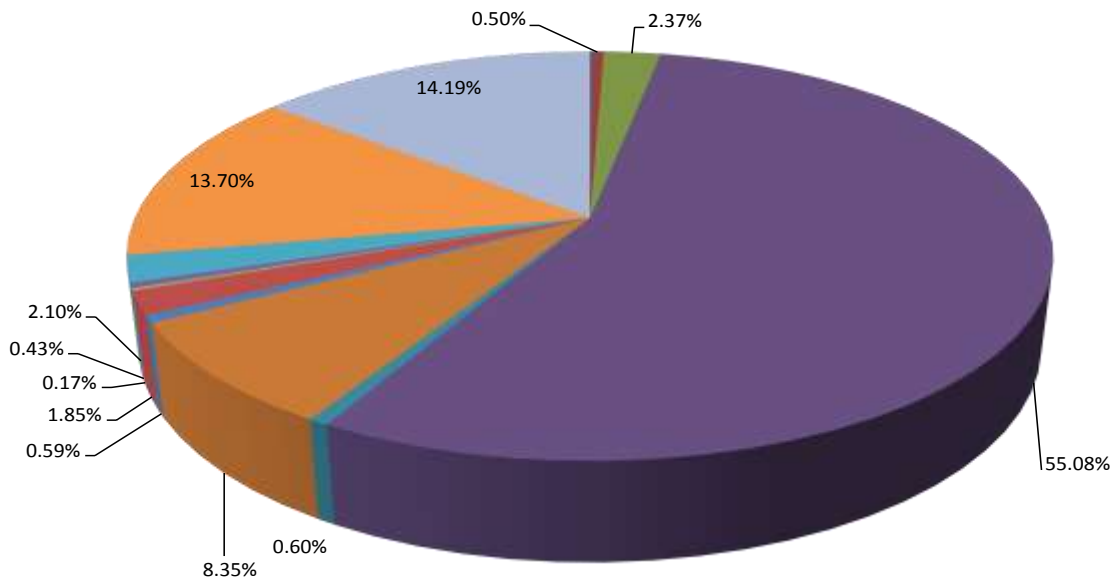
Operating Expenditure

- Employee Benefits and Oncosts
- Borrowing Costs
- Materials and Contracts
- Depreciation and Amortisation
- Other Expenses



Capital Expenditure

- Public Libraries
- Childrens Services
- Depot Services and Fleet Management
- Local Roads and Drainage
- Roads and Maritime Services
- Open Space and Recreation
- Projects & Commercial Development
- Waste Management
- Cavanbah Centre
- Holiday Parks
- Facilities Management
- Water
- Sewerage



In addition to the operational aspects of the proposed Draft 2018-2019 Budget Estimates, Council is proposing a capital works program of \$50.920million. By Fund, the projected capital works are:

- 5
- General Fund \$36.718million
 - Water Fund \$6.975million
 - Sewerage Fund \$7.227million

10 Specific capital works projects have been detailed in Attachment 1, which for 2018-2019 has continued to be presented in a different format for the General Fund, to improve the disclosure of funding sources for specific projects including:

- 15
- Section 94 funding to describe the specific part of the Section 94 Plan and catchment that is providing the funding for a project.
 - Where reserve funds are funding a project, identification of the reserve being utilised.
 - Separation of funding provided by Special Rate Variations (SRVs) including previously granted SRVs prior to 2008/2009 and the SRV for 2017/2018.

20 Of the \$36.718million for capital works related to the General Fund, \$28.044million is allocated towards Roads and Drainage projects including \$11.214million allocated to the Byron Bay Bypass.

25 The Draft 2018-2019 Budget Estimates also propose new loan borrowings of \$3.899million of a \$6.000million borrowing program over next three financial years to fund a bridge and culvert replacement program. These are the first new loan borrowings for Council in at least the last five years as Council has been concentrating of debt reduction.

Draft 2018-2019 Revenue Policy

30 The Draft 2018-2019 Revenue Policy has been prepared to support the funding requirements of the Draft 2018-2019 Budget Estimates.

The major components of the Draft 2018-2019 Revenue Policy are discussed in this report including:

- 35
- Draft General Land Rates and Charges
 - Draft Fees and Charges

Draft General Land Rates and Charges

40 The Draft 2018-2019 Revenue Policy includes the proposed rating structure consistent with the structure that was significantly revised by Council for the 2017-2018 financial year as outlined in Attachment 3. The rating structure incorporates the second year of the approved 2017/2018 Special Rate Variation (SRV) with the overall rate yield for 2018-2019 being increased by 7.50% including rate pegging of 2.30%.

45 Given Council has an SRV approval for the financial years, 2017-2018 to 2020-2021, the Independent Pricing and Regulatory Tribunal (IPART) have set the rating structure for the next three financial years as the minimum rates to apply have been determined by Order.

50 In respect of other charges, the Draft 2018-2019 Revenue Policy includes the following:

- Waste Charges – increases of 7.0% to apply due to:
 - Queensland waste levy implementation for depositing waste to landfill sites.

- Increased recyclables gate fees proposed by Lismore City Council resulting from changes China has made to recyclables acceptance (contamination levels and product acceptance pricing).
- Contaminated land studies that require funding.
- Implementation of revised rural domestic waste collection service options (organics service for the village of Federal and removal of optional collection service levy for rural properties containing residential dwellings, as well as providing rural domestic customers with the same range of mixed waste bin capacity options as urban customers).

- Water and Sewerage charges increased in line with the Consumer Price Index of 1.80%.
- The stormwater charge has not increased given it is a regulated charge that has not changed over the last eleven years.

Draft Fees and Charges

The Draft 2018-2019 Fees and Charges have been reviewed by respective program managers and included at Attachment 4. Where possible, fees have been altered/increased to reflect the following specific changes:

- Increases in the Consumer Price Index (CPI)/Indexation assumed at 1.80%.
- Review of fees and charges including benchmarking/cost of service provision and where possible introduction of new fees to assist Council generate additional/enhanced revenue as themed by its Financial Sustainability Plan(FSP).

Consultation

A presentation was provided to the Council Strategic Planning Workshop (SPW) held on 5 April 2018 concerning the Draft 2018-2019 Budget Estimates subject of this report. A further SPW incorporating the Delivery/Operational Plan and Draft 2018-2019 Budget Estimates was held on 1 May 2018.

The Draft 2018-2019 Statement of Revenue Policy incorporating the Draft 2018-2019 Budget Estimates will be included in the Draft 2017-2021 Delivery Plan (Revised) that incorporates the Draft 2018-2019 Operational Plan will be placed on public exhibition for a period of no less than 28 days seeking submissions from the Community.

As per Council resolution (Resolution **18-177**) a public information session will be held on the Draft 2018-2019 Budget. This is tentatively scheduled for Wednesday 6 June 2018 and will involve a question and answer session with each directorate throughout the day. It will be held in Council Chambers.

Financial Implications

The proposed Draft 2018-2019 Budget Estimates provided in this report indicate a projected budget surplus of \$15,800. Detailed financial aspects of the Draft 2018-/2019 Budget Estimates are outlined for Council to consider earlier in this report.

The Draft 2018-2019 Revenue Policy is an integral part to Council's Operational Plan and provides the basis for Council to raise the required revenue to fund the estimated operating and capital expenditures contained in the proposed Draft 2018-2019 Budget Estimates.

There are direct financial implications to ratepayers of Council in regards to the proposed rates and charges contained in the Draft 2018-2019 Revenue Policy as it will determine, subject to final adoption after public exhibition and consideration of submissions, what ratepayers will be requested to pay when rate notices are issued in July 2018.

5

Statutory and Policy Compliance Implications

In respect of the Draft 2018-2019 Operational Plan including the Statement of Revenue Policy, Council must comply with the provisions of Section 405 of the Local Government Act 1993 as described below concerning the adoption of an Operational Plan.

10

405 Operational plan

15

“(1) A council must have a plan (its operational plan) that is adopted before the beginning of each year and details the activities to be engaged in by the council during the year as part of the delivery program covering that year.

20

(2) An operational plan must include a statement of the council’s revenue policy for the year covered by the operational plan. The statement of revenue policy must include the statements and particulars required by the regulations.

25

(3) A council must prepare a draft operational plan and give public notice of the draft indicating that submissions may be made to the council at any time during the period (not less than 28 days) that the draft is to be on public exhibition. The council must publicly exhibit the draft operational plan in accordance with the notice.

30

(4) During the period of public exhibition, the council must have for inspection at its office (and at such other places as it may determine) a map that shows those parts of its area to which each category and sub-category of the ordinary rate and each special rate included in the draft operational plan applies.

35

(5) In deciding on the final operational plan to be adopted, a council must consider any submissions that have been made concerning the draft plan.

(6) The council must post a copy of its operational plan on the council’s website within 28 days after the plan is adopted.”

The specific statements required by Council to be disclosed as part of its Revenue Policy are determined by Clause 201 of the Local Government (General) Regulation 2005 as follows:

40

201 Annual statement of council’s revenue policy

45

“(1) The statement of a council’s revenue policy for a year that is required to be included in an operational plan under [section 405](#) of [the Act](#) must include the following statements:

(a) a statement containing a detailed estimate of the council’s income and expenditure,

(b) a statement with respect to each ordinary rate and each special rate proposed to be levied,

50

Note: The annual statement of revenue policy may include a note that the estimated yield from ordinary rates is subject to the specification of a percentage variation by the Minister if that variation has not been published in the Gazette when public notice of the annual statement of revenue policy is given.

(c) a statement with respect to each charge proposed to be levied,

(d) a statement of the types of fees proposed to be charged by the council and, if the fee concerned is a fee to which Division 3 of Part 10 of Chapter 15 of [the Act](#) applies, the amount of each such fee,

5

(e) a statement of the council's proposed pricing methodology for determining the prices of goods and the approved fees under Division 2 of Part 10 of Chapter 15 of [the Act](#) for services provided by it, being an avoidable costs pricing methodology determined by the council in accordance with guidelines issued by the Director-General,

10

(f) a statement of the amounts of any proposed borrowings (other than internal borrowing), the sources from which they are proposed to be borrowed and the means by which they are proposed to be secured.

15 (2) The statement with respect to an ordinary or special rate proposed to be levied must include the following particulars:

(a) the ad valorem amount (the amount in the dollar) of the rate,

20

(b) whether the rate is to have a base amount and, if so:

(i) the amount in dollars of the base amount, and

25

(ii) the percentage, in conformity with [section 500](#) of [the Act](#), of the total amount payable by the levying of the rate, or, in the case of the rate, the rate for the category or sub-category concerned of the ordinary rate, that the levying of the base amount will produce,

(c) the estimated yield of the rate,

30

(d) in the case of a special rate-the purpose for which the rate is to be levied,

(e) the categories or sub-categories of land in respect of which the council proposes to levy the rate.

35 (3) The statement with respect to each charge proposed to be levied must include the following particulars:

(a) the amount or rate per unit of the charge,

40

(b) the differing amounts for the charge, if relevant,

(c) the minimum amount or amounts of the charge, if relevant,

45

(d) the estimated yield of the charge,

(e) in relation to an annual charge for the provision by the council of coastal protection services (if any)-a map or list (or both) of the parcels of rateable land that are to be subject to the charge.

50 (4) The statement of fees and the statement of the pricing methodology need not include information that could confer a commercial advantage on a competitor of the council. "

Report No. 4.2 **Delivery Program 2017-2021 (Revised) and Operational Plan 2018-2019**
Directorate: Corporate and Community Services
Report Author: Mila Jones, Corporate Governance Coordinator
 Anna Vinfield, Manager Corporate Services

5 **File No:** I2018/476
Theme: Corporate Management
 Governance Services

10 **Summary:**

Council's Delivery Program turns the strategic goals found in the Community Strategic Plan into actions. All plans, projects, activities and funding allocations of the council must be directly linked to the Delivery Program.

15 Council developed a new Delivery Program 2017-2021 with the newly appointed Council in early 2017 and to ensure the requirements of the Disability Inclusion Act were met.

20 Council's extensive review of the Community Strategic Plan in late 2017 and deliberations by the Community Solutions Panel in March 2018 provided an opportunity to significantly review the Delivery Program and ensure it met the new objectives.

25 This report presents the revised four year Delivery Program 2017-2021 for endorsement to progress to public exhibition. It is noted that Council is in its second year of the plan.

The revised actions have been based on:

- actions from the first version
- new Objectives and Strategies in the Community Strategic Plan 2028 (subject to separate report to this meeting)
- 30 • recommendations from the Community Solutions Panel

This report also presents the one year Operational Plan for 2018-2019 for endorsement and confirms the Transport Asset Management Plan adopted at the 19 April Ordinary Meeting (Resolution **18-247**).

35

RECOMMENDATION:

That Council:

1. **Endorse the draft Delivery Program 2017-2021 (Revised) and Operational Plan 2018-2019 (Attachment 1 #E2018/40309) for public exhibition for a period of 28 days.**
2. **Accept the Byron Shire Community Solutions Panel recommendations as listed in their Final Report (Attachment 2 #E2018/33402).**

Attachments:

- 40 1 DRAFT Delivery Program 2017-2021 (Revised) and Operational Plan 2018-2019 for report, E2018/40309 [⇒](#)
- 2 Byron Shire Community Solutions Panel - Final Report, E2018/33402 [⇒](#)

Report

The Community Strategic Plan, the Delivery Program and the Operational Plan form part of the Integrated Planning and Reporting Framework which is a requirement of the NSW Government. Section 404 of the Local Government Act states:

- (3) The council must establish a new delivery program after each ordinary election of councillors to cover the principal activities of the council for the 4-year period commencing on 1 July following the election

The Delivery Program turns the strategic goals found in the Community Strategic Plan into actions. It's the point where a council makes a commitment to the Community Strategic Plan, and act upon those issues that are within its area of responsibility. The Delivery Program is the key 'go to' document for the councillors. It identifies all of the key actions the council has committed to undertake over its four-year term. All plans, projects, activities and funding allocations of the council must be directly linked to the Delivery Program.

The Operational Plan spells out the detail of the Delivery Program, identifying the individual projects and activities that will be undertaken in a specific year to achieve the commitments made in the Delivery Program. The Operational Plan must include the Council's annual budget, along with the council's Statement of Revenue Policy (subject to a separate report to this meeting), which includes the proposed rates, fees and charges for that financial year.

This report presents the revised four year Actions of the Delivery Program 2017-2021 of which we are now in the second year. These Actions have been based on:

- actions from the first version
- new Objectives and Strategies in the Community Strategic Plan 2028 (subject to separate report to this meeting)
- recommendations from the Community Solutions Panel

Although many of the actions have been reworded or changed from the original version of the Delivery Program, all of the progress made during the first year have been captured in our six-monthly reporting to Council, our Annual Report, and will be captured in the End of Term Report in 2021.

This report also presents the one year Operational Plan for 2018-2019 which forms the activities for this second year of the Delivery Program.

Community Solutions Panel

The Byron Shire Community Solutions Panel was established in March 2018 with four workshops being held. 31 randomly-selected local residents formed to deliberate on infrastructure priorities which would directly inform Council's Delivery Program. As a result the revised program has been directly informed by their recommendations and new actions included.

The Community Solutions Panel was tasked with addressing what infrastructure spending Council should prioritise, and how these priorities should be funded if the rates alone are not enough. Council committed that the Panel's recommendations would be implemented in the Delivery Program when it is to be adopted in June 2018.

The panel came up with a set of considerations, values, a decision making framework and infrastructure categories weighted by values to inform Council's priorities. The panel also outlined potential revenue options and how the community should continue to be involved in Council activities and decisions.

Their considerations were:

- We aim to be proactive, not reactive.
- We recognise there are different needs in different places.
- We support investing in renewal when it is practical and necessary to do so.
- We encourage, support and facilitate shared ownership of community issues.
- We recognise that the development of transport alternatives to cars is essential.
- We support investment into infrastructure that generates a return.
- We endorse innovative approaches and efficiency in processes.
- We require organisational and individual responsibility, accountability and transparency.

Their values were:

- Safety
- Community wellbeing
- Connectivity
- Equity
- Environmental consciousness
- Excellence in design

Their decision making framework was:

1. Risk and safety is the first priority across all infrastructure types.
2. It is the desire for “poor” infrastructure to be upgraded to at least a “fair” status. That does not mean all “poor” infrastructure is required to be upgraded. It is the responsibility of Byron Shire Council to align decisions of “poor” status upgrades to be reflective of the CSP’s Vision and Values.
3. Some funds should be allocated for “renewal”, “operational” and to “new” projects. In this phase, the Community Solutions Panel is content that “new” work can be undertaken by the utilisation of s94 or grant funds and considered in terms of long-term planning and cost-efficiency.
4. In the longer term, after we achieve a “fair” status over the majority of infrastructure types, then the expenditure of rates funds on infrastructure can move to be more balanced across upgrading infrastructure status.

The full panel report is attached at Attachment 2 to this report. For more information on the Community Solutions Panel process, go to <https://www.newdemocracy.com.au/our-work/447-byron-shire-council-trialling-a-community-solutions-panel>.

Wellbeing Indicators

A new addition to our Integrated Planning and Reporting documents is a set of 29 wellbeing indicators which has been developed to measure and monitor our progress towards achieving the outcomes and strategies in the Community Strategic Plan. The draft indicators were endorsed by Council at their 19 April meeting (Resolution: **18-205**).

The indicators reflect social and cultural, environmental, economic and civic conditions in the Byron Shire. This aligns with what is known as a Quadruple Bottom Line approach that makes sure our Community Strategic Plan is holistic and balanced.

The indicators fit together to give us an overall picture of our community and how it is changing over time. By monitoring the indicators through our Delivery Program progress updates, we will see the impact of what we’re doing. We will also be able to see where external things, such as broader environmental or economic changes, are influencing our community.

The Byron Shire wellbeing indicators are shown below. Columns show each indicator’s strongest link to our four areas of community wellbeing.

BYRON SHIRE COUNCIL

STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

4.2

| # | Indicator | Society & Culture | Environment | Economy | Civic Leadership |
|----|---|-------------------|-------------|---------|------------------|
| 1 | Housing affordability | ✓ | ✓ | ✓ | |
| 2 | Relative socioeconomic equality | ✓ | | ✓ | |
| 3 | Community services and facilities | ✓ | ✓ | ✓ | ✓ |
| 4 | Self reported health | ✓ | | | |
| 5 | Life satisfaction | ✓ | ✓ | ✓ | ✓ |
| 6 | Safety | ✓ | | | |
| 7 | Community connectedness | ✓ | | | ✓ |
| 8 | Social support | ✓ | | | ✓ |
| 9 | Appreciation of diversity | ✓ | | | ✓ |
| 10 | Cultural participation | ✓ | | ✓ | |
| 11 | Recreation | ✓ | | ✓ | |
| 12 | Public art | ✓ | | ✓ | |
| 13 | Responsibility for environmental sustainability | ✓ | ✓ | | |
| 14 | Greenhouse gas emissions | | ✓ | | |
| 15 | Energy use | | ✓ | | |
| 16 | Waste minimisation | | ✓ | ✓ | |
| 17 | Healthy waterways | ✓ | ✓ | ✓ | |
| 18 | Biodiversity | ✓ | ✓ | ✓ | |
| 19 | Open space | ✓ | ✓ | | |
| 20 | Road safety | | ✓ | | |
| 21 | Active and public transport | | ✓ | ✓ | |
| 22 | Economic diversity | ✓ | ✓ | ✓ | |
| 23 | Economic growth and development | ✓ | ✓ | ✓ | |
| 24 | Innovation | ✓ | | ✓ | |
| 25 | Work-life balance | ✓ | | ✓ | |
| 26 | Early Childhood Education and Care access | ✓ | | ✓ | |
| 27 | Trust | ✓ | | | ✓ |
| 28 | Political participation | ✓ | | | ✓ |
| 29 | Council performance | | | | ✓ |

Transport Asset Management Plan

5 A draft Transport Asset Management Plan (TAMP) has been prepared following the adoption of the Strategic Asset Management Plan and the integration with the successful Special Rate Variation application. This plan represents the next level of asset planning and has been prepared using the guidance of the International Infrastructure Management Manual.

10 The process of achieving an adopted TAMP will be integrated with the recommendations of the Community Solutions Panel received in April 2018.

The plan was adopted by the Transport and Infrastructure Committee and endorsed by Council (Resolution **18-247**) for public exhibition.

Public exhibition

Community feedback will be sought on the draft Delivery Program, Operational Plan and budget. A survey will be available on www.yoursaybyronshire.com.au.

- 5 As per Council resolution (Resolution **18-177**) a public information session will be held on the budget. This is tentatively scheduled for Wednesday 6 June 2018 and will involve a question and answer session with each directorate throughout the day. It will be held in Council Chambers.

10 **Financial Implications**

The Operational Plan includes the annual budget required to meet the projects and services delivered as part of the Plan.

15 **Statutory and Policy Compliance Implications**

Section 404 of the Local Government Act states:

- 20 (3) The council must establish a new delivery program after each ordinary election of councillors to cover the principal activities of the council for the 4-year period commencing on 1 July following the election

Essential Element 3.1 of the Integrated Planning and Reporting Manual states:

- 25 Each council must prepare and adopt its Delivery Program by 30 June in the year following a local government ordinary election.

The Manual also states that:

- 30 The [Delivery] Program is designed as a fixed-term four year plan to align with the council electoral cycle.

Report No. 4.3 **Community Strategic Plan 2028**
Directorate: Corporate and Community Services
Report Author: Mila Jones, Corporate Governance Coordinator
File No: I2018/602
5 **Theme:** Corporate Management
 Governance Services

Summary:

10 The new Community Strategic Plan has been developed to guide long term future planning to meet the needs and aspirations of the community.

15 The plan sets out our collective vision for the next 10 years and highlights our priorities and aspirations. It is a collective document that is facilitated by Council in collaboration with the community and other partners.

20 Following intensive community and stakeholder engagement in late 2017, the draft plan was endorsed by Council for public exhibition at its 22 February 2018 Ordinary Meeting (Resolution **18-075**).

25 This report provides Council with the exhibition outcomes, and presents the final Community Strategic Plan 2028 “Our Byron, Our Future” (Attachment 1) for adoption.

RECOMMENDATION:

1. **That Council notes the submissions.**
2. **That Council adopt the amended Community Strategic Plan 2028 shown at Attachment 1 (E2018/40030).**

Attachments:

- 30 1 Community Strategic Plan 2028, E2018/40030 [⇒](#)
 2 Our Byron Our Future - Community Strategic Plan 2028 Survey Results, E2018/37829 [⇒](#)
 3 Written submission from ACWG March 2018, E2018/23746 [⇒](#)

Report

At the Ordinary Meeting held on 22 February 2018, Council resolved to place the Draft Community Strategic Plan 2028 on public exhibition.

5

18-075 Resolved that Council:

1. Notes the outcomes from community engagement undertaken in late 2017 (Attachment 1 E2018/10080) and that the report be published.
2. Endorses "Our Byron, Our Future" (draft Community Strategic Plan 2028) (Attachment 2 E2018/10708) for public exhibition and seeks feedback specifically on:
 - a) Proposed vision
 - b) Proposed strategies
 - c) Unique characteristics for each village and township (which will be developed in partnership with masterplan and guidance groups)
3. Should there be no submissions received, adopt "Our Byron, Our Future", however if submissions are received, a further report will be brought to Council reporting on the submissions with a revised Plan where necessary.

10

15

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The components of part 2 of the resolution are addressed below.

Part 2 of Resolution 18-075 - Community Engagement and Feedback

25

Following intensive stakeholder and community engagement undertaken in late 2017 (phase one of engagement), the draft Community Strategic Plan 2028 was developed. Nearly 3000 people participated in the engagement process which included 76 hours of face to face engagement supported by other online activities. The plan was drafted to explicitly address the engagement outcomes.

30

The draft Plan was exhibited for 30 days in March. Feedback was sought through:

- advertisements in Council's public notices and display advertisement in local paper
- social media (Facebook)
- direct emails seeking submissions
- pop-ups at Mullumbimby and Byron Bay Farmer's Markets
- survey and information on Council's website and on Council's Your Say Byron Shire website

35

The number of responses and submissions received were:

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- 121 Facebook comments
- 1 written submission
- 40 farmers market visits
- 34 survey responses

Part 2(a) of Resolutions 18-075 – Proposed Vision

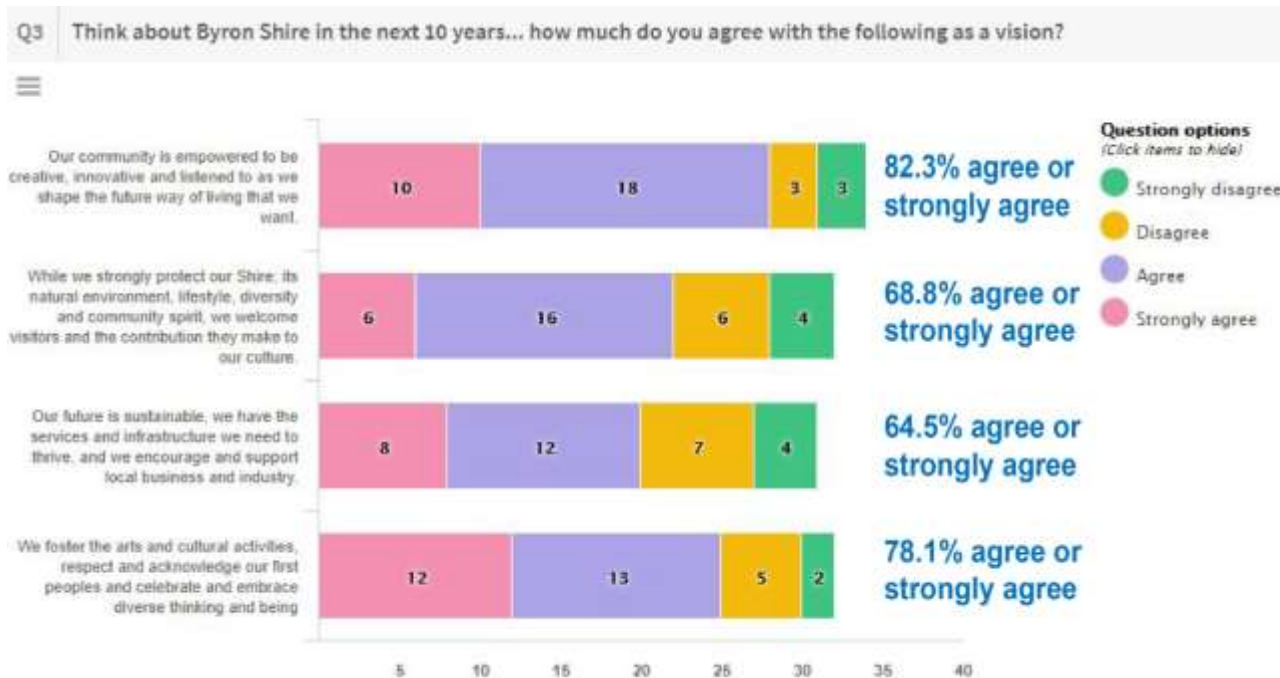
45

Survey responses:

50

The majority of survey responses (refer to Attachment 2) confirmed that the vision presented in the draft Plan, which was formed based on the outcomes from the first phase of engagement, was in-line with community sentiment. Refer to attachment 2 for the complete set of survey responses.

In the survey, responses on each of the vision's four elements was sought. Results showed:



Our Byron Our Future Survey Results – question 3

Where respondents proposed a different vision to the one provided in question 3 shown above, the proposals generally fall within the draft vision and/or strategic objectives as follows:

| Community’s proposed vision/comments | How it will be met by the Plan |
|--|---|
| We need a tougher stance on whose house holiday letting in residential areas that is eroding sense of community and creating a lot of angst due to noise and anti social behaviour | Objective 4: We manage growth and change responsibly. |
| I’d like to see a university of the humanities, sustainable architecture and planning college or something to support educational growth as opposed all out tourism | Objective 4: We manage growth and change responsibly. Strategy 4.3: Promote and support local business development, education and employment opportunities. |
| This is an inward looking, self agrandising [sic] and backward looking community out of touch with the Nation. | No response |
| I agree that we foster the arts and all that. In what sense though, will we acknowledge our first people? | Objective 2: We cultivate and celebrate our diverse cultures, lifestyle and sense of community. Strategy 2.5: Encourage community appreciation of cultural vitality and diversity. |
| Start fixing roads. Listen to the RATEPAYERS. Do the job you paid for by the ratepayers. Employ outdoor staff. The streets and roads are a disgrace. Spend our money to support the Ratepayers not wasted on green visions | Objective 1: We have infrastructure, transport and services which met our expectations. Strategy 1.1: Provide a road network which is safe, accessible and maintained to an acceptable level of service. |
| Fairness and evenly distributed money for the road upkeep not for impractical things before safety on our roads. A bed tax on Tourism to be spent back on roads . Most tourist money does not stay in the shire because the hotels restaurant owners not Local | Objective 1: We have infrastructure, transport and services which meet our expectations. Strategy 1.1: Provide a road network which is safe, accessible and maintained to an acceptable level of service. Objective 5: We have community led decision making which is open and inclusive. Strategy 5.4 Manage Council’s assets and allocate resources in a fair and holistic manner. |
| How the council is handling contemporary local issues (many of which detrimental and chronic) is | Objective 4: We manage growth and change responsibly. |

BYRON SHIRE COUNCIL

STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

4.3

| Community's proposed vision/comments | How it will be met by the Plan |
|--|---|
| indicative of a future that will not be supportive or viable for equitable and affordable living for Byron Shire residents. (Housing, Bed tax, Infrastruct [sic]) | Strategy 4.2: Support housing diversity in appropriate locations across the Shire. Strategy 4.5: Work to improve community resilience in our changing environment. |
| As little government as possible, let people be free, every regulation has a cost to the business and a cost of enforcement to the tax payer so ideally you want as little rules as possible and occasionally uou'll [sic] Have to deal with unique situations | Council is governed by various Acts and Regulations which are needed to support the wellbeing of all members of the community, however the following objective and strategy allows for more open and transparent decision making, and creates a culture of trust with the community by being transparent. Objective 5: We have community led decision making which is open and inclusive. |
| We are a bold and unique community which strives to think out of the box and innovativly [sic]. Nature is priority. We will not crumble to cashed up developers and/or interests who seek to make profit out of destroying our natural environment and our values. | Objective 2: We cultivate and celebrate our diverse cultures, lifestyle and sense of community. Strategy 2.1: Support and encourage our vibrant culture and creativity. Objective 3: We protect and enhance our natural environment. Strategy 3.1: Partner to protect and enhance our biodiversity, ecosystems and ecology. Objective 4: We manage growth and change responsibly. |
| A shire not dominated and dependant [sic] upon tourism, that encourages creativity, puts an end to greenfield development and holiday letting, encourages and uses green technology. | Objective 4: We manage growth and change responsibly. Objective 3: We protect and enhance our natural environment. |
| Like Carmel on sea in California, i'd love to see all street advertising banned or subject to a set architectural set of options & colour choices. a perfect example of beautiful, unobtrusive signage [sic] is "The Balcony" restaurant. Subtle and attractive. | Objective 4: We manage growth and change responsibly. Strategy 4.1: Support the visions and aspirations of local communities through place-based planning and management. |
| The people of this Shire need a strong and diverse economy to provide opportunities for our future generations [sic] to flourish, and to achieve this we need a sensible and sustainable development regime to accommodate [sic] and foster our future. | Objective 4: We manage growth and change responsibly. |
| Council needs to have a good look around spending our rate payers money on beautifying our shire and council building is miss use of the rate payers money - FIX THE ROADS PLEASE | Objective 1: We have infrastructure, transport and services which meet our expectations Strategy 1.1: Provide a road network which is safe, accessible and maintained to an acceptable level of service. Objective 5: We have community led decision making which is open and inclusive. |
| We could be the centre for new environmental business initiatives. This may require government financial support in the beginning as well as private sector investment. Creating local jobs will be imperative as our region continues to grow better transport | Objective 4: We manage growth and change responsibly. Strategy 4.3: Promote and support local business development, education and employment opportunities. |
| The development of industry, services and transport which are environmentally and culturally sensitive and offer opportunities for youth and the unemployed. | Objective 1: We have infrastructure, transport and services which meet our expectations. Strategy 1.2: Provide essential services and reliable infrastructure which meet an acceptable community standard. Strategy 1.3: Support, through partnership, a network of integrated sustainable transport options. Objective 4: We manage growth and change responsibly. |

| Community's proposed vision/comments | How it will be met by the Plan |
|--|---|
| | Strategy 4.3: Promote and support local business development, education and employment opportunities. |
| A lot more trees planted in Byron Bay township to provide shade when walking. Murals in lanes that reflect Byron. Current mural in Lateen Lane Byron better represents an inner city post industrial area! Some community input on murals please. | Objective 2: We cultivate and celebrate our diverse cultures, lifestyle and sense of community. |
| Better public transport to and from Ballina Airport to Bangalow and to and from Gold coast Airport. at the moment almost non existent. | Objective 1: We have infrastructure, transport and services which meet our expectations. Strategy 1.3: Support, through partnership, a network of integrated sustainable transport options. |
| I would also include that we live in an environmentally sustainable way. | Objective 4: We manage growth and change responsibly. Objective 3: We protect and enhance our natural environment. |
| The vision outlined is positive however it is difficult to understand the intentions promoted behind the second point and what is meant by 'visitors' do you mean tourists? If so you need to be clear as the shire is being overwhelmed with daytrippers. | 'Visitors' in the context of the draft vision refers to all visitors ie day-trippers, weekenders, longer stays. |
| Less visitors & less development | Objective 4: We manage growth and change responsibly. Objective 3: We protect and enhance our natural environment. |
| We need a population cap like Oahu has done, especially with fossil fuel transport. Lib/Nats have now promised an electric train from Casino to Murba. Then to Coolangatta. Protect our agricultural land from development. We need a sewage moratorium NOW! | Objective 4: We manage growth and change responsibly. Objective 3: We protect and enhance our natural environment. Strategy 3.4: Support and secure our farming future. Objective 1: We have infrastructure, transport and services which meet our expectations. Strategy 1.3: Support, through partnership, a network of integrated sustainable transport options. |

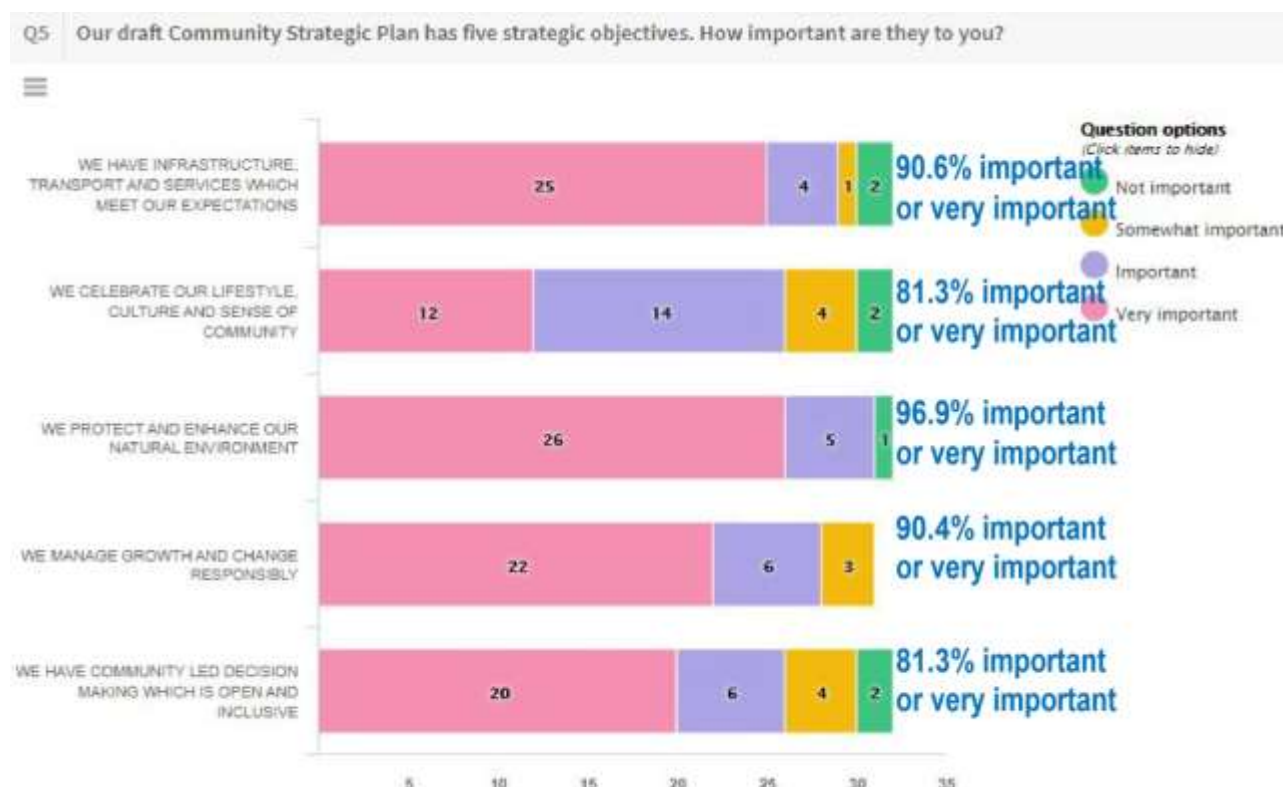
Written submission:

5 A submission was received from the Access Consultative Working Group (Byron Shire) (refer to Attachment 3) which noted visibility, grammatical and typographical issues. These matters have been addressed where possible and where necessary, such as a number of images being changed and comprehensive additional information on unique difference between towns and villages.

10 Part 2(b) of Resolutions 18-075 – Proposed strategic objectives

Feedback received via survey responses (shown at attachment 2) demonstrated that the community's objectives (as set during phase one of engagement) were rated very important or important to a majority of the respondents as shown in the graph below:

15



Our Byron Our Future Survey Results – question 5

While workshopping with Council staff on the Delivery Program and Operational Plan, it was identified that the following objectives and strategies should be amended to allow for more opportunities or better outcomes within the four-year Delivery Program:

5

| Objective/Strategy | Wording in exhibited draft | New wording |
|--------------------|---|--|
| Objective 2 | We celebrate our lifestyle, culture and sense of community | We cultivate and celebrate our diverse cultures, lifestyle and sense of community |
| Extra Strategy 2.5 | | Encourage community appreciation of cultural vitality and diversity |
| Strategy 3.2 | Strive to become zero emissions community | Strive to become a sustainable community |
| Strategy 3.4 | Support and future proof our local farmers and our food bowl | Support and secure our farming future |
| Strategy 4.1 | Manage development to respect the character of our towns and villages | Support the visions and aspirations of local communities through place-based planning and management |
| Strategy 4.2 | Support affordable housing in appropriate locations across the Shire | Support housing diversity in appropriate locations across the Shire |
| Strategy 5.1 | Engage and involve the community in Council's decision making process | Engage and involve the community in decision making |
| Strategy 5.3 | Support Councillors to carry out their duties | Moved to Delivery Program level within Strategy 5.2 Create a culture of trust with the community by being open, genuine and transparent. |
| Strategy 5.4 | Allocate resources in a fair and holistic manner | Manage Council's assets and allocate resources in a fair and holistic manner |
| Draft Strategy 5.5 | Deliver a high level of customer service | Now Strategy 5.3 |
| New Strategy 5.5 | | Manage Council's finances sustainably |
| Strategy 5.6 | Manage Council's finances, assets and workforce sustainably | Manage Council's resources sustainably |

Part 2(c) of Resolutions 18-075 – Unique characteristics for each village and township

The section titled “Our towns and villages” was strengthened by including comprehensive details and characteristics of our villages and townships.

5

Next steps

This exhibition period now completes the final phase of the engagement plan for this project. The completed Plan has set the framework for the Delivery Program 2017-2021 (Revised) and Operational Plan 2018-2019, which is the subject of another report to this meeting.

10

The Community Strategic Plan will continue to undergo reviews at each new term of Council over the next 10 years.

15 Financial Implications

Financial implications during this phase of the project were minimal. Costs incurred were for advertising in local media and Facebook.

20 Statutory and Policy Compliance Implications

1. The Integrated Planning and Reporting Framework is governed by Section 402 of the Local Government Act 1993:

25 402 Community strategic plan

- (1) *Each local government area must have a community strategic plan that has been developed and endorsed by the council. A community strategic plan is a plan that identifies the main priorities and aspirations for the future of the local government area covering a period of at least 10 years from when the plan is endorsed.*
- (2) *A community strategic plan is to establish strategic objectives together with strategies for achieving those objectives.*
- (3) *The council must ensure that the community strategic plan:*
 - (a) *addresses civic leadership, social, environmental and economic issues in an integrated manner, and*
 - (b) *is based on social justice principles of equity, access, participation and rights, and*
 - (c) *is adequately informed by relevant information relating to civic leadership, social, environmental and economic issues, and*
 - (d) *is developed having due regard to the State government’s State Plan and other relevant State and regional plans of the State government.*
- (4) *The council must establish and implement a strategy (its community engagement strategy), based on social justice principles, for engagement with the local community when developing the community strategic plan.*
- (5) *Following an ordinary election of councillors, the council must review the community strategic plan before 30 June following the election. The council may endorse the existing plan, endorse amendments to the existing plan or develop and endorse a new community strategic plan, as appropriate to ensure that the area has a community strategic plan covering at least the next 10 years.*
- (6) *A draft community strategic plan or amendment of a community strategic plan must be placed on public exhibition for a period of at least 28 days and submissions received by*

55

the council must be considered by the council before the plan or amendment is endorsed by the council.

5 (7) *Within 28 days after a community strategic plan is endorsed, the council must post a copy of the plan on the council's website and provide a copy to the Departmental Chief Executive. A copy of a community strategic plan may be provided to the Departmental Chief Executive by notifying the Minister of the appropriate URL link to access the plan on the council's website.*

10 2. The Office of Local Government's Guidelines list all the mandatory requirements from the Act, the Regulation and the Essential Elements that the Guidelines require that councils follow. Councils must comply with these Essential Elements when planning and reporting to comply with the Local Government Act.

15 With regard to the CSP, the Essential Elements prescribe:

What are the general requirements of the Community Strategic Plan?

20 1.1 *The Community Strategic Plan should be developed and delivered as a partnership between the council, state agencies, community groups and individuals. It should address a broad range of issues that are relevant to the whole community.*

What information must be considered when preparing the Community Strategic Plan?

25 1.2 *Information that identifies key issues and challenges must be presented to the community in an accessible format to assist its participation in the planning process.*

1.3 *In addition to the legislative requirement to consider State government plans, any relevant State or regional draft plans and strategies that are available at the time of preparing the Community Strategic Plan must also be considered.*

30 1.4 *Due consideration must also be given to the expected levels of service expressed by the community when preparing the Community Strategic Plan. Even though the Community Strategic Plan is a high level strategic document, these discussions are important to inform development of this plan and actions within subsequent plans.*

How should the community be involved in preparing the Community Strategic Plan?

35 1.5 *As a minimum, the Community Engagement Strategy prepared and implemented by the council must identify relevant stakeholder groups within the community and outline methods that will be used to engage each group.*

40 1.6 *The council must place the Draft Community Strategic Plan on public exhibition for a period of at least 28 days and comments from the community must be accepted and considered prior to the endorsement of the final Community Strategic Plan.*