

NOTICE OF MEETING



COMMUNICATIONS PANEL MEETING

A Communications Panel Meeting of Byron Shire Council will be held as follows:

Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 29 August 2019
Time	4.30pm

Mark Arnold
General Manager

I2019/1295
Distributed 22/08/19

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
COMMUNICATIONS PANEL MEETING

BUSINESS OF MEETING

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY**
- 3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS**

3.1 Communications Panel Meeting held on 30 May 2019

4. STAFF REPORTS

General Manager

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Sustainable Environment and Economy

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STAFF REPORTS - GENERAL MANAGER

Report No. 4.1 **Media and Communications Report**
Directorate: General Manager
5 **Report Author:** Annie Lewis, Media and Communications Coordinator
File No: I2019/1262

10 **Summary:**

This report provides the Panel members with an overview of the activities of the Media and Communications team from May – July 2019.

15

RECOMMENDATION:

That the Communications Panel notes the report.

20

Report

Media statements

- 5 From May – July 2019 the Media and Communications team responded to media enquiries on:
- Pampas grass
 - Girl Guide hall toilets
 - DA details
 - Horse manure on beach
 - 10 • Broken Hd sewerage
 - Bypass parliament
 - Bypass x 3
 - STHL
 - Megademolitions
 - 15 • Scarabelottis café
 - Byron Bay Rec Group PoM
 - SRV expenditure
 - Mercato hotel
 - Council meeting minutes
 - 20 • Budget
 - Barrio
 - Fish kill x 4
 - Editorials for BSN & BSE x 3
 - Byron Bay Preschool
 - 25 • Employment Lands Strategy
 - Roundup x 3
 - Broken Head waste
 - S94 & environment levy
 - Dog attacks
 - 30 • OOSH x 3
 - West Byron Shire Council
 - Developer contributions plan
 - Contamination report & rail corridor
 - Byron bypass x 4
 - 35 • DA Short St
 - Mercato lighting
 - Budget
 - Splendour rubbish
 - Heritage house

Media releases

The following media releases were distributed:

- Dingo Lane
- 45 • Byron Bypass
- Balemo cycleway
- Pest animal management
- Budget
- Osprey
- 50 • Weevils
- Fitzy walking Great Wall
- Housing forum

- Flying fox grant
- Market relocation
- Car share trial
- Tallow fish kill
- 5 • Parvo virus
- OOSH court action
- Bypass tender
- Budget
- 10 • Belongil estuary study
- NRJO liftout
- Sustainability liftout
- Community markets
- Farmers market
- Water management
- 15 • Multi-use rail corridor report
- Rural weddings
- Solar carpark
- Food workshop
- Signs legal action

20

Social media/digital communications

The statistics for May-July are:

- 25 • Page views – 3,849
- Post reach – 96,241
- Engagements – 37,130
- Videos – 21,922
- New followers – 213

30 ***Digital engagement***

Bang the Table – yoursaybyronshire

- 3,404

35 ***Other projects involving the Comms team***

- Byron Bay bypass
- Mullumbimby hospital site remediation
- Railway Park upgrade
- 40 • Balemo Dr cycleway
- Budget 2019
- Suffolk Park cycleway
- Sustainable Visitation Strategy
- Website officer recruitment
- 45 • Rates notice insert
- Mullumbimby I&I project
- Heritage House upgrade
- Waterlily Park opening
- Booyong tennis court opening
- 50 • Kings Rd landslip repairs
- Bus shelters – web
- Food workshop
- Belongil Estuary Strategy
- Solar carpark
- 55 • Jonson St protection works

- Litter/bin audit
- South Arm Bridge
- Federal Park upgrade
- Farm grant project
- 5 • Bayshore Dr sculpture
- Flood warning network tender
- Markets relocation
- Bringing back the Bruns
- Building assets survey
- 10 • Ewingsdale Rd congestion
- Coolamon Scenic Dr roadworks
- Jonson St pedestrian crossing
- Community roundtable
- Residential strategy
- 15 • Byron A&I estate

Financial Implications

NA
20

Statutory and Policy Compliance Implications

NA
25

Report No. 4.2 **Federal Park Upgrade**
Directorate: General Manager
Report Author: Annie Lewis, Media and Communications Coordinator
File No: I2019/1264


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Summary:

10 This report provides an overview of the communications and engagement associated with Council plans to do a project in Federal Park in 2019/20/

That the Communications Panel notes the report.

15 **Attachments:**

1 Federal Park Upgrade - Communication and Engagement Plan, E2019/61515 

20

Report

In 2019/20 Council will be doing a project in Federal Park. We have identified two potential projects:•

5 A new public toilet (likely composting) that is more accessible to the tennis court, park and store. It's important to note that if we install a new toilet in the park the existing toilets near the preschool will be decommissioned.

- An upgrade to the skatepark and relocation of the basketball hoop. This would include resurfacing the existing skatepark and installing a 'funbox' that would allow skaters to perform tricks.

10 At the moment Council only has funding available to do one of the projects this year and we want to make sure what we do represents what the majority of Federal residents and users of the park would like.

This is not to say the least popular project will not get done. We will continue to seek alternative funding, such as a grant. Our long-term vision is to achieve both projects and other upgrades that add to the use and enjoyment of this valued open space.

15 So Council can make an informed decision about whether to build a new public toilet closer to Federal Park or to upgrade the existing skatepark a survey and associated communications and engagement plan has been written and is currently being implemented.

Financial Implications

20 NA

Statutory and Policy Compliance Implications

25 NA

Report No. 4.3 **South Arm Bridge - Communication and Engagement Plan**
Directorate: General Manager
Report Author: Annie Lewis, Media and Communications Coordinator
 Joshua Provis, Road and Bridge Engineer
5 **File No:** I2019/1279


Summary:
10 This report provides details of the communication and engagement plan for the refurbishment of the South Arm Bridge at Brunswick Heads.

RECOMMENDATION:

That the Communications Panel notes this report.

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Attachments:

1 South Arm Bridge - Communication and Engagement Plan, E2019/61767 

20

Report

5 Council has received \$600,000 from the Australian Government's Bridges Renewal program for the refurbishment of South Arm Bridge at Brunswick Heads. Council is also planning to contribute \$600,000 to this project.

Following an engineering inspection and load assessment of South Arm Bridge in February 2019, Council was advised to reduce the already 30 tonne load limit to 10 tonnes. This change formally occurred on 14 February 2019. The level 3 report determined that a significant proportion of the bridge girders and piles were suffering from decay and in poor to very poor condition.

10 As a result of the Bridges Renewal grant Council is now planning on refurbishing the bridge using recycled timber salvaged from the five bridges that were replaced near Bangalow last year. The community of Brunswick Heads has strong sentimental attachment to the existing South Arm Bridge and its timber features.

15 Council understands this and is committed to retaining the look and feel of the bridge as part of the refurbishment. The existing footprint of the bridge will not change. The overall look of the bridge will generally not change, as existing timber elements will be replaced with similar looking timber.

20 A communication and engagement plan has been developed for this project which is expected to start in late September 2019 and be completed by Christmas 2019. At the time this report was written Council was evaluating tenders and it is expected that the successful tender will be awarded in late August – early September.

25 Depending on the final price from successful tenderer there is the possibility that Council will be able to build an additional footpath on the northern side of the bridge. Should this be the case Council will consult closely with the community to determine if this addition (which will be timber and complement the bridge) is something that is wanted. The communication and engagement plan will be amended as necessary.

Financial Implications

30 NA

Statutory and Policy Compliance Implications

35 NA

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.4 Communications Plan - Our Mullumbimby Masterplan Public Exhibition

5 **Directorate:** Sustainable Environment and Economy
Report Author: Isabelle Hawton, Planner
File No: I2019/1238

10 **Summary:**

15 This report outlines the communication methods for the public exhibition of 'Our Mullumbimby Masterplan' (the plan). The plan is expected to go on exhibition in early October 2019 to seek feedback on the plan from the wider shire community. The plan will be exhibited for six weeks.

20 Attachment 1 sets out the methods of engagement proposed as a part of the exhibition and communication of the plan.

RECOMMENDATION:

That the Communications Panel endorse the exhibition of 'Our Mullumbimby Masterplan' as outlined in Attachment 1 noting that there may be minor editorial changes prior to exhibition if required.

Attachments:

- 25 1 Mullumbimby Masterplan Communication and Engagement Plan, E2018/75580 

REPORT

Summary:

5 'Our Mullumbimby Masterplan' (the plan) process has been underway since the Mullumbimby Big Picture Show occurred in 2014.

10 The Guidance Group, together with Council's Place Planning Team, have worked together to create the draft document for Public Exhibition. The guidance group was made up of 16 members, including 3 Councillors, but this number was significantly reduced by the final iteration of the draft plan.

15 The plan outlines the collective aspirations our community, and gives a more tangible set of outcomes to deliver the Community Strategic Plan.

The plan largely focuses on the town centre, but also acknowledges the connections to wider Mullumbimby. It is broken up into a series of 7 Precincts. Each precinct has its own set of actions. In addition, a set of 5 principles guides the actions, and links them back to the central vision.

20 The Vision is as follows:

Mullumbimby is a diverse, dynamic, creative and caring country town that fosters innovation, sustainability and a funky verve for life. It embraces its history and confidently strides forward with a foundation of resilience, strong community spirit and a desire to be "good-different".

The five principles are:

30 **Principle 1:** Balance the need for housing with the desire to retain Mullumbimby's country town feel.

Principle 2: Maintain and enhance Mullumbimby's high level of self sufficiency

Principle 3: Ensure Mullumbimby is accessible and well connected.

Principle 4: Protect and enhance Mullumbimby's green and leafy character and reconnect with the river

35 **Principle 5:** Enhance and Celebrate Mullumbimby's existing eclectic character, spirit of entrepreneurship and identity and make the future of Mullumbimby as fun as its people

40 It is now appropriate to seek community input, to test the ideas and priorities of the plan against a wider shire audience.

Consultation and Engagement

Consultation and Engagement is proposed to follow the actions outlined in Attachment 1.

Report No. 4.5 **Communications Plan- Byron Arts and Industry Estate Precinct Plan**
Directorate: Sustainable Environment and Economy
Report Author: Isabelle Hawton, Planner
File No: I2019/1240

5

Summary:

10

This report provides the Panel members with an overview of the activities proposed for the public exhibition of the Draft 'Byron Arts and Industry Estate Precinct Plan'. The proposed exhibition of the plan is likely to occur in October/November. The actions outlined in Attachment 1 are proposed as a part of the Public Exhibition.




15

RECOMMENDATION:

That the Communications Panel endorse the exhibition of the Draft 'Byron Arts and Industry Estate Precinct Plan' as outlined in Attachment 1 (#E2018/57405), noting that there may be minor editorial or changes prior to exhibition if required by council resolution.

20

Attachments:

- 25 1 Communication Plan- Arts and Industry Estate Precinct Plan project, E2018/57405 
 2 FINAL DRAFT - Hip V Hype - 190701 - BA&IE Precinct Plan-min.pdf, E2019/47098 
 3 Form of Special Disclosure of Pecuniary Interest, E2012/2815 

Report

5 In the Council meeting held 13 December 2018 Council resolved to enlist consultants Hip V Hype in the commencement of a Precinct Plan for the Byron Arts and Industry Estate to be prepared through an Enquiry by Design (EbD) process (**RES- 18-817**).

10 The Enquiry by Design was held the 9 and 10 April, with a group of eight key community stakeholders attending for the full two days, along with multiple technical experts, Council staff and Councillors.

Following the EbD, consultants Hip V Hype continued work on the Plan, resolving outstanding issues and testing and refining solutions that emerged through the process. The result is the Draft Byron Arts and Industry Estate Precinct Plan.

15 A report is due to council at the September Planning meeting to endorse the plan for wider public consultation. It is suggested that the plan be exhibited as per the engagement activities in Attachment 1. Some of the activities outlined in the plan have already been undertaken as a part of the EbD, and the project launch day which was held on the 4 March 2019.

20 However, further engagement about the draft plan is needed and will involve face to face discussions relevant online and print media communications. These activities are described from page 9 onwards in Attachment 1.

Report No. 4.6 **Community Participation Plan**
Directorate: Sustainable Environment and Economy
Report Author: Sam Tarrant, Planning Support Officer
File No: I2019/1252

5

Summary:

10 This report outlines the communication methods for the public exhibition of the Community Participation Plan. The plan is expected to go on exhibition at the end of August for 6 weeks.

15 Locale Consultants will be helping to run the exhibition which will include at a minimum a community workshop.


15 Attachment 1 sets out the methods of engagement proposed as a part of the communication for the plan.

20

RECOMMENDATION:

That the Communications Panel endorse the draft Communication and Engagement Plan for the public exhibition of the Community Participation Plan, as outlined in Attachment 1 (E2019/57544), noting that there may be changes and or additional activities if required and opportunities arise.

Attachments:

25 1 Community Participation Plan - Comms plan, E2019/57544 

REPORT

The Community Participation Plan (CPP) is a new document required under the EP&A Act that sets out how and when the community can participate in planning matters.

5 The draft CPP has been prepared in consultation with Locale consultants and on 15 August 2019 at the planning meeting council resolved to place the draft CPP on public exhibition.

10 The CPP must be adopted and published on the NSW legislation website by 1 December 2019. To achieve this deadline consultation has to occur in the coming weeks.

Budget is available to complete the CPP including the exhibition.

Key issues

15 The CPP sets out the minimum exhibition requirements for planning matters as per the legislation. There are some things that are not affected by this document and will not be exhibited such as exempt and complying development. We do not have any control over this and can not promise such in the plan. The plan attempts to explain this up front.

20 There is more opportunity for consultation early in the planning phase, especially at the strategic stage. When it gets down to the DA stage the consultation is often more prescriptive, however this is often when the most community concern is received. Early community consultation is encouraged at the strategic planning stage as this will result in development that is more aligned with the communities' aspirations.

Consultation and Engagement

30 Consultation and Engagement is proposed to follow the actions outlined in Attachment 1.