



BYRON SHIRE COUNCIL

ORDINARY MEETING

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Infrastructure Services

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Recipient: Byron Shire Council, Paul Toole MP, and Mayor Simon Richardson

Letter: Greetings,

Don't raise Byron Shire's rates!

30% of Byron Shire's rates don't go to locals.

There is a better way - don't slug those in our community who are least able to afford it.

Why not ensure that the burden of increased rates falls onto tourists, rather than residents, through an increased 'special rate'?

Increasing the number of business ratepayers by including holiday lets, AirBnB and other short-term rentals would increase our revenue, acting as a de facto bed tax. Additional revenue could be gained from increasing parking fees at popular tourist locations like Main Beach and Wategos. This would ensure the burden is placed on tourists, not locals.

Make tourists pay their fair share!

BYRON SHIRE COUNCIL

SUBMISSIONS AND GRANTS

11.1 - ATTACHMENT 1

Byron Shire Council Current Grant Applications as at 28 February 2017

	Funding body	Funding Scheme	Project	Total Available	Requested Amount	Funder/ Council	Status	Comments
1	NSW Club Grants	Sports & Recreation Infrastructure Grant	Waterlilly park upgrade	1,000,000	1,000,000	1,000,000 /35,000	Not awarded	
2	NSW Club Grants	Sports & Recreation Infrastructure Grants	Construction of 3 rd Court at the Cavanbah	1,000,000	1,000,000	1,000,000 /380,000	Not awarded	
3	NSW Dept of Justice	Crime Prevention Grants	CPTED lighting in Byron CBD	50,000	50,000	50,000/Nil	Submitted Jan 20	Pending decision
4	NSW Dept of Justice	NSW Community Safety Fund 2017	Extension of CCTV network in Byron CBD	250,000	250,000	250,000/ 50,000	Submitted 20 Feb 2017	Pending decision
5	NSW Rural Fire Service	RFF Fund Hazard Reduction					Submission due 28 Feb 2017	No submission made: no shovel ready project
6	Commonwealth Dept of Infrastructure and Regional Development	Building Better Regions Fund – Infrastructure Projects Stream	Roundabout at the intersection of Bayshore Drive and Ewingsdale Road	10,000,000	2,640,254	2,640,254 3,062,695	Submitted 28 Feb 2017	Pending decision

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SUBMISSIONS AND GRANTS

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7	Commonwealth Dept of Infrastructure and Regional Development	Building Better Regions Fund – Community Investments Stream	Research to support employment/land use planning	100,000	40,000	20,000/20,000	Submission due 31 Mar 2017	
8	Commonwealth Dept of Infrastructure and Regional Development	Building Better Regions Fund – Community Investments Stream	Building Capacity in Community Halls (Love Byron Halls)	20,000	20,000	20,000/5,000 plus in-kind	Submission due 31 Mar 2017	
9	NSW Liquor and Gaming	Arts & Culture Infrastructure grant	Kitchen Upgrade of Brunswick Community Hall	300,000	300,000	300,000/TBC (project cost exceeds fund amt)	Submission due 10 Mar 2017	No submission made: project not shovel ready
10	NSW Dept of Primary Industries	Recreational Fishing Trust	Fishing platform and bank regeneration Brunswick River	30,000	30,000	30,000/TBC – will need some cash and in-kind	Submission due 13 March 2017	
11	NSW Dept of Industry, Lands	Public Reserves Management Fund	Clarks Beach Reserve Amenities	No upper limit	Approx. 350,000	TBC/TBC	Submission due 24 March 2017	
12	NSW Dept of Industry, Lands	Public Reserves Management Fund	Removal of Asbestos Senior Citizens Hall at Marvel Street, Byron Bay	No upper limit	150,000	150,000/nil	Submission due 24 March 2017	To be confirmed by ET 1 March 2017
13	NSW Dept of Industry, Lands	Public Reserves Management Fund	Vegetation Management Phase Three Tyagarah Hall	No upper limit	150,000	150,000/Nil	Submission due 24 March 2017	To be confirmed by ET 1 March 2017

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SUBMISSIONS AND GRANTS




11.1 - ATTACHMENT 1

14	Foundation for Rural and Regional Renewal	Small Grants for Regional Communities	Youth Innovators	5,000	5,000	5,000/TB C	Submission due 31 March 2017	
16	NSW Education	Before and After School Care Fund	Upgrade of Mullum OOSH facilities	30,000	30,000	30,000/nil	Submission due 5 April 2017	
17	NSW Education	Before and After School Care Fund	Upgrade of Bruns OOSH facilities	30,000	30,000	30,000/nil	Submission due 5 April 2017	
18	NSW Education	Before and After School Care Fund	Upgrade of Byron OOSH facilities	30,000	30,000	30,000/nil	Submission due 5 April 2017	
19	NSW Office of Environment and Heritage	Flying-foxes Grant Program	Shire wide Flying-fox Camp Management Plan	30,000	30,000	15,000/15,000	Submission due 30 April 2017	

General Manager

1. General Manager



No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at 31 Dec 2016
76	3, 5, 6, 14	Continue to build organisational capacity to deliver effective and focused community engagement	Key staff IAP2 accredited	At least 2	
			Key staff having completed an introductory or a specialised IAP2 course	At least 5	
			Community Engagement Framework and Tool Kit Developed	Complete	
77	13	Increase social and digital media presence and information dissemination	Number of hits on web and social media sites	Increasing	
			Subscribers across digital platforms	Increasing	
78	3,6	Continue program of building staff capacity to deliver high quality customer service	Customer Service Framework Implementation	Commenced	
			% administrative and technical staff having completed facilitated training	80%	
79	3, 13	Identify and action opportunities to improve customer service	Voice of Customer Measurement Systems	Implemented	
			Customer Satisfaction Survey Action Plan	Endorsed	




Status  achieved/completed  substantially achieved/completed  not achieved/completed

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STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

13.1 - ATTACHMENT 1

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at 31 Dec 2016
80	24	Coordination of benchmarking and monitoring of organisational performance improvements	Business and Management Effectiveness Survey Effectiveness Action Plan updated to include 2015 results and 2016 Actions	Complete Endorsed and implementation commenced	 

Status  achieved/completed  substantially achieved/completed  not achieved/completed

BYRON SHIRE COUNCIL

STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

13.1 - ATTACHMENT 1

2. People and Culture Services

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
81	24	Continue building leadership skills and capacity	Leadership Development Programs delivered to Team Leaders and Supervisors	100%	●
82	4, 6	Implementation of Balanced Scorecard Performance Planning	Balanced Scorecard system implementation to Manager level 4 quarterly reviews by Managers and Directors Completion Rate for Balanced Scorecard Actions	1/7/2016 Complete >90%	● ● ●
83	6, 7	Effective staff engagement	Workforce Survey Action Plan Staff Suggestion and Recognition and Reward Schemes programs Indoor staff forums Permanent Staff Turnover Average days of workforce absenteeism per Equivalent Full Time Employment	Endorsed 2 each pa At least 4 pa <12.5% <9 pa	● ● ● ● ●
84	8, 9	Effective injury management programs	Workers Compensation Premium (excluding impacts from State Government formula changes or wages increases)	Reduced on 2015/16 80% in less than 10 days	● ●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

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13.1 - ATTACHMENT 1

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
			Return to work of injured workers		●
85	10, 11	Implementation of Workforce Plan	Actions from Workforce Plan implemented	>2 pa	●

● target not achieved (explanatory notes)

Item No	Explanatory text about why the action was not achieved or completed
82	First quarterly review is late and likely to be combined with second quarterly review – this will likely result in only 2 reviews for the financial year instead of 4 reviews Unable to quantify completion rate for balanced scorecard actions as review yet to be completed.

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

Corporate and Community Services**1. Public Libraries**

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
86	34	Manage Service Level Agreement with Richmond Tweed Regional Library Service	Agreed Service Level	Met	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

2. Children's Services – Other Children's Services

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
87	47	Improve operations of Out of Hours School Care and Vacation Care services in Mullumbimby, Byron Bay and Brunswick Heads	National Quality Framework Rating	Maintained	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

3. Children's Services – Sandhills Childcare

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
88	47	Improve service provision to provide quality accredited early childhood education	National Quality Framework Rating	Maintained	●
89	47	Implement operational changes to the provision of Out of Hours School Care and Vacation Care services in Mullumbimby, Byron Bay and Brunswick Heads	National Quality Framework Rating	Maintained	●
90	47	Improve collaboration at regional level	Regional Forums Attended	2	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

4. Community Development

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
91	11	Expand disability inclusion planning into the development of Council's Delivery Program	Disability Inclusion is embedded in the Delivery Program	Completed	●
92	18	Establish regional working group including State and Federal agencies to undertake baseline service analysis	Service Map	Completed	●
93	37	Implement actions from the Arakwal Memorandum of Understanding	Actions implemented, 4	Completed	●








Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed




5. Information Services

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
94	3, 23	Implement prioritised actions from new (2016-2019) Information Systems strategic plan within resource capability	Program delivery as per project plan	Milestones met	●
95	3, 23	Finalise rollout of process mapping and documentation tools. Train and support staff.	Process mapping and documentation tools Staff surveyed to determine effectiveness of tools and training.	Rolled out Staff trained Completed	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

6. Governance Services





No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
96	10	Improve strategic planning and integration of strategic planning and reporting framework processes and plans	Workshop sessions conducted Community 2017-2027 Delivery Program 2017-2021 and support Resource Strategy Operational Plan 2017-2018	2 Endorsed Endorsed Endorsed	
97	3	Provide quality investigations and response services for conduct complaints management	Conduct complaints managed within prescribed timeframes Public Interest Disclosures and conduct complaints reporting compliant Annual training programs for Councillors and staff	100% 100% Conducted	  
98	24	Implement the strategic procurement roadmap for improved procurement outcomes	Project Milestones Process Improvements Implemented Training programs	Met 2 Conducted	  




Status  achieved/completed  substantially achieved/completed  not achieved/completed

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13.1 - ATTACHMENT 1

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
99	24	Improve enterprise wide risk management	Training sessions and workshops held Business continuity plan Toolkit	2 Implemented Developed	
100	24	Establish long-term licences for commercial activities on owned and managed open space crown reserves	Competitive process	Called	
101	24	Establish long-term licences for sustainable community market policy	Competitive process	Finalised	
102	24	Improve lease and licence rental income	Notice and advice provided to asset managers >180 days of agreement expiry Notice and advice provided to executive team >150 days of agreement expiry Annual rent reviews conducted Invoices raised consistent with agreement Annual database audit Process Improvements	100% 100% 100% 100% Complete 2	

Status  achieved/completed  substantially achieved/completed  not achieved/completed

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No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
103	24	Coordinate and provide legal services and written advice within agreed timeframes to support decision making processes	Council's critical projects, 3 working days Internally provided, 7 working days Externally provided, 21 working days	95% 90% 90%	 ● ● ●
104	24	Improve governance services for quality and robust framework	Implement gap analysis action plan	Complete	●

● target not achieved (explanatory notes)

Item No	Explanatory text about why the action was not achieved or completed
99	This action has not been achieved due to the application for a Special Rate Variation taking precedence. Work has commenced on this item with a view of a draft BCP and Risk Management framework being completed mid 2017.
104	Work on this action has not been progressed due to priorities placed on other projects within the Governance Serves area and is not likely to be achieved with the reporting period. The action to undertake a review and develop a gap analysis action plan has been deferred pending the commencement of the new Governance Services Manager.

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

7. Councillor Services

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
105	12, 24	Process Improvement initiatives	New Councillor Calendaring System Committee Review New term Councillor equipment policy	Implemented, September 2016 Completed and Implemented, September 2016 Reviewed and implemented, September 2016	●
106	12, 24	Coordinate and facilitate new term Councillor training program	Training program	Developed and implemented	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

8. Financial Services

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
107	24	Identify and introduce targeted improvements to financial performance reporting	Enhanced financial reporting tools	30 June 2017	●
108	24	Implementation of improved E Services payment facilities for Council utilising B-point contingent upon installation of Authority V6.11.	Integrated payment gateway with Council's contracted bank reducing transaction costs	30 June 2017. Established.	●
109	24	Addition of water and sewerage assets to the Capital Value Register (CVR) following revaluation of those assets in 2016/2017.	Assets added following revaluation	30 June 2017	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

Sustainable Environment and Economy

1. Development and Certification

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
55	21	Provide efficient, objective and comprehensive development assessment	Development applications determined within 40 days of lodgement	At least 60%	●
56	21	Provide efficient, objective and comprehensive development certification service	Construction certificates processed with 28 working days Complying development certificates processed within 20 working days Building certification inspections undertaken within 2 days of notification	At least 80% At least 80% At least 80%	●
57	20, 22	Provide guidance and education in planning policies and advice to the public and stakeholders	Provide development industry forum / newsletter	At least 1 forum or newsletter provided	●
58	22	Simplify the provision of consistent and accurate flooding information provided to the development community / public.	Review the way that flood data and information is provided to the development community and public.	Commence a review of the provision of flood information.	●
59	22	Provide a Local Heritage Advisory service	Grant conditions meet	Heritage Services provided in accordance with grants funding.	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

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13.1 - ATTACHMENT 1

● target not achieved (explanatory notes)

Item No	Explanatory text about why the action was not achieved or completed
55	YTD 54% of development applications were determined within 40 days of lodgement. Although the YE target of at least 60% was not met, given the high number of development applications lodged during 2016 this is a good result. With further new initiatives introduced to the Planning Services Team at the beginning of 2017, including a PreDA Lodgement Review Service and the release of the Department of Planning's Eportal for online lodgement of development applications, it is anticipated the number of development applications determined within 40 days will improve by the end of the 2016/17 year.

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

2. Environment and Compliance Services

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
60	19	Respond to enquiries concerning public health and safety	Customer Service Requests responded to within 25 days of lodgement	At least 85%	●
61	19	Implement effective regulatory and compliance services and programs to maximise the public health and safety of the community	Food business inspections undertaken in accordance with Food Authority category requirements. Onsite Sewerage Management Program implemented to Plan Liquor licence applications responded to in accordance with Council's Policy and the Liquor Act. Companion Animals Management Plan reviewed Suitable impounded animals rehoused	At least 90% Plan Implemented At least 80% Commence review of the plan At least 70%	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

3. Planning Policy and Natural Environment

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
62	42, 43	Update vegetation mapping in line with legislative requirements	Vegetation Mapping	Reported to Council	●
63	22, 25, 38	Finalise the Rural Land Use Strategy and commence implementation of priority actions	Plan Actions	Complete Commenced	●
64	22, 25, 38	Finalise the Residential Strategy and commence implementation of priority actions	Plan Actions	Completed Commenced	●
65	22, 38	Review Byron DCP 2014 to a performance outcome focused plan (Resolutions 14-315 & 15-604)	DCP Review	Commenced	●
66	22, 38	Develop an Economic and Employment Strategy for general and heavy industries. (Resolution 13-127)	Project Plan	Developed	●
67	42, 43	Continue staged review of Biodiversity Conservation Strategy	Project Plan	Milestones, Met	●
68	44	Finalise the Coastal Zone Management Plan for the Byron Bay Embayment and commence implementation of priority actions	Plan Actions	Complete Commenced	● ●
69	22, 25, 38	Progress the Bangalow Place Activation Masterplan and commence implementation of priority actions	Plan Actions	Complete Commenced	● ●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

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13.1 - ATTACHMENT 1

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
70	22, 25, 38	Progress the Mullumbimby Place Activation Masterplan and commence implementation of priority actions	Plan Actions	Complete Commenced	 ●
71	22, 25, 38	Progress the Byron Bay Town Centre Masterplan and commence implementation of priority actions	Plan Actions	Complete Commenced	 ●
72	46	Implement priority actions in the Low Carbon Strategy, and support for Zero Emissions Byron Action and Implementation Plans	Year 2 projects	Commenced	●

● target not achieved (explanatory notes)

Item No	Explanatory text about why the action was not achieved or completed
65	DCP review on hold subject to finalisation and implementation of recently proposed amendments to the EP&A Act by the State Government.
68	Commencing the implementation of the Coastal Zone Management Plan Byron Bay Embayment is conditional on certification by the State Government. Council is still awaiting a formal response to the submission of its CZMP BBE in June 2016.
69, 70	Council adopted Project Plans for both the Our Mullumbimby Masterplan and the Bangalow Village Plan in 2016. The Place Activation Plans (Bangalow and Mullumbimby), including the recommendations for successful Place Activation project funding and the proposals for each of the recommended projects will be reported to Council for adoption in 2017.

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

4. Economic Development

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
73	15, 28, 30, 31	Continue implementation of Byron Shire Tourism Management Plan	Beautify Byron Fund Business Sustainability Program Visitor Services Strategy	Implemented Implemented Implemented	●
74	16, 18, 25, 26,	Commence implementation of Byron Shire Economic Development Strategy	Business Retention Survey	Complete and Reported to Council	●
75	16, 17, 31, 32, 39, 40	Establish and undertake the Byron Bay Town Centre Place-making Seed	Fund	Established	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed







Infrastructure Services




1. Supervision and Administration

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
1	51	Deliver the Operating Maintenance and Capital Works Programs	Complete works	90%	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

2. Asset Management Planning

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
2	10, 24, 51	Prepare infrastructure reports for the Financial Statements and NSW Fit for Future program	Reports to Government including the Special Schedule 7 report	Completed on time	
3	24, 51, 52	Develop levels of service for infrastructure to support investment.	Adopted levels of service	Mar-17	
4	24, 51, 52	Progress the outcomes of Asset Management Audits to improve performance.	Scheduled audit outcomes completed	Jun-17	
5	24, 51	Improve the level and integration of asset information to better assist decision making and focus infrastructure investment.	Independently audited databases and systems are assessed as satisfactory.	Jun-17	
6	10, 24, 51	Revalue water and sewer assets in accordance with the Local Government Accounting Code	Valuations in progress for completion June 2017	Jun-17	
7	24, 51	Creatively develop new and revised funding strategies for better community outcomes.	Development charging plans continue to reflect community priorities	Jun-17	
8	10, 16, 18	Actively work with government and industry leaders to improve asset management performance.	Report local, state and federal asset benchmark data within	On time	

Status  achieved/completed  substantially achieved/completed  not achieved/completed

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13.1 - ATTACHMENT 1

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
			legislative timeframes, 100%		●
9	24,51,52	Engage with the community on the challenges of asset management	Community Infrastructure Advisory Committee meetings held quarterly.	Jun-17	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

3. Projects and Commercial Development

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
10	16	Develop the Myocum Quarry Transfer Station and Resource Recovery Centre in line with the waste disposal strategy	Preferred option adopted	Jun-17	●
11	50	Deliver the Byron Bay Bypass Project which is a two lane road from Shirley Street in the north to Browning Street in the south	Construction completed in accordance with the contract	Jun-17	●
12	50	Progress the development of Stage 2 of the Byron Bay Bypass	Feasibility assessment completed	Jun-17	●
13	18, 47	Progress the replacement of O'Meara's Bridge	Adopted solution implemented	Jun-17	●
14	27	Complete the sports field and infrastructure on the northern section of Lot 5 Shara Boulevard	Construction completed	Sep-16	●
15	24	Progress the future use of the South Byron Sewage Treatment Plant site and the integrated remediation.	Future use determined and implementation progressed.	Jun-17	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

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13.1 - ATTACHMENT 1

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
16	24	Complete the Brunswick Heads Sewage Treatment Plant site remediation to secure the site for a potential future use	Remediation completed	Jun-17	●
17	24	Progress the Mullumbimby Sewage Treatment Plant site remediation to secure the site for a potential future use	Detailed remediation plan completed	Jun-17	●
18	24	Complete the remediation of Lot 12 Bayshore Drive Byron Bay and implement the adopted future use.	Remediation completed, future use determined and progressed.	Jun-17	●
19	24	Complete the Station Street Mullumbimby subdivision project to provide funds for important community initiatives	Subdivision completed	Dec-16	●
20	24	Progress the Tyagarah subdivision to provide funds for important community initiatives	Rezoning completed	Jun-17	●
21	24	Progress Lot 22 Mullumbimby South development to establish a future use that best serves the needs of the community	Future use adopted	Jun-17	●
22	24	Progress Valances Road Mullumbimby development	Implement the outcome of the Rural Land Use Strategy	Jun-17	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

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13.1 - ATTACHMENT 1

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
23	24	Progress Lot 4 Mullumbimby development project	Implement the outcome of the Rural Land Use Strategy	Jun-17	●
24	24	Implement the Fletcher Street Byron Bay property development to provide a long term source of funds for the community	Implement the adopted future use	Jun-17	●
25	24	Progress the evaluation of alternative sites for the Bayshore Drive Works Depot	Assessment completed	Jun-17	●
26	24	Complete Lot 16 Dingo Lane Myocum property sale with a view to repaying loans	Sale completed	Dec-16	●
27	39, 40	Progress the implementation of adopted Byron Bay Town Centre Master plan works	Works progressed	Jun-17	●
28	47	Complete the Suffolk Park Hall Upgrade	Works completed	Jun-17	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

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13.1 - ATTACHMENT 1

● target not achieved (explanatory notes)

Item No	Explanatory text about why the action was not achieved or completed
11	The JRPP approval of the Byron Bay Bypass has been challenged in the Land & Environment Court.
12	This project was subject to both progression of Stage 1 of the Bypass (now delayed) and the achievement of grant funding which has not occurred.
13	Urgent and comprehensive timber repairs were completed. The bridge was both opened and the load limit lifted to facilitate school buses and emergency vehicles. The detailed design for the full replacement has been substantially progressed. The implementation order for the five bridge replacements using surplus ADF steel bridges is being assessed.
19	Council has resolved to seek an agreement with North Coast Community Housing. This has occurred and agreement reached. The implementation of the subdivision works has been delayed in this process and will now be completed by May.
26	The formal property valuation has been delayed with a requirement on flooding information. The valuation can now be finalized and a report will be prepared for Council.

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

4. Emergency Services and Floods

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
29	53	Emergency Management	Plan	Complete, 30/06/2017	●
			LEMC Meetings	Attended, as Scheduled	
30	53	Flood Risk Management Study and Plan for North Byron	Plan, adopted	30-Jun-17	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

5. Depot and Fleet Management

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
31	51	Improve utilisation of heavy and light fleet	Utilisation report for previous financial year	Completed, 30-Oct-16	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

6. Local Roads and Drainage

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
32	51	Improve the condition of local road and drainage assets by undertaking renewal, upgrade, enhancement and new projects	Capital Works Program	Complete, 100%	●


Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed




7. Roads and Maritime Services

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
33	17, 18, 48	Maintain access to Regional Road Block Grant funds	Annual Regional Road Return	Complete	●
34	17, 18, 48	Maintain access to Regional Road REPAIR Program grants	Grant applications	Submitted	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

8. Quarries

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
35	3.21	Completion of all mandatory returns to NSW State Government departments	Submission of annual material production quantities. Submission of annual environmental testing results	By due dates By due dates	

Status  achieved/completed  substantially achieved/completed  not achieved/completed

9. Open Space and Recreation

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
36	40	Improve amenity of iconic open space	Level of Service Maintenance Plans for all parks that have LOS of 1	Developed and Implemented	●
37	40	Improve amenity of town centres	Landscape plans for all towns and village main streets	Developed and Implemented	●
			Level of Service Maintenance Plans	Developed and Implemented	
38	40	Promote volunteerism through beautify day events across the shire	Beautify days delivered	4	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

10. The Cavanbah Centre

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
39	35	Deliver Capital Work Program	Works Program	Completed, 90%	●
40	35	Maximise utilisation and sustainability of facility	Income Sources Income	Increased Increased	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

11. Waste and Recycling Services

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
41	46, 56	Maintain Contract Management Plan for Waste and Resource Recovery Collection Contract 2014-0011	Contractor KPIs	KPIs achieved	●
42	22, 45	Maintain compliance with the Federal Government's Emissions Reduction Fund contract conditions for the Myocum Landfill Gas Carbon Farming Initiative Project	Compliance	Required allocation of ACCUs delivered	●
43	16, 46, 55, 56	Implement Revised Waste Disposal Strategy	Implementation	Yr 1 strategy objectives complete	●
44	16, 46, 55, 56	Implement Revised Resource Recovery Management Strategy	Implementation	Yr 1 strategy objectives complete	●
45	16, 46, 55, 56	Implement Revised Resource Recovery Education Plan	Implementation	Yr 1 plan objectives complete	●
46	16, 46, 55, 56	Continue membership and participation in North East Waste regional waste management programs and initiatives	Participation	Maintained	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

12. First Sun Holiday Park

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
47	31	Increase accommodation facilities and upgrade amenities to ensure public satisfaction of guests and economic benefit to Byron Shire.	Revenue	Increase	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

13. Suffolk Beachfront Holiday Park

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
48	31	Increase accommodation facilities and upgrade amenities to ensure public satisfaction of guests and economic benefit to Byron Shire.	Revenue	Increase	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

14. Facilities Management

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
49	22, 34, 40	Deliver Capital Work Program	Works Program	Completed 90%	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

15. Water Supplies

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
50	16, 20	Upgrade of fire main capacity Ocean Shores	Pipeline design and construction complete	Jun-17	●
51	16, 20	Drought Management planning	Complete Regional plan and align Mullumbimby Plan	Jun-17	●
52	29, 37	Develop agreements for community art to be incorporated into asset maintenance	Number of art on water assets increased	Jun-17	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed

16. Sewerage Services

No.	Delivery Plan Link	Action Statement	Measures	Target	Progress at year end
53	45, 51	Obtain Council project approval on future of the Ocean Shores Sewage Treatment Plant	Council resolution of project approval	Jun-17	●
54	22, 44	Implement a whole of Council response in the management of the Belongil catchment	No of plan / strategy actions implemented	Jun 17	●

Status ● achieved/completed ● substantially achieved/completed ● not achieved/completed



AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

17 February 2017

Byron Shire Council
PO Box 219
MULLUMBIMBY NSW 2482

BYRON SHIRE COUNCIL
DOC NO:
REC'D: 20 FEB 2017
FILE NO: F758106
ASSIGNEE: J. Graham

cc. M. Arnold
L. Brennan

To the Mayor, Councillors and CEO (please distribute accordingly)

2017 National General Assembly of Local Government – Call for Motions

The Australian Local Government Association (ALGA) is the national peak advocacy body for local government. ALGA's work includes but is not limited to the establishment of national policy and extensive liaison and lobbying with departments, Ministers and other parliamentarians at the Commonwealth level to achieve better outcomes for local councils.

The ALGA Board is comprised of delegates from each member association who refer matters of national relevance to the ALGA Board for consideration at regular Board meetings.

The 2017 National General Assembly of Local Government (NGA), to be held in Canberra from 18 to 21 June, is an opportunity for individual councils to identify matters of national relevance to the sector and to submit notices of motion to seek support at the NGA for these matters to be considered by ALGA as national policy, for its advocacy role or for more immediate action by ALGA on behalf of the sector.

On behalf of the ALGA Board I am writing to invite your council to participate in the 2017 NGA by submitting a notice of motion.

In doing so, please note the ALGA Board is calling for motions under the theme of 'Building Tomorrow's Communities'. This year, the NGA will focus debate on motions that address how councils can work in partnership with the Australian Government in particular to meet the current and future needs of local communities.

To assist you and your council to identify motions that address the theme of the NGA, the ALGA Secretariat has prepared the attached short discussion paper. You are encouraged to read all of the sections of the paper, but are not expected to respond to every question in each section. Your motion/s can address one or all of the issues identified in the discussion paper.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally;

2. be consistent with the themes of the NGA;
3. complement or build on the policy objectives of your state and territory local government association;
4. be from a council which is a financial member of their state or territory local government association;
5. propose a clear action and outcome; and
6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

In accordance with previous NGAs, the ALGA Board will consider notices of motions for inclusion in the NGA agenda and will align similar motions, prioritise motions according to the NGA theme and take any other steps required to facilitate an effective and productive NGA outcome for participants.

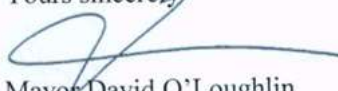
Motions should be lodged electronically using the online form available on the NGA website at: www.alga.asn.au. All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be received by ALGA no later than 11:59pm on Friday 21 April 2017, electronically in the prescribed format. Any administrative inquiries can be directed to ALGA by calling 02 6122 9400.

I encourage you to ensure the views of your council and your community are represented at the 2017 NGA and accordingly look forward to receiving your council's notice of motion.

In addition to those councils sending delegates to debate motions, we welcome the attendance of all elected members and staff who are interested in this year's NGA theme and the engaging list of speakers and sessions we have planned for the event. The NGA will be held during a sitting week and you may also wish to consider meeting with a parliamentarian before, during or after the NGA to pursue matters of specific interest to your region or council.

In closing, please accept my thanks for all the work you do on behalf of your local community and I look forward to welcoming you at the 2017 NGA - the premier event for Australian councils.

Yours sincerely,



Mayor David O'Loughlin
President, Australian Local Government Association

cc: State and Territory Local Government Associations



**AUSTRALIAN LOCAL
GOVERNMENT ASSOCIATION**

**National General Assembly of
Local Government
Building Tomorrow's Communities
18 - 21 June 2017**

Call for Motions Discussion Paper

Submitting Motions

The National General Assembly of Local Government (NGA) is an important opportunity for you and your council to influence the national policy agenda.

To assist you to identify motions that address the theme of the NGA, the Australian Local Government Association (ALGA) Secretariat has prepared this short discussion paper. You are encouraged to read all of the sections of the paper, but are not expected to respond to every question in each section. Your motion/s can address one or all of the issues identified in the discussion paper.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally
2. be consistent with the themes of the NGA
3. complement or build on the policy objectives of your state and territory local government association
4. be submitted by a council which is a financial member of their state or territory local government association
5. propose a clear action and outcome
6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Motions should generally be in a form that seeks the NGA's support for a particular action or policy change at the Federal level which will assist local governments to meet local community needs. For example: *That this National General Assembly call on the Federal Government to restore indexation to local government financial assistance grants.*

Motions should be lodged electronically using the online form available on the NGA website at: www.alga.asn.au. All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be received by ALGA no later than 11:59pm on Friday 21 April 2017.

Please note that for every motion it is important to complete the background section on the form. Submitters of motions should not assume knowledge. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-Committee as well as by state and territory local government associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the sub-committee considers the importance and relevance of the issue to local government. Please note that motions should not be prescriptive in directing how the matter should be pursued. With the agreement of the relevant council, motions may be edited before inclusion in the NGA Business Papers to ensure consistency. If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association, and will not be included in the NGA Business Papers.

Introduction

This year, debate at the NGA will focus on the role of Local Government in building tomorrow's communities. The discussions will look at how councils can work in partnership with the Australian Government to meet the current and future needs of local communities.

Tomorrow's communities will undoubtedly be shaped by the ambition and drive of their people, as well as the investments that governments, businesses and individuals make in people, infrastructure and the places we live and work.

In the Australian context, governments at all levels must focus on creating the environment for people and businesses to innovate and prosper in both cities and the regions. Government service delivery needs to be appropriate and responsive to the needs of communities, and appropriate infrastructure must be provided to drive productivity and social equity.

Local government strives, wherever possible, to assist communities to be productive, innovative and cohesive. Councils can enhance their capacity to respond to new and unforeseen challenges and identify opportunities to help communities build resilience and increase overall prosperity.

The Australian Government has shown that it understands and appreciates that Local Government's strength lies in its capacity to identify and respond to the diverse and emerging needs of communities across Australia. The Australian Government has also shown its commitment to working with Local Government to achieve real and meaningful outcomes for local and regional communities.

ALGA is calling for notices of motions that outline policy suggestions or principles the Australian Government can implement to support Local Government. Notices of motions that meet the criteria will be included in the NGA Business Papers and debated at the NGA. Motions carried at the NGA will be considered by the ALGA Board, and will be forwarded to the Australian Government for their information, response and potential implementation.

Supporting our Cities

The Australian Government has recently focused greater attention on the role of cities, and the Government's potential role in supporting them to be liveable, accessible and productive. Great cities attract, retain and develop increasingly mobile talent and organisations, encouraging them to innovate, create jobs and support growth.

Increased urbanisation is a major issue, globally and within Australia. The populations of Australia's major cities are at record levels, with the 2011 Census finding that 88.9 per cent of Australians live in urban Australia – people are following jobs to urban centres. The overwhelming majority of jobs are located in cities, which is where most new jobs are being created. Australia is among the most urbanised countries in the world. More than 75 per cent of Australia's population lives in the country's 20 largest cities, with more than 60 per cent alone living in Australia's 5 largest cities: Sydney, Melbourne, Brisbane, Perth and Adelaide.

The economic output of our major cities has grown and their importance to the national economy should not be underestimated. However, alongside that growth there is greater demand on transport systems than ever before. Issues of space and the potential conflicts of usability continue to

challenge us, along with the utility and long term capacity of freight hubs, ports and airports and the movement of goods and people.

The Australian Government released its Smart Cities Plan in April 2016. The plan is just one of the ways that the Commonwealth aims to build an agile, innovative and prosperous nation. Key elements of the plan include establishing City Deals (one for each capital city and one for a regional centre in each state), the \$50 million Smart Cities and Suburbs Program (to fund innovative technology solutions to fix complex local problems) and the establishment of an Infrastructure Financing Unit to look at alternative infrastructure financing options such as value capture.

The Australian Government's National Innovation and Science Agenda (NISA), released in December 2015, is another strategy to encourage innovation, growth and productivity, and to increase Australia's capacity to compete in a global market. The NISA focuses on four key pillars - culture and capital, collaboration, talent and skills and government as an exemplar. These pillars provide a framework for Australian innovation policy with initiatives worth \$1.1 billion over four years designed to drive smart ideas that create business growth, local jobs and global success. From supporting start-ups and entrepreneurial activity to fostering R&D and developing the networks of people and technology that support innovation, NISA aims to improve Australia's ability to compete internationally and to harness new sources of growth to deliver the next age of economic prosperity in Australia.

The NISA also looks to address the educational requirements to position our children for the future given that 75 per cent of jobs in the fastest-growing industries in the next 5 to 10 years are likely to require science, technology, engineering and mathematics (STEM) skills. In developing their NGA motions, councils are encouraged to think about and focus on the strategic ways that the Australian Government can support Australian cities.

Supporting Regional Australia

The Australian Government has renewed its focus on our regions and regional development policy. Following the 2016 Federal election, Senator Fiona Nash was appointed Minister for Regional Development and Minister for Local Government and Territories. With the portfolio being elevated to Cabinet, the appointment was seen as a very positive step for local government and for regional development in Australia.

In November, last year the Government released details of the new Building Better Regions Fund (BBRF). The BBRF will invest \$297.7 million over four years in infrastructure projects and community investments to create jobs, drive economic growth and build stronger regional communities into the future. Minister Nash has indicated that the Government will release the Australian Regional Development Policy Statement early this year, which will highlight and focus political attention on Australia's regions.

Local governments are well-positioned to design, create and, above all, maintain tomorrow's communities. Whether these communities are metropolitan, urban, regional or remote, their local council knows the people best and understand the unique strengths of the area.

In developing their NGA motions, councils are encouraged to think about and focus on the strategic ways that the Australian Government can support regional Australia.

NGA Themes

ALGA is calling for motions for this year's NGA to explore the theme *Building Tomorrow's Communities* as well as the following six sub-themes:

1. Governance – community driven planning and development
2. Innovation – identifying and harnessing the key pillars of growth
3. Liveability – maximising amenity, design and community cohesion
4. Data driven public policy – using high quality data to grow the evidence base
5. Social capital – improving the capacity of citizens and optimising workforce trends
6. Technology and Infrastructure – identifying and investing in tomorrow's foundations.

This discussion paper provides some background and poses a number of questions for councils to consider when developing notices of motion for the NGA. This paper is not intended to limit the discussion or thinking around the theme, local governments roles or the sub-themes.

1. Governance – community driven planning and development

Good governance is essential to tomorrow's communities. Ensuring appropriate structures and institutions are in place to oversee the planning and development of the community is as critical as ensuring the community's access and involvement in these structures. The governance structures of tomorrow will cross traditional borders as cities grow, regions are redefined and their functionality (e.g environment, economic, social) changes.

Tomorrow's governance arrangements encompass, but go beyond, our current institutions, tools, or structures. Tomorrow's governance issues may often involve several layers of competency within agencies from across the different levels of government. Our communities need to consider not only the geographical borders but the very definition of these bodies as they grow to incorporate public, private, not-for-profit and community representation.

In strengthening governance, councils are looking to maximise community involvement in governance structures as well as considering ways to extend committees and sub-structures that inform and guide councils. Councils are also considering how best to encourage future leaders to get involved in local government.

In developing your council's notice of motion you may wish to consider:

- What support do you need from the Commonwealth to improve the governance arrangements in your community?

2. Innovation – identifying and harnessing the key pillars of growth

There are examples in Australia, and around the world, where local authorities have embraced innovation to increase economic activity in their communities. This promotes entrepreneurship, boosts the local workforces, diversifies the economic base and helps to future-proof communities.

Councils have successfully enhanced their community's innovative spirit and reputation by: developing new innovation and commercial precincts such as in the City of Boston; improving council business and service delivery by capitalising on new technology such as using apps to enhance community engagement and communication or deliberately directing council business to support local start-up businesses such as in the City of Melbourne; and identifying changes in local industry and workforce trends, and adopting proactive strategies to ensure the community's ability to capitalise on the work of the future and areas of future economic growth such as in the North Melbourne region.

Underpinning these efforts are the networks and connections between people and technology. Innovation and experimentation are key, much like the ability to manage and leverage constant change. Innovation is an ongoing process. Councils need to extend and develop their networks with businesses, service providers and developers. Councils also need to consider how information can be used and shared, and how they can best harness technology to build and foster growth in their communities.

In developing your council's notice of motion, you may wish to consider:

- What support do you need from the Commonwealth to improve innovation within your community?

3. Liveability – maximising amenity, design and community cohesion

Defining "community" can sometimes be difficult. In cities, we may commute many hours a week from work to home or we might be in walking distance. Transport congestion and the price of housing are among the chief concerns. In non-metropolitan areas, the challenges might appear different, such as ensuring ongoing economic development and protecting the sense of community that is so valued, but the fundamental work is the same. Local government has a core role to ensure that our communities, whether regional, urban, suburban or rural are places people want to live because they see the community's future is promising.

Liveability is defined as the sum of the factors that add up to a community's quality of life, including the built and natural environments, economic prosperity, social stability and equity, educational opportunity, and cultural, entertainment and recreation possibilities. Maximising the liveability of tomorrow's communities, wherever they are, is Local Government's core business.

Identifying the barriers to making your community more liveable can be key in directing thinking and work in this area. Councils around Australia are considering their roles and responsibilities in maximising community liveability.

In developing your council's notice of motion, you may wish to consider:

- What support do you need from the Commonwealth to enhance the liveability of your community?

4. Data driven public policy – using high quality data to grow the evidence base

Data is ubiquitous in today's world. Not only is it the substance that drives information technology and the digital world, but data is the source of information that government and industry are using to plan for the future. It is fundamental that policy should be made based on the best available information. The challenge for government is not just having access to, and the use of, that data but

also ensuring the quality of that information. Urban planning and renewal is one area in which digital innovations have huge potential. City planning projects require extensive public engagement and consultation. Data captured representing communities' concerns and ideas, and desired amenities and suggestions for development, paired with more effective, automated analysis could facilitate an unprecedented level of open engagement between citizens and government.

Rather than piecemeal data coming in from various channels, the simplification of communications through connected infrastructure could generate real-time data and allow governments to address problems more effectively. This enhanced engagement process would create more liveable cities with better services and a higher quality of life.

At the heart of addressing those macro challenges is the question of how data can be drawn on to gain a deeper understanding of the complex interrelationships at play in our communities, and how this may allow us to improve services and infrastructure for our communities.

Councils have access to and own a wide range of data sources. It is worth considering how these sources are used and whether there are untapped sources within council systems. Urban planning has been identified as an area where there maybe benefits from drawing on big data, however councils are considering what other functions enhanced data analytics could assist with. Sometimes knowing the right question to ask is as difficult as finding the answer, given the range of data sources available, there may be a range of insights and intelligence available that would directly enhance councils decision making.

In developing your council's notice of motion, you may wish to consider:

- What support do you need from the Commonwealth to tap into big data and data analytics to provide greater insights into your community and to enhance decision making?

5. Social capital – improving the capacity of citizens and optimising workforce trends

Our communities need to prepare for, and adapt to, the needs of the modern labour market while positioning themselves to provide jobs for future generations. This will be challenging given the rate of change occurring in the labour market. Some estimates claim that up to 40 per cent of the jobs that currently exist will disappear over the next 15 years with much of these losses predicted to be in manufacturing, mining and agriculture.

To offset declining demand for jobs in manufacturing, mining and agriculture, communities will need to implement proactive and strategic interventions such as investing in education around STEM (science, technology, engineering and maths) subjects as well as complementary skills such as language, culture, resilience and adaptability. Strong employment growth is also predicted in healthcare and social assistance, retail, and tourism and hospitality.

It is also anticipated that individuals will be required to take greater responsibility for keeping their skills up to date and in line with industry requirements through lifelong learning and training.

Our communities face the difficult task of identifying the most appropriate workforce investments for tomorrow's economy. Identifying the specific competitive advantages of your community and region will assist in guiding these decisions, and well as ensuring there are well-developed community engagement mechanisms around the issue.

In developing your council's notice of motion, you may wish to consider:

- What support do you need from the Commonwealth to strengthen the social capital in your community?

6. *Technology and Infrastructure – identifying and investing in tomorrow's foundations*

The current focus on smart cities looks at harnessing smart technology to improve the liveability and efficiency of large cities. Real-time traffic management, real-time energy consumption management, integrated public transport networks and data collecting sensors are examples of smart technology which may contribute to the efficiency of a city.

The Australian Government's Department of the Prime Minister and Cabinet defines smart cities beyond the traditional view to include "support for productive, accessible, liveable cities that encourage innovation and create jobs and growth, with a commitment in both regional and metropolitan areas for smart investment, smart policy, and smart technology". The Smart Cities and Suburbs Program, announced in 2016, encourages collaborative projects that apply innovative smart technology to solve complex urban problems. The program has a strong focus on "collaboration between local governments, private sector, research bodies and not-for-profit organisations to improve liveability, productivity, and sustainability of Australian regions".

Other key elements of the Australian Government's smart cities plan include the concept of the 30-minute city (where travel to and from any location within the city takes no longer than 30 minutes), City Deals and the establishment of the Infrastructure Financing Unit to identify smarter ways to finance investment in our cities.

The smart cities agenda isn't just focused on large cities. The approaches and ideas can be applied to smaller cities, regions and towns. For councils of all sizes the opportunities technology brings to enhancing service provision and communication within your community are applicable; the careful prioritisation and investment in technology and infrastructure are some of the most important decisions your council will make to position your community for tomorrow.

In developing your council's notice of motion, you may wish to consider:

- What support do you need from the Commonwealth to allow your community to benefit from the smart cities agenda?

BYRON SHIRE COUNCIL

STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

13.2 - ATTACHMENT 2

MEMO TO: All Councillors

COPY TO: Executive Team

MEMO FROM: Director Corporate and Community Services

SUBJECT: Call for Motions for 2017 National General Assembly of Local Government

DATE: 28 February 2017

RECORD NO: E2017/12238

Council has received advice regarding the National General Assembly of Local Government (NGA) to be held in Canberra from 18 to 21 June 2017.

Motions for this year's theme "*Building Tomorrow's Communities*" are to be received by ALGA no later than Friday 21 April 2017 but must first be endorsed by Council prior to submission. Notices of Motion to Council regarding ALGA Motions will need to be submitted for inclusion in the Ordinary Meeting Agenda of 20 April 2017 at the latest.

Council's Notices of Motion for the Ordinary Agenda 23 March are due to be received by staff on **8 March**. For the Ordinary Agenda 20 April, Notices of Motion are due to be received by staff on **5 April**. Please submit Notices of Motion via email to Councillor Support by 9am on either due date to be included in the relevant meeting agenda.

Call for Motions

To be eligible for inclusion in the NGA Business Papers and then debate on the floor of the NGA, motions must follow the principles:

1. be relevant to the work of local government nationally
2. be consistent with the themes of the NGA
3. complement or build on the policy objectives of your state and territory local government association
4. be from a council which is a financial member of their state or territory local government association
5. propose a clear action and outcome
6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

To assist councils in preparing motions, a Discussion Paper has been prepared and is attached.

Motions should generally be in a form that seek the NGA's support for a particular action or policy change at the Federal level which will assist local governments to meet local community needs e.g. *That this National General Assembly call on the Federal government to restore indexation to local government financial assistance grants.*

.....
Mark Arnold

Enc. #S2017/2743 - Letter from the Australian Local Government Association with 2017 National General Assembly Of Local Government - Call for Motions



BYRON SHIRE COUNCIL

AUSTRALIA DAY 2018

PROJECT REFERENCE GROUP

CONSTITUTION

#E2017/14231

BYRON SHIRE COUNCIL

STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

13.3 - ATTACHMENT 1

INFORMATION ABOUT THIS DOCUMENT (INTERNAL USE ONLY)

Date Commenced:	September 2017	Time Frame to carry out objectives	6 months
Date Group to be Disbanded	February 2018		
Convenor/Facilitator	Mark Arnold, Director Corporate and Community Services		
Review Timeframe			

Document History

Doc No.	Date Amended	Details Comments eg Resolution No.
E2017/14231		Draft

Further Document Information and Relationships

Key Activity (Delivery Plan)	CM 1.1.6 Facilitate and support Council and Council Committees
Related Legislation	Local Government Act 1993 Section 451 Government Information (Public Access) Act) 2009
Related Policies	Code of Conduct Policy 1.8 Privacy Management Plan
Related Procedures/ Protocols, Statements, documents	Agenda Template for PRG Meetings Report Template for PRG Meetings Action List Template for PRG Meetings

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1.

Preamble

The Project Reference Group is a Group formed by Council and does not have executive power or authority to implement actions.

The role of the Project Reference Group is to carry out specific objectives as stated in this Constitution.

2. Objectives

The purpose of the Australia Day 2018 Project Reference Group is:

1. Organise Australia Day Events

- a) Australia Day Celebrations to be organised in each town if there is a PRG member to organise such event. This is to be done on a voluntary basis by the member representing that town. One of these towns is required to hold and organise the Official Ceremony as part of their Australia Day celebration.
- b) The Official Ceremony is to include the Australian Citizenship ceremony and Local Citizen of the Year awards.
- c) Celebrations are generally to be free of charge and family orientated (can recoup costs of any moneys expended outside of Council's donation).
- d) Budget moneys received from Council are not to be used for the employment of professional artists.
- e) Events are to celebrate what is great about Australia eg. the people, our diversity, our freedom and democracy, a fair go for all, the land or our indigenous people.
- f) Events are to recognise the contribution of Indigenous Australians and our multicultural heritage and celebrate the diversity that has helped shape our nation.

2. Australia Day Address - Local Resident

- a) Nominate a local resident to give the Australia Day Address at the Official Ceremony.

3. Local Australia Day Awards

- a) Develop a nomination form for Byron Shire Council Australia Day awards.
- b) Categorise what awards will be given.
- c) Call for nominations and actively promote the awards to the community as awards for people or groups who have succeeded in their chosen field or have worked tirelessly within their communities.
- d) Award recipients are to be chosen by a vote of the full committee. Tied votes are to be resolved by a draw from a hat.

4. Australia Day Ambassador – Participation in Program

- a) Register with the Australia Day Council of NSW in order to participate in their Ambassador Program.
- b) Local identities may be utilised if the organising committee wishes to have an Australia Day Ambassador at their local event.
- c) If for any reason the PRG does not participate in the Australia Day Council Ambassador Program, a local identity may be utilised for the Official Ceremony's Australia Day Ambassador. The identity is to be endorsed by the PRG.

3. Timeframe for Group

The Project Reference Group has 6 months to complete its objectives.

This group will be disbanded in February 2018.

The Council may dissolve the Group at any time.

4. Membership

Membership is to include up to 10 members, including:

- 9 community organisations representing
 - Ocean Shores Community Association
 - Sisters for Reconciliation
 - Rotary Club of Byron Bay
 - Rotary Club of Mullumbimby representing the Combined Services Clubs of Brunswick Valley
 - Brunswick Mullumbimby Lions Club
 - Byron Bay Rural Fire Brigade, Suffolk Park
 - Bangalow Historical Society
 - Brunswick Valley Historical Society
 - Byron Bay Surf Club representing the Australia Day Paddle
 - relevant staff member(s).
 - Mark Arnold, Director Corporate and Community Services, or their delegate
- * Staff members participating on the working group do not have any voting entitlements.

Members were appointed by Council on (date to be inserted following resolution of council).

5. Chairperson

The Chair of the PRG is elected from Councillors nominated to the PRG, to be determined at the first meeting. If there are no Councillors on the PRG, then the PRG is chaired by the relevant staff member.

6. Quorum

A quorum is to constitute at least half the number of members, ie. 6 members (if a total of 10 appointed).

* Staff members or the Councillor are not counted as part of a quorum.

7. Confidentiality

Members of the Project Reference Group will, in those circumstances where confidential matters are subject to deliberation, maintain confidentiality.

8. Convenor/Facilitator

The Convenor/Facilitator of the Project Reference Group in most cases will be the staff member unless otherwise decided by the Council.

9. Voting

Each member of the Group (with the exception of the staff members) is to have one vote. If the vote is tied on any particular matter it will be referred to an Ordinary Meeting for determination.

10. Majority Decision

A requirement that a majority decision of the Group comprises a majority of the invited representative members present and voting on any item subject to the requirements of a quorum being met at the meeting.

11. Convening Meetings

Meetings to be held as required.

12. Reporting

- a) The reports of meetings (Minutes) are to be circulated to members of the group within 7 days of the meeting so that members can provide feedback through the Chair on the draft unconfirmed minutes.
- b) The project reference group reports to Council.

13. Meetings Open to the Public

PRG meetings are not public meetings as they have no executive function. Public transparency is provided for when the reports of these meetings are reported to Council.

14. Invited Guests

The PRG Convenor may request to seek further expertise and consultation as agreed to by the Group and if necessary arrange attendance of a person providing the expertise at a PRG meeting. Any request for information to be at no cost to Council unless a budget is allocated by Council and the expenditure has been authorised in writing by staff with requisite delegations.

15. Audio Taping of Meetings

A PRG meeting may be recorded. If the meeting is being recorded, all PRG members will be advised of this and it will be noted in the Report of that meeting.

Recordings of PRG meetings may involve the recording of personal information provided at the meeting. The recordings will be made to assist with the administration of the PRG. The provision of any information that is recorded is voluntary, however, if any person does not wish to be recorded they should not address the meeting.

The recordings may be made available to other persons where such access is in accordance with the relevant regulations and requirements in this regard, such as under the Local Government Act 1993 or the Government Information (Public Access) Act 2009. The recordings where made will ultimately be stored in Council's document storage system.

16. Vacation of Office

Any Project Reference Group member wishing to resign from the group shall do so in writing.

Invited Members: If an invited member on the Group who represents an Organisation resigns, an invitation to the Organisation for an alternate delegate will be requested. If no alternate delegate is nominated by the Organisation then that position will become redundant.

Community Members: If a community member resigns and if more than half of the timeframe to complete the PRG's objectives still exists and an alternate delegate has been resolved by Council then that person appointed by Council as an alternate delegate will then be appointed as the new community member. If no alternate delegate has been appointed by Council or the alternate delegate declines to accept the vacant position then that position will become redundant.

17. Publicity

PRG members unless authorised by Council are not to promote or advertise the group's activities.

18. Records of meetings (agenda and reports)

- a) The Convenor/Facilitator of the Group will prepare the Agenda, Progress Reports and Action lists of the Group's meetings formatted in accordance with Council's templates.
- b) The reports of meetings (minutes) are to be circulated to members of the group within 7 days of the meeting so that member can provide feedback through the Chair on the draft unconfirmed minutes.
- c) The reports of the Group's meetings are to be reported to Council when required. The PRG's web page will indicate what meeting Council will be considering the PRG's reports.
- d) If the PRG considers necessary, reports from each PRG meeting may be placed on Council's web page for access by the public and Councillors after each meeting.
- e) If the time frame allocated to complete the objective(s) is 6 months or more the Group is to provide a progress report quarterly to Council on its progress.
- f) At the end of the Group's term a final status report be presented to Council on the outcomes of each objective.

19. Section 377 Delegation

The Project Reference Group does not have any delegated functions pursuant to section 377 of the Local Government Act (1993) and does not have the power to direct staff.

20. Miscellaneous

Insurance: All group members are covered by the public liability policy of Council insofar as they are acting in their capacity as a group member, within the scope of the PRG's Terms of reference and in accordance with the Code of Conduct and statutory obligations. This insurance does not preclude the working group from due diligence and all Council policies must be adhered to.

Code of Conduct: All group members to abide by Council's adopted Code of Conduct at all times.

Pecuniary Interest: Pecuniary Interest may be defined as an interest that a person has in a matter, as a group member or employee of a company or other body, 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. Such other person includes the spouse or de-facto partner or relative of the group member.

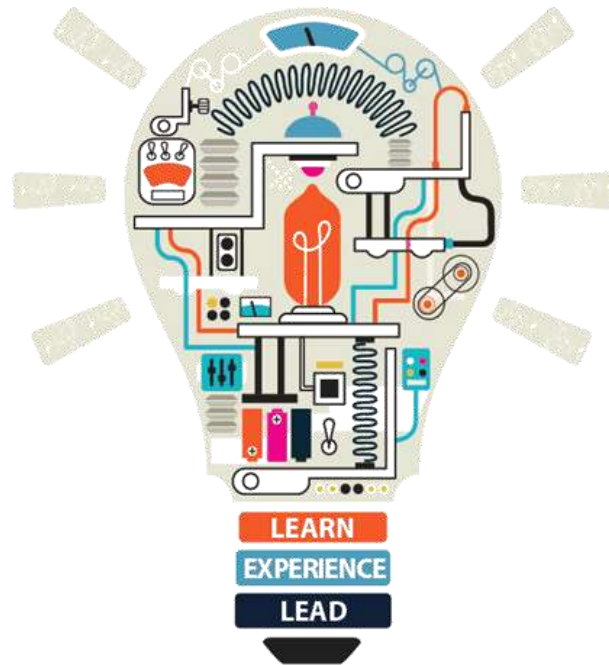
Section 446 of the Local Government Act states that:

"a member of a council committee, other than a committee that is wholly advisory, must disclose pecuniary interests.."

Even though the Local Government Act provides an exemption to disclose pecuniary interests Council's preference is for all members to declare pecuniary interests where applicable.

Privacy: All group members are to abide by Council's Privacy Management Plan (see <http://www.byron.nsw.gov.au/publications?P>) relating to their access to personal information.

Meeting Practice: If any other issue arises regarding meeting practice not covered under this constitution, it be referred to the General Manager or delegate or if required Council for a determination to be made.



BYRON YOUNG INNOVATORS

Cultivating an Innovation Culture

Corporate & Community Services
Concept Plan
2017- 2021



The Future is closer than we think...

Byron Shire Council is all about backing the next generation of young people who are going to rethink the world and create a better future.

Our dream for young people

We believe young people are not a problem to be helped or solved. Our local young people are ambitious, creative and capable of rethinking the world and solving tomorrow's problems today. And can do it all with a social conscience that will let them build a better world in the process.

Helping build a strong connected community

Whilst previous Council initiatives such as the *Byron Shire Youth Commitment* sought to address training and employment issues, Council seeks to build upon this good work by introducing a more innovative and impactful approach to enable enterprising leaders of the future. We must act now to ensure young locals can thrive in the new world of work.



What are the issues?

Why do we do we care? Our world today is full of increasingly complex global issues like rising inequality, climate change, sustainability of resources and a rapidly changing economy, just to name a few.

We are losing our young people. There is a lack of relevant and meaningful career options in the region. *It is predicted that the proportion of young people in the North Coast (aged up to 19 years) and working-age people (20–64 years) will decline due to missed opportunities. Unemployment and social exclusion in regional areas also leads mental health issues, leading to the growing incidence of youth suicide in the *Northern Rivers.

The world of work is rapidly changing. Young people need the skills, confidence and mindsets required to be adaptable and resilient in an era of rapid change and uncertainty.

Our mission

In Byron Shire we will endeavour to help the changemakers – the innovators, the makers, the dreamers, the thinkers, the doers and the creators.

- NSW Department of Planning, North Coast Regional Strategy, 2016
- Grafton <http://www.dailymail.co.uk/news/article-3794821/Tragic-youth-suicide-contagion-gripping-NSW-town-Grafton.html>



What are the solutions?

We want to excite, inspire, support and connect young people in Byron Shire by engaging them with the educational content, program and process in creating an eco-system for economic participation and enterprise development. Evidence informs us that collaboration with support networks and delivery partners with demonstrable social impact can help to bring about replicable yet adaptable solutions that are contextually relevant to the Byron Shire. This Concept Plan has been developed in collaboration with potential strategic partners, including social enterprise accelerator/incubators and networks of support to ensure the likelihood of success. The Pilot is a low cost/low risk offering that will test the scalability and adaptability of programs in creating desired community outcomes.

Byron Young Innovators Pilot Program

What is our Theory of Change?

Our aim is to undertake a Pilot Project in providing a range of proven programs for young residents, where they have the support to develop and incubate their ideas. Council and partners will drive the initiative and work to strengthen community impact through cross-sectoral collaboration and support. A 'cradle to grave' approach will offer programs with a strong outcomes focus for the following cohorts;

Objective One: Primary school students aged 9-12.

Objective Two: At-risk young people aged 15-18.

Objective Three: Emerging social entrepreneurs under the age of 40.

Objective Four: Students from universities and TAFE colleges.



Objective One *To empower primary school students (aged 9-12) - the next generation - with the skills they need to be tomorrow's leaders and to create value for society through business.*

Target group 24 x Primary school children (aged 9-12) from 4 x local schools

Lemonade Stand program

Lemonade Stand is a Collective Campus program - an innovation hub, school and consultancy based in Melbourne. A 2 x day school holiday program will provide young school aged entrepreneurs and changemakers the skills to problem solve. The program will culminate in board room and live pitches and support from mentors. Schools to select 6 x students from each of the 4 x schools based on selection criteria.

Desired outcomes

- Educational outcomes; real world exposure to business
- Problem solving skills
- School retention to complete Year 12
- Identifying pathways to further education and employment
- Help young people stay connected to families and community

Cost \$8,000 - Council to fund.

Engagements

Collective Campus, local primary schools and local guest speakers.



Objective Two *Provide educational, participatory workshops for young people (aged 15-18 experiencing disadvantage living in the Byron Shire that will increase opportunities for self-employment and business ownership offering new employment or skilling pathways.*

Target group 10 x young people (aged 15-18 who are either disengaged from high school or at risk of disengagement, supported by local youth service worker.

Enterprising Skills Project (Marist180 Social Innovation program, Brisbane)

Will provide an intensive 5 x day business education and mentoring program. Each participant will graduate with a business plan. If suitable, students will be connected with mentors, work experience prospects, or a scholarship with *Objective Three* program.

Desired outcomes

- Economic participation, business skills experience and increased likelihood of financial security
- Identified pathways to employment and further education
- Build Resiliency of Youth and reduce risky behaviours
- Help to keep local young people connected to families and communities
- Help young adults who have challenges successfully transition to adulthood.

Cost \$10,000 No Cost to Council. Funds raised via delivery partner. Council provides venue.

Participant recruitment work with delivery partners (schools and local youth services) to identify individuals that may benefit from the program in Byron/Mullumbimby.

Engagements: Byron Youth Services, Mullumbimby District & Neighbourhood Centre, Marist180 – *Enterprising Skills Project* (BNE), Sourdough Business Pathways, STEAM working group.



Objective Three *To create the most effective, desirable & collaborative environment for social entrepreneurs by supporting accelerator workshops and an incubator that will create “eco-preneurs” oriented towards contextually relevant business opportunities such as environmental/eco, tourism, food security and high priority social issues.*

Impact Academy

Impact Academy is a social enterprise incubator based in Brisbane with a locally-based representative. They offer a low cost/low risk offering to local residents that will provide mentoring and coaching towards developing a social enterprise. A three Phase program seeks to use social enterprise as a model to encourage economic development, provide public education and awareness of social enterprise as a vocational pathway. *NB. This is a key program to be run as a pilot in determining future community business needs for a incubator facility.* The following approach is proposed:

- (1) Public workshops x 3 + Pre-Accelerator workshops (creating public awareness and the eco-system)
- (2) Publicly offered/pre-screened Social Enterprise 'Light' Accelerator program
- (3) An invitational 'Market-Readiness' Accelerator program offered to high potential enterprises identified during the 'Light' Accelerator program.

Target group 5 x scholarships for people 15-25 + 5 x 'shadow' entrepreneur placements (Impact Academy is non exclusive to people under the age of 40).

Desired outcomes

- Establishment of environmental and sustainable businesses relevant to the local community context.
- Increased financial security to retain young people through more meaningful career options or education pathways.
- Connections with investors, government, industry and philanthropy.

Cost Test Phase 1: \$15,000 (Council to fund) - if successful - Phase 2: \$20,000 (Partners to seek funding). Council provides venue and resource (Social Innovation Projects Officer)

Participant recruitment Three Phases are proposed in order to test and scale a successful model.

Engagements: Impact Academy and collaborative partner MOU; Sourdough Business Pathways and STEAM.



Objective Four

A summit that will position Byron Shire as a place that leads innovation and one that is recognised for its “21st Century ready” workforce by connecting the financial, intellectual, creative, and social capital of our generation in action-oriented, solutions-focused, and safe space. The Summit aims to inspire learning and collaboration between a uniquely powerful network of peers.

Target group: 100 x people. Geared toward residents of the Byron Shire under the age of 40.

Event program yet to be developed with delivery partner.

A varied and interactive program of panels, workshops, and social activities will map local issues and explore ways to address social and environmental problems through strategies geared toward philanthropy, impact investing, and social entrepreneurship, and more. A four day event will run and winners of a business planning competition will win a place with a local business incubator to develop and scale their business idea.

Projected outcomes:

- Social enterprise and sustainable economic development outcomes to tap new growth markets eg. technology, agriculture, food security
- Connecting community to investors, philanthropy, business and government support agencies

Cost: \$50,000 (est.) No cost to Council. Partners to seek funding. Council provides venue and resource (Social Innovation Projects Officer)

Participant recruitment: By application and selection criteria. Registration fee will be charged but will offer a small number of scholarships based on applicants undergoing financial hardship. A call out to delegates, including social entrepreneurs, philanthropists, or entrepreneur looking to meaningfully engage in the social sector.

Engagements: TAFE STEAM working group, Interchange (University of Technology Sydney program).



Industry Support & Resources

Council is a member of **STEAM Working Group** (Science, Technology, Entrepreneurship, Arts & Mathematics). The newly formed collaborative Working Party has a mission to position the Northern Rivers as a region that leads innovation and one that is recognised for its “21st Century ready” workforce. Members comprise:

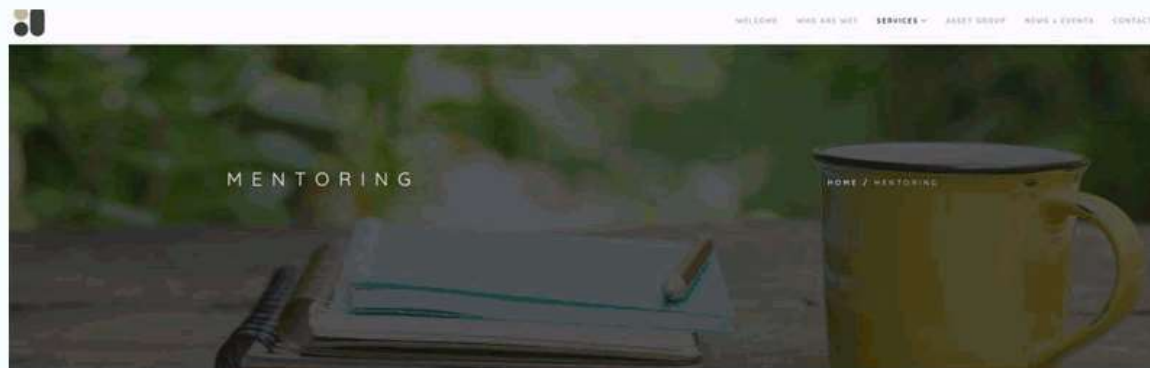
- TAFE Wollongbar
- Department of Education
- Department of Industry, AusIndustry.
- North Coast TAFE, Regional Councils
- NSW Business Chamber
- Southern Cross University
- Training Services NSW
- Regional Development Australia
- Catholic Schools
- Trinity College
- Byron Shire Council



*Bright Sparks TAFE event with
Industry, January, 2017*

Mentoring and in-kind support

The *Byron Young Innovators* pilot project will need support on topics such as strategy, revenue management, fundraising and social impact. This could be delivered through one-to-one sessions with experts or training sessions. Council has secured the support of Advisors from the local **Sourdough Business Pathways** network to mentor high potential enterprise program participants and, where relevant, participate in workshops. These Mentors come from all walks of life and share a common passion for being part of a local community and global innovation. The partnership will be a powerful means of contributing to the ongoing economic development of Byron Shire through the growth of a thriving innovation eco-system.



Support Partners – current state of play

Local

MOU: Sourdough Business Pathways mentor network

Member: STEAM Working Group

Engaged: Marching Elephants, Byron Bay

Engaged: Impact Academy, Byron/Brisbane

Engaged: Byron Youth Services

Engaged: Mullumbimby District & Neighbourhood Centre

Local businesses

Engaged: Westpac, North Coast Head Office

Engaged: Northern Rivers Community Foundation

Engaged: Department of Prime Minister & Cabinet, Lismore (Indigenous scholarships)

Discussions with other relevant organisations will commence once a decision is made by Council to determine strategic direction.

Letters of support have been provided by support networks for fundraising proposals by delivery partners.

MOUs to be developed once strategy is approved. Council will act in coordinating 'backbone' role for the Pilot.

State & National

Engaged: 10X10 Philanthropy, National

Engaged: Social Ventures Australia, National

Engaged: Small Giants, Melbourne/Byron

Engaged: NSW Office of Environment and Heritage

Engaged: Social Traders, Melbourne

Engaged: ING Direct - Dream Starter program, Sydney

Engaged: Westpac Foundation, Sydney

Engaged: Foundation of Rural and Regional Renewal, Vic

Engaged: Vincent Fairfax Family Foundation, Sydney

- Ian Potter Foundation
- Foundation for Young Australians
- Virgin Unite
- Yulgilbar Foundation (Myer Family Trust)
- Department of Agriculture
- NSW Office of Social Impact Investment/Innovation
- NSW Youth Opportunities
- NSW Family & Community Services

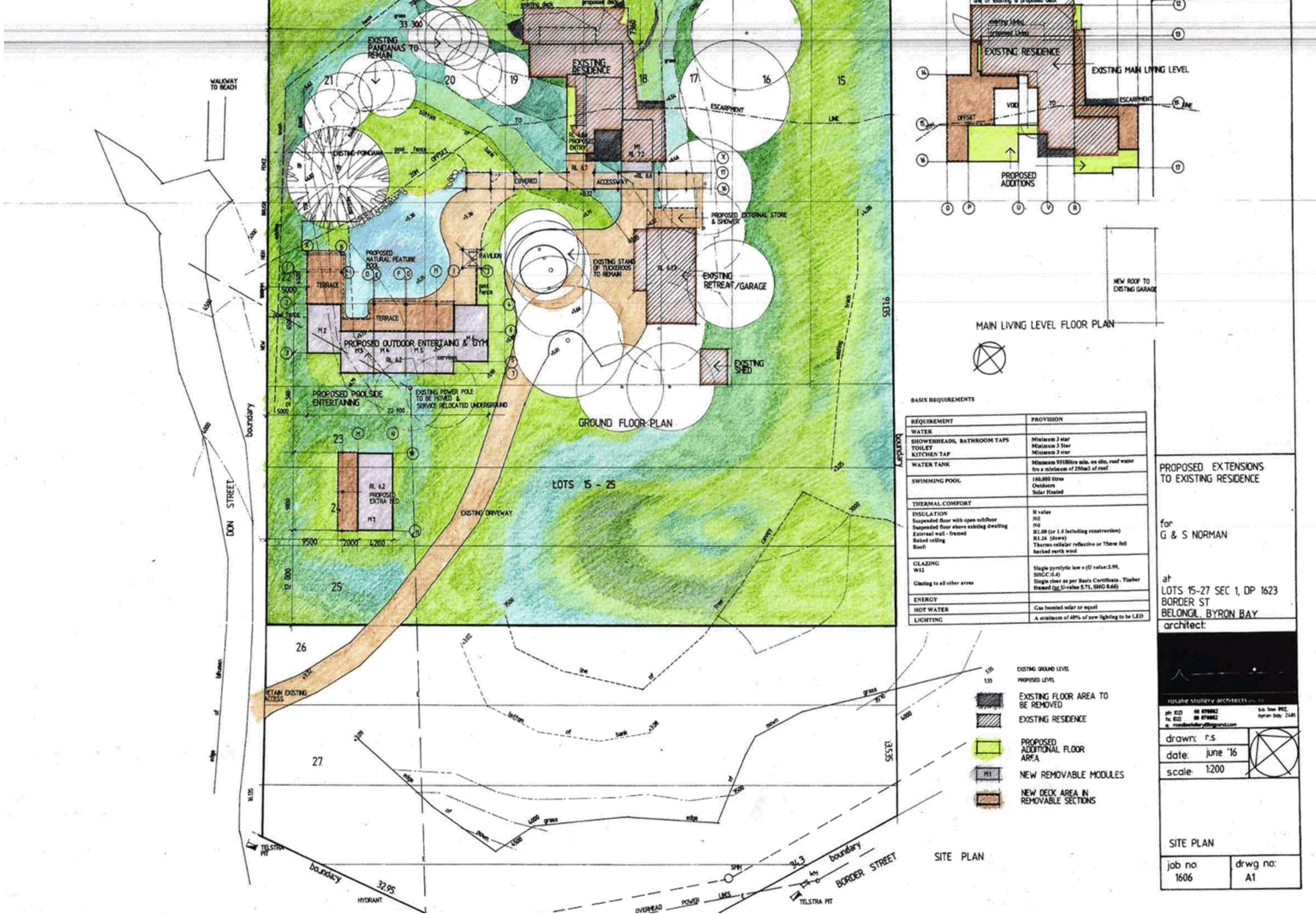
Engaged: Marist180, Brisbane

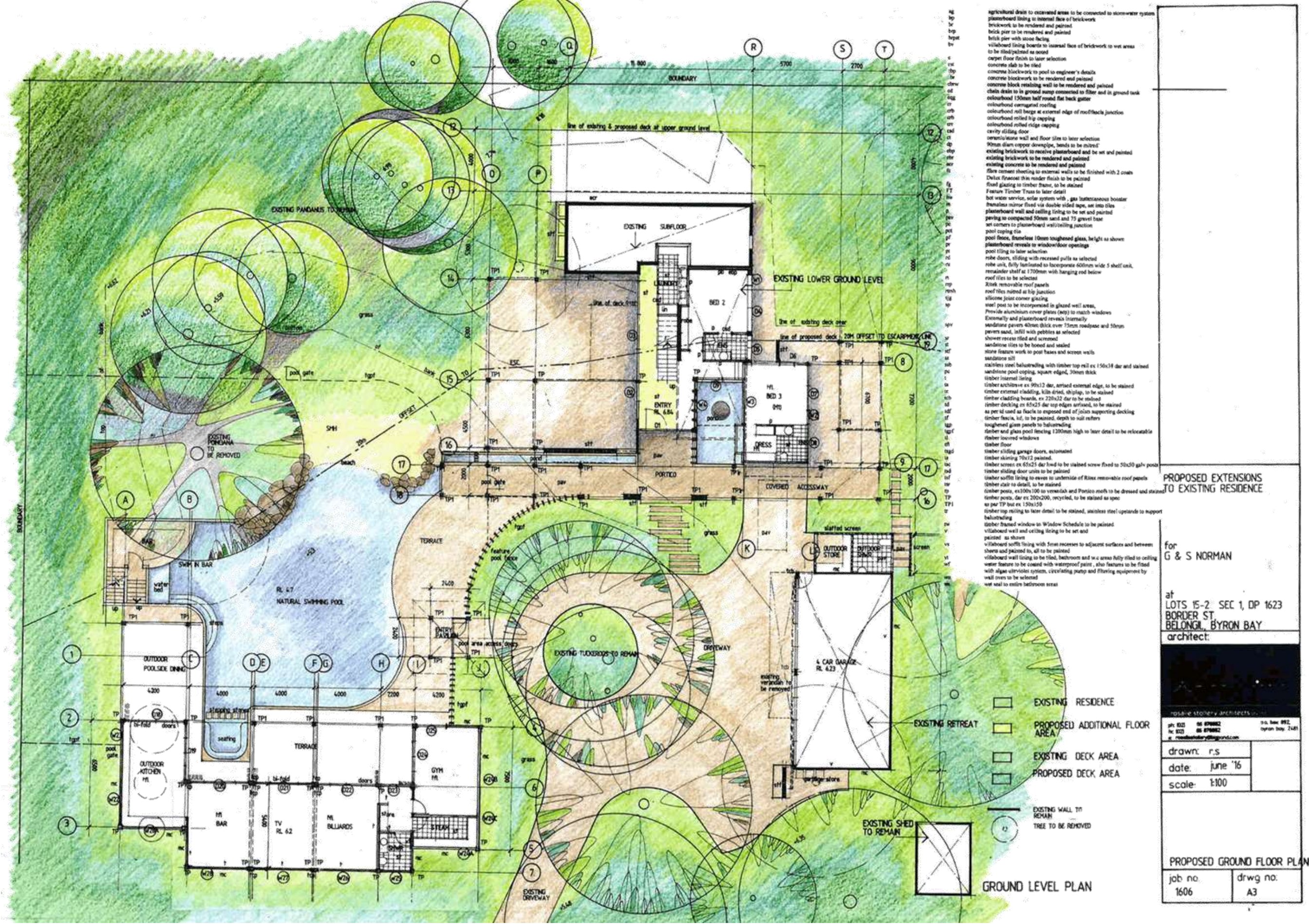
Engaged: Collective Campus, Melbourne

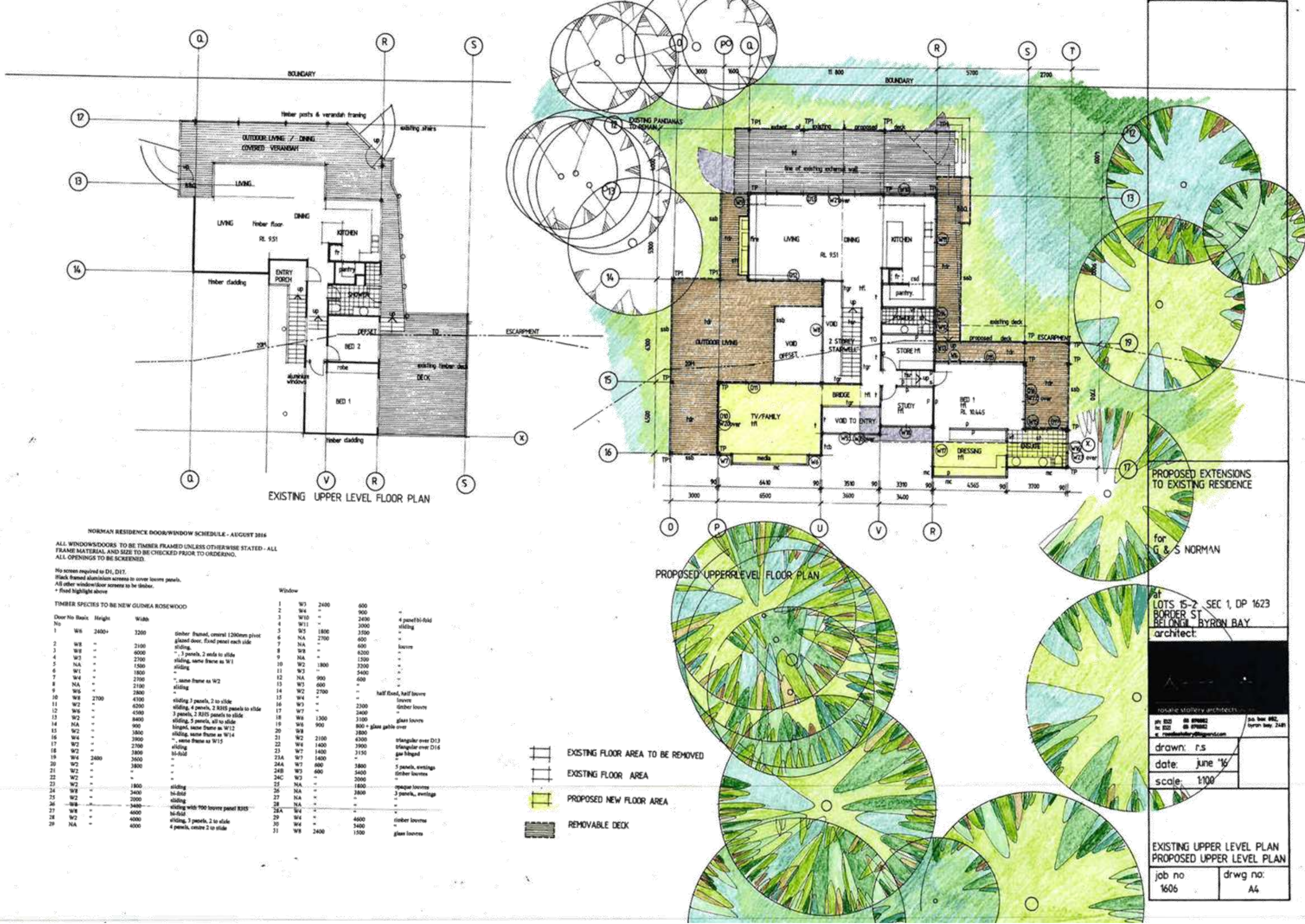
Engaged: Interchange program UTS, Sydney

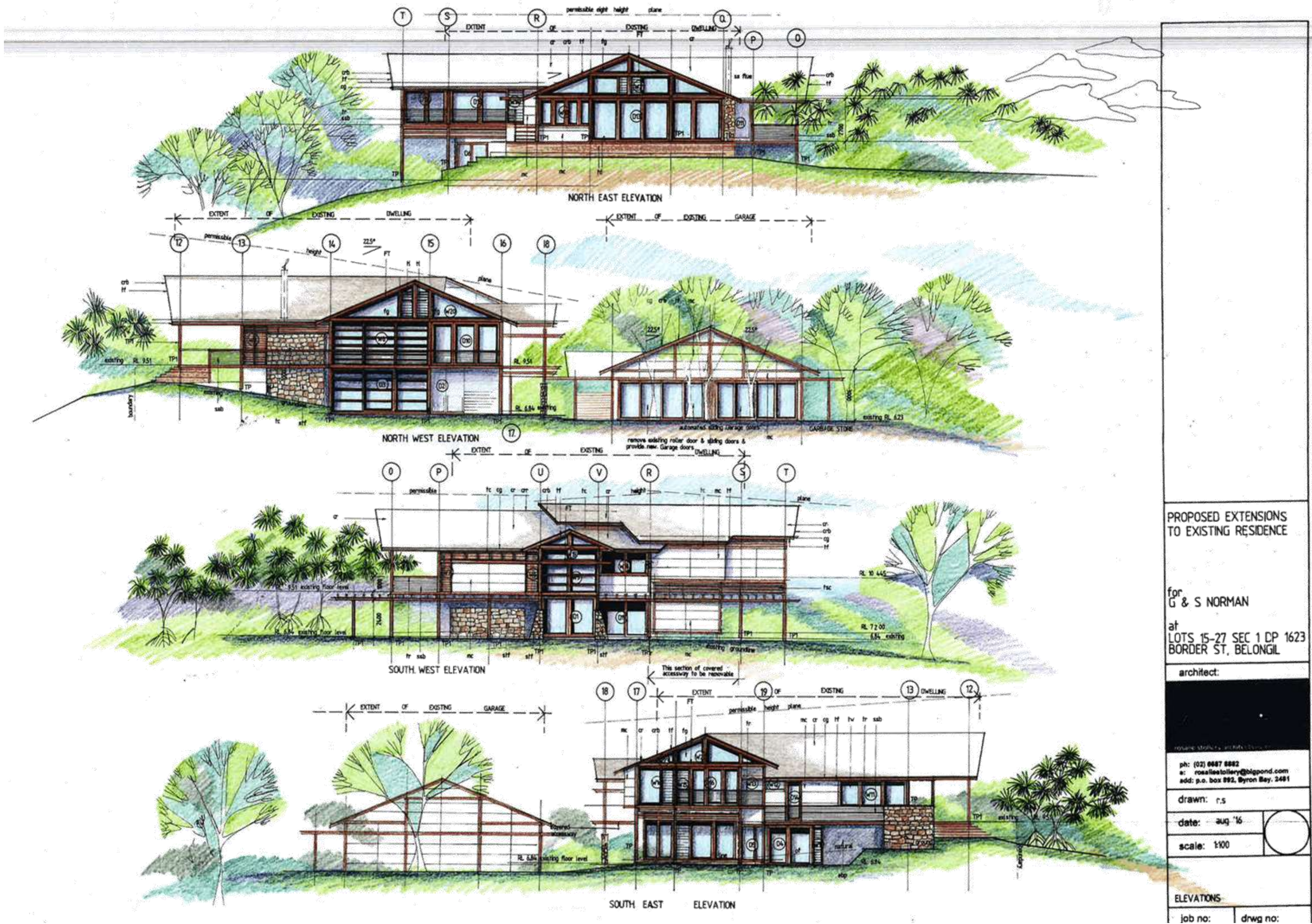
Draft Implementation Plan 2017-18

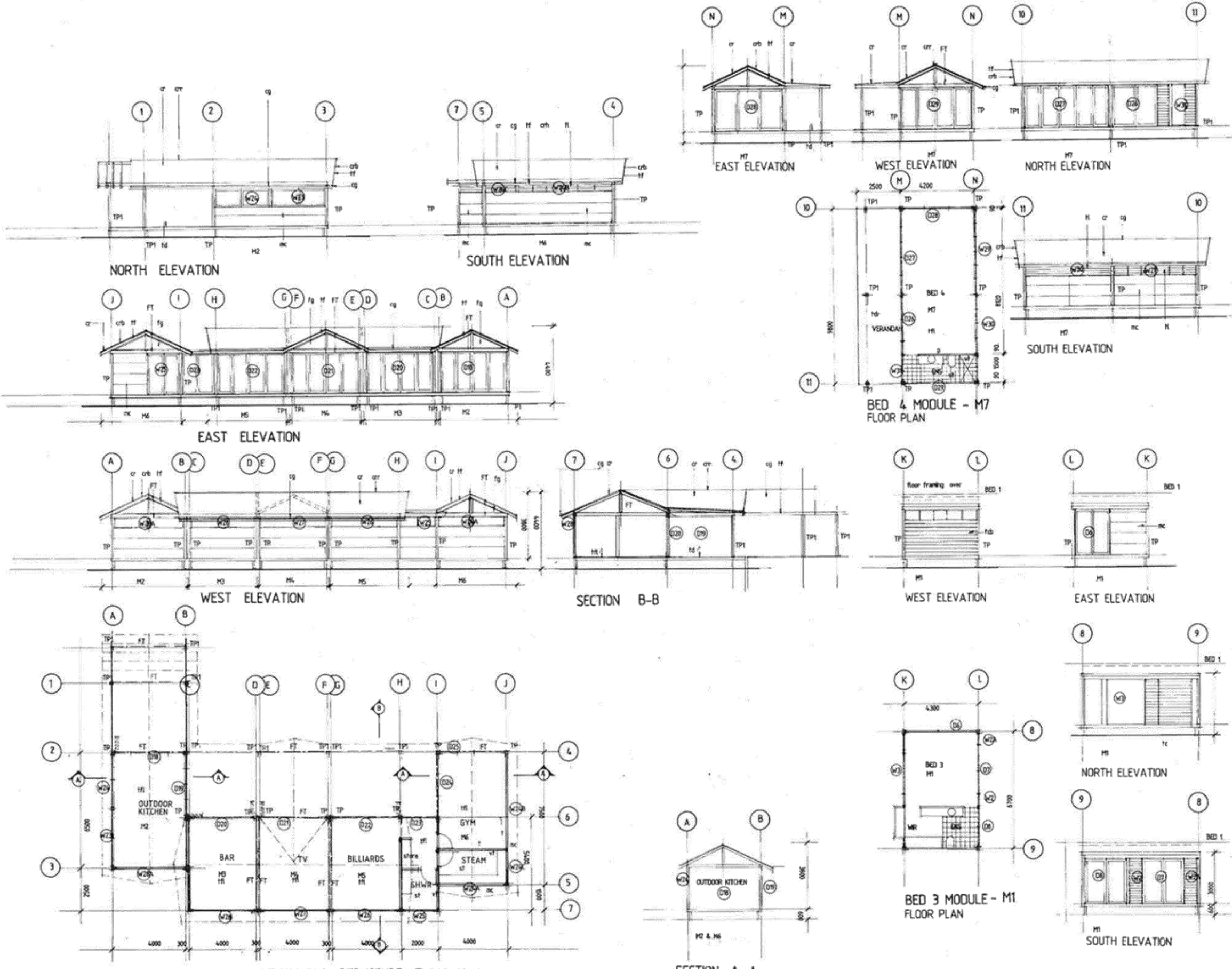
Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
Objective One - School children aged 9-12								
Appointment meetings with every Partner schools)	Appointment of delivery partners (RFQ) Participant selection criteria	Communications Strategy & marketing - Council launch –	Selection process			In School Program Delivery (2 x days – school holidays)	Social impact evaluations and planning workshops.	
Objective Two - Disengaged YP aged 15-18								
Firm funding Delivery Partner & MOU	Pre appointment meetings with youth services and Project Partners. Selection criteria and social impact frame work.	Communications Strategy & marketing Council Launch - Public Call Out Selection Process		Program Delivery (6 x day workshops)		Skills matching mentors and Project Partner engagement to map support to identify skilling pathways.	Program Delivery Objective 4 (Youth Innovation Summit – 4 x days)	Consolidate learnings and impact for replications.
Objective Three - Social enterprise accelerator under 40s								
Partner Campaign Strategy Workshop Commit Council \$15K. RFQ	Appointment of Impact Academy. MOU with Project Partners. Head hunt for high-potential applicants.	Comms Strategy. Public Launch Head hunt high-potential candidates and speakers (Objectives 1,2, 3)		Impact Academy Program Delivery (Phase One – 3 x weekend workshops)	Matching mentors to program participants		Impact Academy Program Delivery (Phase Two -Accelerator workshops)	Impact Academy Program Delivery (Phase Three – High potential participants - to be confirmed)
Objective Four - Students aged 17-24								
MOU with Project Partners	Develop funding proposition with Project Partners (STEAM, TAFE, Govt. + Sourdough)	Confirm external funding commitment.	Event planning and communications			Public Launch	Event delivery TBC – 3 day Summit.	











PROPOSED EXTENSIONS
TO EXISTING RESIDENCE

for
G & S NORMAN

at
LOTS 15-27 SEC 1, DP 1623
BORDER ST
BYRON BAY

architect:



rosalia stollery architects
ph: (02) 8867 8882
e: rosaliestollery@bigpond.com
add: p.o. box 892, Byron Bay, 2481

drawn: r.s

date: aug '16

scale: 1:100

REMOVABLE MODULES

job no:
1606

drwg no:
A6

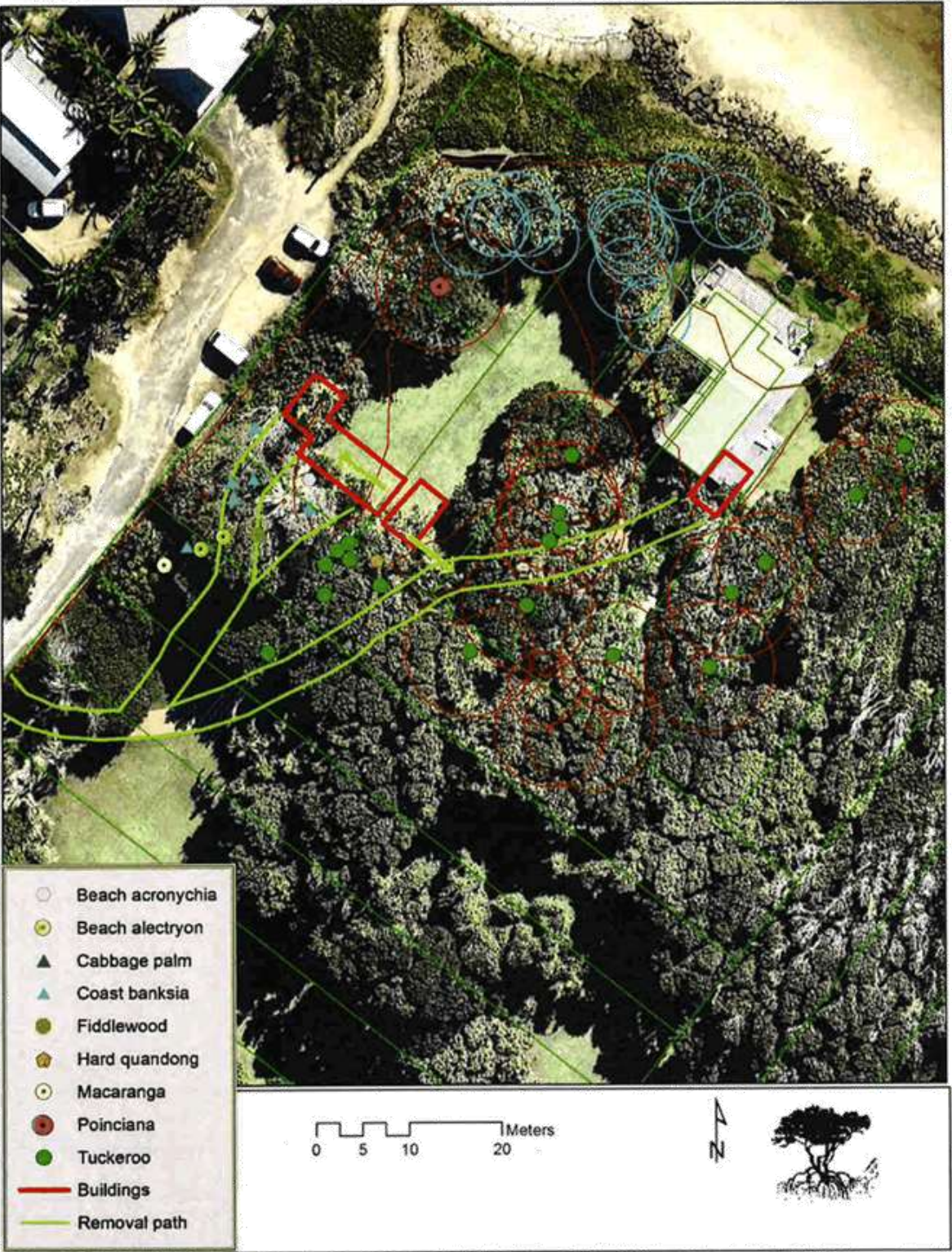


Fig. 4: Proposed relocation of pavilions and tree removal

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY 13.6 - ATTACHMENT

2

#E2017/15928

10.2016.708.1 CONDITIONS OF CONSENT:

- 1) **Development is to be in accordance with approved plans**
The development is to be in accordance with plans listed below:

Plan No.	Description	Prepared by	Dated:
A1	Site Plan	Rosalie Stollery Architects Pty Ltd	June 16
A3	Proposed Ground Floor Plan	Rosalie Stollery Architects Pty Ltd	June 16
A4	Existing Upper Floor Plan Proposed Upper Floor Plan	Rosalie Stollery Architects Pty Ltd	June 16
A5	Elevations	Rosalie Stollery Architects Pty Ltd	June 16
A6	Removable Modules	Rosalie Stollery Architects Pty Ltd	Aug 16
Figure 4	Proposed Relocation of Pavilions and Tree Removal	Peter Parker	18 October 2016

The development is also to be in accordance with any changes shown in red ink on the approved plans or conditions of consent.

The approved plans and related documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

2) **Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989**

- (1) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:
- (a) that the work must be carried out in accordance with the requirements of the Building Code of Australia ,
 - (b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY 13.6 - ATTACHMENT

2

- (2) This clause does not apply:
 - (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
 - (b) to the erection of a temporary building.
- (3) In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

3) Erection of signs

- (1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.
- (2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.
- (3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.
- (5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.
- (6) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

4) Notification of Home Building Act 1989 requirements

- (1) For the purposes of section 80A (11) of the Act, the requirements of this clause are prescribed as conditions of a development consent for development that involves any residential building work within the meaning of the Home Building Act 1989 .
- (2) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY 13.6 - ATTACHMENT

2

for the development to which the work relates (not being the council) has given the council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
 - (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
- (3) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.
- (4) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

5) Coastal Erosion

The development granted via development consent number DA 10.2016.708.1 must cease if at any time the coastal erosion escarpment comes within 20 metres of the buildings and structures the subject of the consent. The modular elements of development the subject of this consent must be either relocated within the site or removed immediately. Further the landowner must suitably revegetate the land.

The sacrificial elements of development the subject of this consent must be demolished and removed immediately when the coastal erosion escarpment comes within 5 metres of those elements.

In this restriction coastal erosion escarpment means the landward limit of erosion in the dune system caused by storm waves.

The following conditions are to be complied with prior to issue of a Construction Certificate for building works

6 Land to be consolidated

All separate parcels of land are to be consolidated into one allotment and registered with the NSW Land and Property Information, prior to issue of the Construction Certificate.

7. S.88E Public Positive Covenant to be placed on title – Coastal erosion

Documentary evidence is to be provided to the Principal Certifying Authority that a public positive covenant, pursuant to the provisions of S.88E of the Conveyancing Act, 1919, has been placed on the title to the land, the subject of this consent, stating:-

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY 13.6 - ATTACHMENT

2

The development granted via development consent number DA 10.2016.708.1 must cease if at any time the coastal erosion escarpment comes within 20 metres of the buildings and structures the subject of the consent. The modular elements of development the subject of this consent must be either relocated within the site or removed immediately. Further the landowner must suitably revegetate the land.

The sacrificial elements of development the subject of this consent must be demolished and removed immediately when the coastal erosion escarpment comes within 5 metres of those elements.

In this restriction coastal erosion escarpment means the landward limit of erosion in the dune system caused by storm waves.

Please note: Documents requiring the endorsement of Council associated with the creation or cancellation of easements, restrictions, covenants are subject to fees listed within Council's Fees & Charges.

8. Biodiversity Conservation Management Plan

A Biodiversity Conservation Management Plan is required to guide littoral rainforest rehabilitation and restoration at the site and to provide guidance on the management of threats to this community.

Actions described in the Biodiversity Conservation Management Plan to be substantially commenced to the satisfaction of Council's ecologist prior to issue of an construction certificate.

Note:-A Biodiversity Conservation Management Plan alone may not be sufficient to ensure long-term protection and management of the EEC and prevent progressive degradation of the community if threats are not appropriately managed. It is recommended that an easement be created burdening use of the land identified as the littoral rainforest EEC defined as the 'tree trunk line' on the Site Plan and any vegetation growing out of that area.

9. S.88E Restriction to be placed on title – Conservation of Vegetation

Documentary evidence is to be provided to the Principal Certifying Authority that a restriction on the use of land, pursuant to the provisions of S.88E of the Conveyancing Act, 1919, has been placed on the title to the land, the subject of this consent, stating:-

No works or activities shall be carried out on the burdened land that has a negative impact on the littoral rainforest on, or adjoining, the burdened land, other than in accordance with the Biodiversity Conservation Management Plan approved in accordance with conditions of development consent number DA 10.2016.708.1.

Please note: Documents requiring the endorsement of Council associated with the creation or cancellation of easements, restrictions, covenants are subject to fees listed within Council's Fees & Charges.

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10. Water and Sewerage - Section 68 approval required

An Approval under Section 68 of the Local Government Act 1993 to carry out water supply work and sewerage work must be obtained.

11. Site Waste Minimisation and Management Plan

Chapter B8 of Byron Shire Development Control Plan 2014 (DCP 2014) aims to facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development. Prior to the issue of a Construction Certificate, a Site Waste Minimisation and Management Plan (SWMMP) must be submitted outlining measures to minimise and manage waste generated during demolition, construction and the ongoing operation and use of the development. The SWMMP must specify the proposed method of recycling or disposal and the waste management service provider.

A template is provided on Council's website to assist in providing this information www.byron.nsw.gov.au/files/publication/swmmp-pro-forma.doc

12. Long Service Levy to be paid

A Long Service Levy must be paid to the Long Service Payments Corporation. This amount payable is based on the cost of the work. These payments may be made at Council's Administration Office, Station Street, Mullumbimby. Cheques are to be made payable to 'Byron Shire Council'.

13. Compliance with BASIX Certificate requirements

The development is to comply with BASIX Certificate N°A258745 for the additions and alterations, dated 13 September 2016.

The commitments indicated in the Certificate are to be indicated on the plans submitted for approval of the Construction Certificate.

Note that the plans submitted must clearly indicate all windows numbered or identified in a manner that is consistent with the identification on the BASIX Certificate.

Minor changes to the energy efficiency measures may be undertaken without the issue of any amendment under Section 96 of the Act, provided that the changes do not affect the form, shape or size of the building.

Proposed colours must be consistent with the provisions of Section D2.2.3 of Council's Development Control Plan 2014. Note that white colours are not permissible.

Such plans and specifications must be approved as part of the Construction Certificate.

14. Landscaping plan required

The application for a Construction Certificate is to include plans and specifications that indicate the landscaping of the site. Such landscaping plan must incorporate adequate detail to demonstrate compliance with the provisions of Part H of Development Control Plan 2010. Species identified in Part H of Development Control Plan 2010 are to be planted wherever possible. The landscaping plan must indicate:

- a) proposed location for planted shrubs and trees

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- b) botanical name of shrubs and trees to be planted
- c) mature height of trees to be planted
- d) location of grassed and paved areas, and
- e) location of trees identified for retention in the development application plans.
- f) The plan is to be prepared by a suitably qualified landscape architect / architect / ecologist who has appropriate experience and competence in landscaping.

Such plans and specifications must be approved as part of the Construction Certificate.

The following conditions are to be complied with prior to any building or construction works commencing

15. Erosion & sediment measures

Erosion and sedimentation controls are to be in place in accordance with the *Guidelines for Erosion & Sediment Control on Building Sites*. A summary of these guidelines is attached. A full copy may be downloaded from Council's web site at www.byron.nsw.gov.au.

16. Plumbing Standards and requirements.

All Plumbing, Water Supply, Sewerage and Stormwater Works shall be installed in accordance with the Local Government Act 1993, Plumbers Code of Australia and AS/NZS 3500 Parts 0-5, the approved plans (any notations on those plans) and the approved specifications. The changes made are from Plumbers and Drainage Regulation 2012 NSW Government.

- a) The licensee is to provide 24 hours notice and attend the site for the following **INSPECTIONS**, prior to covering of work. Inspections will be carried out a mutually convenient time:
 - i) Pre-start and Sediment Control;
 - ii) Internal Drainage;
 - iii) External Drainage;
 - iv) Water Rough In;
 - v) Fire Services;
 - vi) Stackwork;
 - vii) Final - all work completed. - * Note below.
- b) A licensee is required to provide to Council and owner of the property after completion of the work and within 48 hours, **a Compliance Certificate and Sewer Services Diagram/ Works as Executed drawings.**

Note: Council will send each plumber proformas of these documents when the Notice of Work permit has been issued by Council to allow the plumber to commence work.

The following conditions are to be complied with during construction

17. Construction times

Construction works must not unreasonably interfere with the amenity of the neighbourhood. In particular construction noise, when audible on adjoining residential premises, can only occur:

- Monday to Friday, from 7 am to 6 pm.
- Saturday, from 8 am to 1 pm.

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- No construction work to take place on Sundays or Public Holidays.

18. **Construction noise**

Construction noise is to be limited as follows:

- For construction periods of four (4) weeks and under, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).
- For construction periods greater than four (4) weeks and not exceeding twenty six (26) weeks, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

19. **Builders rubbish to be contained on site**

All builders rubbish is to be contained on the site in a 'Builders Skips' or an enclosure. Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.

20. **Maintenance of sediment and erosion control measures**

Sediment and erosion control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

21. **Prevention of water pollution**

Only clean and unpolluted water is to be discharged to Council's stormwater drainage system or any watercourse to ensure compliance with the Protection of Environment Operations Act.

22. **Protection of native vegetation during the construction phase:**

The following measures for protection and management of vegetation are to be applied:

- i. Trees to be retained are to be protected by a fence so as to minimise disturbance to existing ground conditions within the drip line of the trees. The fence is to be constructed:
 1. with a minimum height of 1.2 metres,
 2. outside the drip line of the tree,
 3. of steel star pickets at a maximum distance of 2 metres between pickets,
 4. using a minimum of 3 strands of steel wire,
 5. to enclose the tree, and
 6. with orange barrier mesh, or similar, attached to the outside of the fence and continuing around its perimeter

The fence is to surround the endangered ecological community and prevent access to this area by unauthorised personnel.

Only suitably qualified bush regenerators are permitted to enter this area during the construction phase to conduct works in accordance with the approved Biodiversity Conservation Management Plan.

The fence is to be maintained for the duration of the site clearing, preparation and construction works.

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No equipment, rubbish or fill are to be placed within the fenced area and the area must not be excavated.

The following conditions are to be complied with prior to occupation of the building

23. Pool safety sign

The occupier of the premises must ensure that there is at all times a sign in the immediate vicinity of the swimming pool bearing the words 'Young children must be supervised when using this swimming pool'. The sign is to be a prominent position and be otherwise in accordance with clause 9 of the Swimming Pools Regulation, or similar.

24. Swimming pool discharge

Swimming pools must discharge or backwash to an overflow retention gully in accordance with AS/NZS 3500.2.2, Section 10.9 & Figure 10.2.

25. Works to be completed prior to issue of a Final Occupation Certificate

All of the works indicated on the plans and approved by this consent, including any other consents that are necessary for the completion of this development, are to be completed and approved by the relevant consent authority/s prior to the issue of a Final Occupation Certificate.

Any Security bond paid for this application will be held until Council is satisfied that no further works are to be carried out that may result in damage to Councils road/footpath reserve.

The following conditions are to be complied with at all times

26. Access must be permitted to Council officers

Access must be permitted to any authorised Council officers during normal business hours for the purpose of ensuring compliance with consent conditions.

27. Restriction on use of outdoor lights

The use of artificial lighting and outdoor lights within the development is to be of a low-intensity and directed away from the littoral rainforest area and positioned to ensure there is no light spill from the development on to the beach area.

Any lighting is to be adjustable on their mountings and/or provided with shades to the satisfaction of the Principal Certifying Authority, ensuring that the spread of light is restricted away from the beach area.

Ideally any artificial lighting and outdoor lights are to be turned off no later than 10pm each night.

28 Vegetation Maintenance

Any tree pruning or removal approved by this consent shall be carried out by an appropriately qualified Arborist and be in accordance with the relevant Australian Standards.

Notes

Construction Certificate required:

This development consent is issued under the Environmental Planning and Assessment Act 1979 and does not relate to structural aspects or specifications of the building under the Building Code of Australia. All buildings and alterations require the issue of a Construction Certificate prior to works commencing. Application forms are available from the customer services counter or Council's website www.byron.nsw.gov.au.

Principal Certifying Authority:

Work must not commence until the applicant has:-

- 1) appointed a Principal Certifying Authority (if the Council is not the PCA); and
- 2) given the Council at least two days notice of their intention to commence the erection of the building. Notice must be given by using the prescribed 'Form 7'.
- 3) notified the Principal Certifying Authority of the Compliance with Part 6 of the Home Building Act 1989.

Occupation Certificate required:

The building must not be occupied until the Principal Certifying Authority has issued an Occupation Certificate.

Protection of the Environment Operations Act 1997:

It is an offence under the provisions of the Protection of the Environment Operations Act 1997 to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice ("on-the-spot fine") or prosecution.

Penalties apply for failure to comply with development consents

Failure to comply with conditions of development consent may lead to an on the spot fine (generally \$600) being issued pursuant to section 127A of the Environmental Planning and Assessment Act 1979 or prosecution pursuant to section 125 of Environmental Planning and Assessment Act 1979.

Biodiversity Conservation Management Plan

The requirement for preparation and implementation of a Biodiversity Conservation Management Plan to detail protection of the littoral rainforest endangered ecological community and compensate for known and anticipated direct and indirect impacts of the proposal. The BCMP is to include:

- A clear description of the management aims and objectives including the timeframe required to achieve these;
- An implementation schedule detailing actions, frequency of actions and responsible person(s) to be undertaken within the endangered ecological community to achieve plan aims and objectives;
- Measurable performance indicators;

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- Details of ongoing monitoring requirements to determine whether performance indicators have been met and the need for adaptive management actions;
- An accurate map, drawn to scale identifying the extent of the endangered ecological community on-site. The plan is to include a survey of all trees that delineate the boundary of the endangered ecological community on the site and their position relative to the development;
- Measures for regeneration, weed control and restoration works;
- Map the location of restoration areas;
- Measures for protection and management of vegetation during any vegetation removal and trimming works;
- Rehabilitation of the existing beach access with the objective of achieving a closed canopy littoral rainforest community over time;
- Removal of any structures, artificial lighting and other anthropogenic features from within the endangered ecological community (with the exclusion of the coastal raptor nesting pole);
- Details of fauna friendly fencing options that may be used to define Lot boundaries within the endangered ecological community;
- Provide guidance on suitable plant species to use in landscaped areas of the site;
- Strategies to minimise bird collisions with windows; and
- Strategies to protect the threatened species on-site.

Easement for conservation – Restriction on User.

The restriction on user for conservation purposes must prohibit, except as otherwise permissible by law, all of the following within the area covered by the restriction on user:

- management of the littoral rainforest except in accordance with the approved Biodiversity Conservation Management Plan;

Reasons

- To comply with the provisions of Byron L.E.P. 1988.
- To preserve the environment and existing or likely future amenity of the neighbourhood.
- To protect the environment.
- To preserve the amenity of the area.
- To ensure adequacy of services to the development.
- To ensure public health and safety.
- To ensure compliance with Section 68 of the Local Government Act 1993.

Action ID	Name	Description	2013-17 Delivery Plan Linkage	Council Responsibility	Theme	Scheduled Year	Responsible	Accountable	Consulted	Informed	Progress Notes - Dark green = complete, light green = in progress, white = not started, orange = cancelled
52	Monitor Energy and Fuel Consumption	Continue to work with Planet Footprint (or alike) to manage Council's energy and fuel data to identify wastages and document consumption	24, 45	Corporate and Community Services	All	1	Sandi Middleton	Phil Holloway or delegated officer	Managers and Executive Team (as needed)	Executive Team (quarterly)	Ongoing collaboration with Planet Footprint to raise awareness of electricity consumption throughout Council. The new energy optimisation consultant is currently reconciling electricity and fuel usage data to maximise the benefit from the Planet Footprint Subscription and produce this year's greenhouse gas emission report. In early 2017 asset managers responsible for electricity accounts will be trained in the Planet Footprint online tool which will enable monitoring and identification of abnormal energy use thus increasing our ability to respond quickly to maintenance or billing issues.
1	Caravan Park Energy Audit	Conduct detailed energy audit of all Council owned caravan parks	22, 45	Infrastructure Services	Energy Efficiency	1	Michael Matthews	Michael Matthews	Caravan Park leasees, James Brickley, Sandi Middleton	Executive Team, Sandi Middleton, Donna Johnston	Energy efficiency consultant engaged and set to deliver audits.
6	Fuel Shock Emergency Management Plan	Incorporate fuel supply shocks as potential risk scenario in business continuity plan	47, 53	Corporate and Community Services	Peak oil	1	Patti Ruck	Trish Kirkland	Donna Johnston, Rod Teale	All staff	In progress - waiting to hear from state-wide insurers then a group will be formed to action it.
8	Depot Energy Efficiency Upgrades	Conduct a request for quotation on energy efficiency upgrades at the Depot	22, 45, 46	Infrastructure Services	Energy Efficiency	1	Tony Nash or delegated officer	Tony Nash	Sandi Middleton	Donna Johnston, Executive Team	Energy efficiency audit finalised Oct 2014. Request for Quote finalised.
9	Administration Building Energy Efficiency Upgrade	Improve energy efficiency of air-conditioning system and lighting at administration building as per Australian Standards	22, 45, 46	Infrastructure Services	Energy Efficiency	1	Len Reilly or delegated officer	Peter Rees	Sandi Middleton, Claire McGarry	Executive Team, Donna Johnston, Councillors (end of year report on strategy implementation)	Energy efficiency audit finalised Oct 2014. Finances identified to fund the fixing of the roof and upgrade the AC system. Brief for consultant to work on new design in finalised and with Peter Rees to progress. Estimated to be a 2 year project. Energy optimisation consultant to complete a feasibility study on roof upgrade for solar.
12	Depot Energy Efficient Lighting	Improve quality of lighting at depot as per Australian Standards and WHS with the view to improving energy efficiency. (e.g. LED lighting retrofit)	22, 45, 46	Infrastructure Services	Energy Efficiency	1	Tony Nash or delegated officer	Tony Nash	Sandi Middleton	Donna Johnston, Executive Team	Lighting upgrade complete with savings of over \$200,000 over the life of the lights achieved. Media release drafted and sent out.
10	Cavanbah Sports Centre Energy Efficiency	Investigate energy use patterns at the Cavanbah Sports Centre and identify efficiency opportunities	22, 35, 45, 46	Infrastructure Services	Energy Efficiency	1	Energy consultant	Michael Matthews	Sandi Middleton	Donna Johnston	Energy efficiency audit finalised. Implementation of priority lighting and solar hot water recommendations finished and final report produced to verify savings. Actions will save half the cost of electricity at Cavanbah Sports Centre.
11	Cavanbah Sports Centre Solar Hot Water	Install solar hot water at the Cavanbah Sports Centre	22, 35, 45, 46	Infrastructure Services	Energy Efficiency	1	Energy consultant	Michael Matthews	Sandi Middleton	Donna Johnston	As a result of the RFQ (item 10) it was concluded that a solar hot water system was not required for the Cavanbah Sports Centre and instead the solar system will power the already installed heat pumps.
13	Wastewater Treatment Energy Efficiency	Investigate opportunities for energy efficiency throughout waste water treatment network. As per resolution 13-107.3	45	Infrastructure Services	Energy Efficiency	1	Bryan Green or delegated officer	Peter Rees	Depot staff, consultant, Sandi Middleton	Executive Team, Donna Johnston, Councillors	Energy efficiency audits for 3-5 priority sites have been identified and funding is being secured through the Water and Sewer Fund. Bryan Green to lead.
14	Wind Energy Investigation	Purchase a wind energy meter for monitoring site specific potential for small-medium scale wind energy generation	46	Infrastructure Services	Renewable Energy	1	Bryan Green or delegated officer	Peter Rees	Sandi Middleton	Councillors through end of year report	Previous study found that for commercial scale wind energy the amount and frequency would not be viable in the Byron Shire however for small scale wind production it is recommend to purchase an anemometer and determine on a site specific basis which sites would be more worthwhile than others. Anemometer purchased.
15	Large Scale Solar Power	Investigate feasibility of large scale solar at Council facilities (e.g. STW, depot, Cavanbah Sports Centre, Admin building, caravan parks)	22, 45, 46	Infrastructure Services	Renewable Energy	1	Sandi Middleton plus delegated officer from each team / consultant	Michael Matthews, Tony Nash and Peter Rees	Executive Team	Users of assets	25kW solar system implemented as part of energy efficiency audit on the Cavanbah Sports Centre. Also implemented 50kW solar system on West Byron STP. 60kW system on Byron Bay Library, 12kW system on Sandhills Childcare Centre and a 10kW system on the Mullumbimby Neighbourhood Centre in progress. 12kW Drill Hall installed. Currently in conversation with COREM regarding partnership over 75kW on Valances Rd STP. (Previous installations include 5kW at Brunswick Heads Community Centre, 10kW at Myocum Road Landfill, 5kW at Mullumbimby Civic Hall, Durrumbul Hall 7.8kW)

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Action ID	Name	Description	2013-17 Delivery Plan Linkage	Council Responsibility	Theme	Scheduled Year	Responsible	Accountable	Consulted	Informed	Progress Notes - Dark green = complete, light green = in progress, white = not started, orange = cancelled
16	Organic Waste Collection	Implement collection and re-use of household organic waste in the Byron Shire to produce a high quality product appropriate for re-use in food and land restoration systems	22, 46, 56	Infrastructure Services	Waste	1	Lloyd Isaacson				Successful roll out of green bins to households completed and implemented.
17	Resource Recovery Education	Reduce organic waste to landfill and increase awareness of organic and general recycling in the household (incl plastic minimisation)	14, 17, 45, 46, 47, 56	Infrastructure Services	Waste	1	Lucy Wilsons or delegated officer	Lloyd Isaacson	Donna Johnston	General Public	Programs around the roll out of the three bin collection service have been completed and education programs for the community will be delivered on an ongoing basis.
18	Organic Waste Reuse	Investigate local uses of residential organic waste collected	14, 17, 45, 46, 47, 56	Infrastructure Services	Waste	1	Lloyd Isaacson or delegated officer	Lloyd Isaacson	Community, industry and agencies	Community, Donna Johnston	Further investigation into these possibilities once waste disposal strategy has been finalised with new biomass feasibility study to include residential organic waste. This cross divisional project will investigate the potential of Council's bio solids, bamboo, collected green waste and Shire's potential commercial bio mass feedstock's.
19	Commercial Organic Waste Collection	Develop commercial organic waste collection strategy for business and industry	14, 17, 45, 56	Infrastructure Services	Waste	1 & 2	Lloyd Isaacson or delegated officer	Lloyd Isaacson	Industry, agencies and ED&T team	Community, Donna Johnston	Further investigation is planned for 12-18 month time. Defer to year 2.
20	Park and Ride Scheme	Implement a park and ride scheme for Byron Bay as per Council resolution 14-293	14, 22, 45, 46	Infrastructure Services	Transport	2	Claire McGarry / Greg Ironfield	Claire McGarry / Greg Ironfield	Councillors and Executive Team	Community, Infrastructure Services, Community Development	Completed re Council resolution. Put on hold until the implementation of Byron Paid Parking. Move to year 2 action.
53	Tree Planting in New Developments	Amend DCP 2010 to ensure developers establish street plantings in new sub-divisions	40, 42, 43	Sustainable Environment and Economy	Carbon	1	Sandi Middleton				Completed. DCP 2010 is now replaced by DCP 2014.
22	Electric Fleet Vehicles	Investigate opportunities for the use of electric vehicles for parking officers/rangers/inspectors where applicable along with potential for an integrated charge station network for the Byron Shire	22, 45, 46	Infrastructure Services	Transport	1	Sandi Middleton and Rod Teale	Sharyn French	Parking officers, Industry, Claire McGarry	Executive Team	Secured a 2 year loan of a Nissan Leaf electric vehicle for Byron Bay compliance officers. Implementation of EV fast charging station for Byron Bay installed and run on 100% renewable energy. Northern Rivers Electric Vehicle strategy almost finalised. Council has recently purchased a Corolla Hybrid for paid parking officers to use.
54	Environmental Levy	Investigate opportunities to continue and expand the special levy to implement the Low Carbon Strategy	45	Sustainable Environment and Economy	All	Ongoing	Sharyn French				Complete - Policy states that LCS is funded under the policy. \$10K from 2015 budget had been put aside to implement LCS. \$13 from 2016 budget has been put towards LCS.
55	Virtual Net Energy Metering	Work collaboratively with Essential Energy, energy retailers and the Australian Energy Regulator to develop Virtual Net Metering in the Byron Shire	13, 16, 17, 22, 45	Sustainable Environment and Economy	All	1	Sandi Middleton	Sandi Middleton	Executive Team	Council, Community	Now that the trial has been completed and the methodology developed Council is in continued negotiations with the network provider (Essential Energy), our retailer (Origin) and the regulator (Australian Energy Market Commission) to permit the Local Network Generation Credits and Local Energy Trading. The negative determination from the AEMC to not allow local generation network credits has lead Council to seek advice from the local government representative on COAG as an alternative approach. Investigation into including local energy trading in the next electricity contract for Council is under way and negotiations with supportive retailers has commenced to implement Local Energy Trading.
56	Community Engagement Climate change and Peak oil Planning	Biodiversity & Sustainability committee to workshop with staff, potential methods of reducing greenhouse gas emissions and improving peak oil preparedness under the current planning system and proposed planning reforms and identify opportunities to participate	14, 17, 45, 46, 47, 53	Sustainable Environment and Economy	All	1	Sandi Middleton	Sandi Middleton	Sustainability and Biodiversity Committee	Councillors, Executive Team	Completed as consultation of the LCS.
57	Large Scale Event Sustainability	Develop strategy to improve the sustainability and minimise the environmental impact of large events (e.g. festivals) in the Byron Shire	28, 46	Sustainable Environment and Economy	Community Engagement	1	Claire McGarry	Event Organisers	Event organisers and industry and community	Community, Councillors	Worked with Renew Fest to achieve the first zero waste festival. Event strategy currently being scoped and researched. Event organisers forum helping to shape the strategy- meet quarterly. Work with team to assess applications for the Event Sponsorship Fund - established to 'embed sustainability principles into local events and / or provide sponsorship' for 'significant homegrown' or 'emerging' events in the shire.

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58	Bangalow and Suffolk Park Community Gardens	Support the creation a community garden at Suffolk Park and Bangalow	15, 40, 46, 47	Sustainable Environment and Economy	Peak oil	1	Sandi Middleton, Claire Campbell, Michael Matthews	Sandi Middleton, Michael Matthews	Trish Kirkland, Community, Michael Matthews	Community, All staff, Executive Team, Councillors	Council aquired previously state government owned land. After a master planning process has been completed for the site the Community Gardens policy of Council can be neacted and delivered to set up a new community garden at suffolk park.
77	Ethical Catering	Update list of eligible caters for the Ethical Catering Policy and promote to staff	45, 46	Sustainable Environment and Economy	Peak oil	1	Sandi Middleton	Sharyn French	Internal staff (in particular admin), Industry, Executive Team	All staff, Councillors, Executive Team	Successful EOI process held in 2015. New EOI process commenced and community workshop held in on 26.10.16. EOI finalised by March 2017.
60	Byron Shire Renewable Energy	Support renewable energy projects throughout Byron Shire where possible	17, 25, 45, 46, 47	Sustainable Environment and Economy	Renewable Energy	1	Sandi Middleton and relevant venue managers	Michael Matthews , Tony Nash and Peter Rees	Executive Team	Councillors	Assisted Enova Energy to launch.Currently assisting COREM with potential Council partnerships on community assets such as the Drill Hall, Bangalow and Mullumbimby Museum. Working with ENOVA and Community Power Agency on a community owned solar project in the buffer zone of Brunswick Valley STP (Called Solar Gardnes). Participating in Local Electricity Trading project. Sustainability Officer is on steering committee for Byron Shire Zero Net Emissions and Sustain Northern Rivers Energy Working Group. council commissioned the preparation of a BioMass prospectus to scope the potential for investment in bio energy in the Byron shire.
86	NBN and WiFi	Identify opportunities that the NBN and/or WiFi creates for remote working	13, 45	Organisation Development	Peak oil	1	Mel Campbell or delegated officer	Shannon McKelvey	Staff, Executive Team, David	Staff	In progress
87	Sustainability Engagement	Support coaching and mentoring for sustainability across the organisation via internal staff engagement	5, 46	Organisation Development	Staff Engagement	Ongoing	Sandi Middleton	Sustainability Matrix Group	All staff, Sustainability Matrix Group, Executive Team	All staff, Donna Johnston	Organised internal World Environment Day and Earth Day staff sustainability events. Provide ongoing coaching to community members around their projects. Staff training for SEE team on behaviour change and communication skills. Sustainability Matrix Group formed and highly functional and effective with the following project completed. - Staff engagement, empowerment and ideation around how to make Council more sustainable - Introduction of sustainable and ethical instant coffee - Supporting the implementation of the new three bin system - Researching the feasibility of ethical toilet paper, hand dryers, electronic timesheets and sustainable office products
25	Water and Energy Audits	Conduct energy and water audit of Council facilities to identify efficiency improvements (e.g. lighting, insulation, tap locks, hot water)	22, 45, 46	Infrastructure Services	Energy Efficiency	1 & 2	Consultant/ auditor	Michael Matthews, Peter Rees and Tony Nash	Sandi Middleton, venue managers and users, James Brickley, Executive Team	All staff	High level energy audit conducted on high use buildings in Council. Have conducted detailed energy audit of Admin building and Works depot building as well as Sandhills Childhood Centre.
2	Sustainable Investment	Investigate environmentally and financially sustainable investment opportunities as well as the potential for divestment opportunities away from non environmental/ethical activities	24	Corporate and Community Services	All	1	James Brickley or delegated officer	Mark Arnold	Internal Audit Committee, Executive Team	Sandi Middleton, Councillors	Currently investigating divestment options. Finance team to update further.
81	Northern Rivers Carpool Project	Promote and support the Northern Rivers Carpool project	16, 45, 46	Sustainable Environment and Economy	Community Engagement	Ongoing	Sandi Middleton	Skye McNamara (Ballina Shire Council)	Northern Rivers Carpool collaboration team	Community	Have erected 4 signs in the Shire, and achieved Shire wide TV, radio and newspaper coverage of the project. Have promoted the project through internal staff World Environment Day event. Attend quarterly meetings. Currently has 4174 Members.
49	Sport Field Energy Efficient Lighting	Continue to install energy efficient lighting and lighting controls in sport fields where possible	22, 40, 45	Infrastructure Services	Energy Efficiency	Ongoing	Andy Erskine or delegated officer	Michael Matthews	Sports field users, Sandi Middleton	Community	Energy efficiency consultant engaged and set to deliver audits.

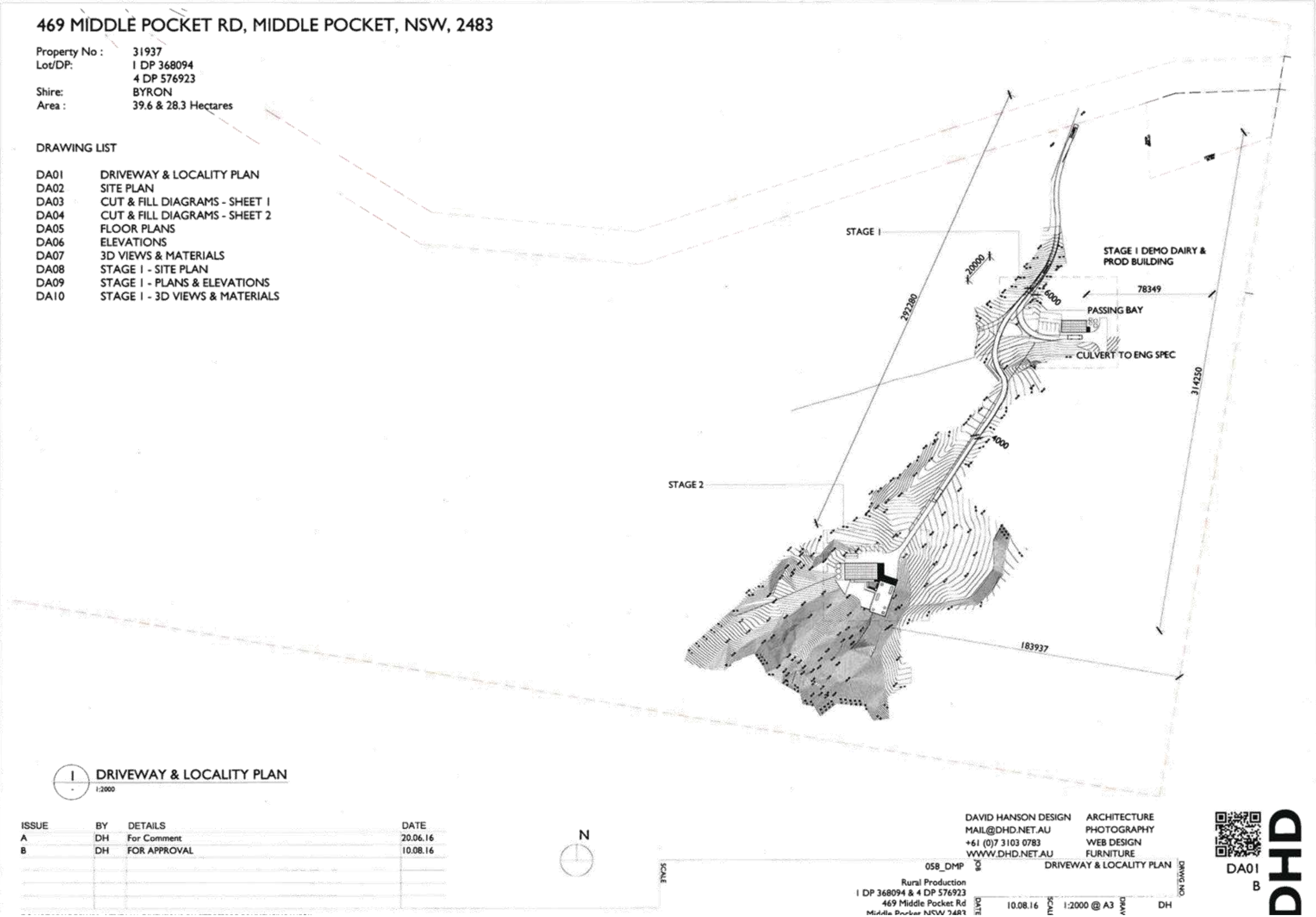
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50	Public Toilet Energy Efficient Lighting	Incorporate energy efficient lighting and natural lighting options in upgrades of Council's toilet blocks	22,40, 45	Infrastructure Services	Energy Efficiency	Ongoing	Peter Rees	Peter Rees	Sandi Middleton	Community	Yet to commence due to staff capacity.
51	Revolving Energy Fund	Continue to implement and replenish projects from the Revolving Energy Fund	24, 45, 46	Infrastructure Services	Energy Efficiency	Ongoing	Asset Managers, Sean Baker	James Brickley	Executive Team, Sandi Middleton	Donna Johnston	The lighting upgrades to the Depot will use the Revolving Energy Fund to fund them. Noted that the final payment for the Brunswick Valley Community Centre was completed in December 2015.
76	Review Low Carbon Strategy	Conduct annual review and update of the Low Carbon Strategy to monitor implementation and relevance	45	Sustainable Environment and Economy	All	Ongoing	Sustainability Matrix Group	Sandi Middleton	All staff, Executive Team, Project Leads	Councillors, Community, Donna Johnston, all staff	Last report on LCS formed part of the Annual Council Term Report. Next report will be provided along with the Greenhouse Gas Emissions Report.
77	Cross Departmental Collaboration	Work across Council to support implementation of Low Carbon Strategy	5, 17, 45	Sustainable Environment and Economy	All	Ongoing	Sustainability Matrix Group	Sustainability Matrix Group	Staff relevant to each project	Councillors, Executive Team, Staff (through presentations, reports etc)	Sustainability Matrix Group is working well, meeting every 2 months and driving some key projects in 2016. The group has: - Delivered two staff presentations - Organised staff earth Hour event - Staff engagement, empowerment and ideation around how to make Council more sustainable - Introduction of sustainable and ethical instant coffee - Supporting the implementation of the new three bin system - Researching the feasibility of ethical toilet paper, hand dryers, electronic timesheets and sustainable office products and will be soon announcing new supporting projects for 2016/17.
78	Sustainability Achievements	Council to promote widely its sustainability achievements to public and staff	14, 45, 46	Sustainable Environment and Economy	All	Ongoing	Sandi Middleton	Donna Johnston	Executive Team	Community	The sustainability Officer delivers the following actions - publish monthly sustainability e-Newsletter, media releases and photographs for specific events are frequently written, webpage and facebook updated regularly, hold regular sustainability seminars, promote sustainability achievements through internal events, workshops and presentations. Also nominate Council for various sustainability awards and conferences. Update ET and Council via reports on various projects.
79	Climate change Adaptation Strategy	Conduct annual review of climate change adaptation strategy to improve delivery and relevance to the Byron Shire	53	Sustainable Environment and Economy	All	Ongoing	Sandi Middleton	Sharyn French	Executive Team	Community	Budget bid for 2017/18 to fund a consultant to review this.
80	Sustainability Education	Deliver community sustainability education initiatives to reduce community environmental impact.	14, 16, 17, 46, 47	Sustainable Environment and Economy	Community Engagement	Ongoing	Sandi Middleton	Sandi Middleton	Sustainability Matrix Group	Community	Coordinate 6 free sustainability seminars for community. Currently helping to mentor and guide Sustainable Streets Transition Town Project in the Byron area. Conducted Energy Efficiency programs for the not for profit sector and an coordinated the very information Sustainable House day in collaboration with other regional Councils. Held a "Presencing in Nature" workshop on World Environment Day 2016 for 25 community members. Helped coordinate inaugural Renew Fest (2000 people) and Sustainable House Day (1500 people).
82	Sustainability Portal	Maintain an up to date sustainability portal on Council's website	13, 23, 46	Sustainable Environment and Economy	Community Engagement	Ongoing	Jess Gilmore	Sandi Middleton	Sustainability Matrix Group	Community	The website is updated regularly. A structural review is underway to enable easier access to web information.
84	Support Community Gardens	Continue to support existing community gardens	14, 17, 40, 45, 46, 47	Sustainable Environment and Economy	Peak oil	Ongoing	Sandi Middleton	Sandi Middleton	Executive Team	Community	Supported an education project around people powered water pumps at the Mullumbimby Community Garden. Ongoing support and funding provided.
85	Northern Rivers Food Links Project	Continue to support outcomes of the Northern Rivers Food Links Project	14, 16, 45, 46	Sustainable Environment and Economy	Peak oil	Ongoing	Sandi Middleton	Sandi Middleton	Executive Team	Community	Ongoing collaboration with Sustain Northern Rivers.
21	Biofuel Production	Investigate biofuel potential of new organic waste collection	45, 56	Infrastructure Services	Transport	2	Lloyd Isaacson or delegated officer				

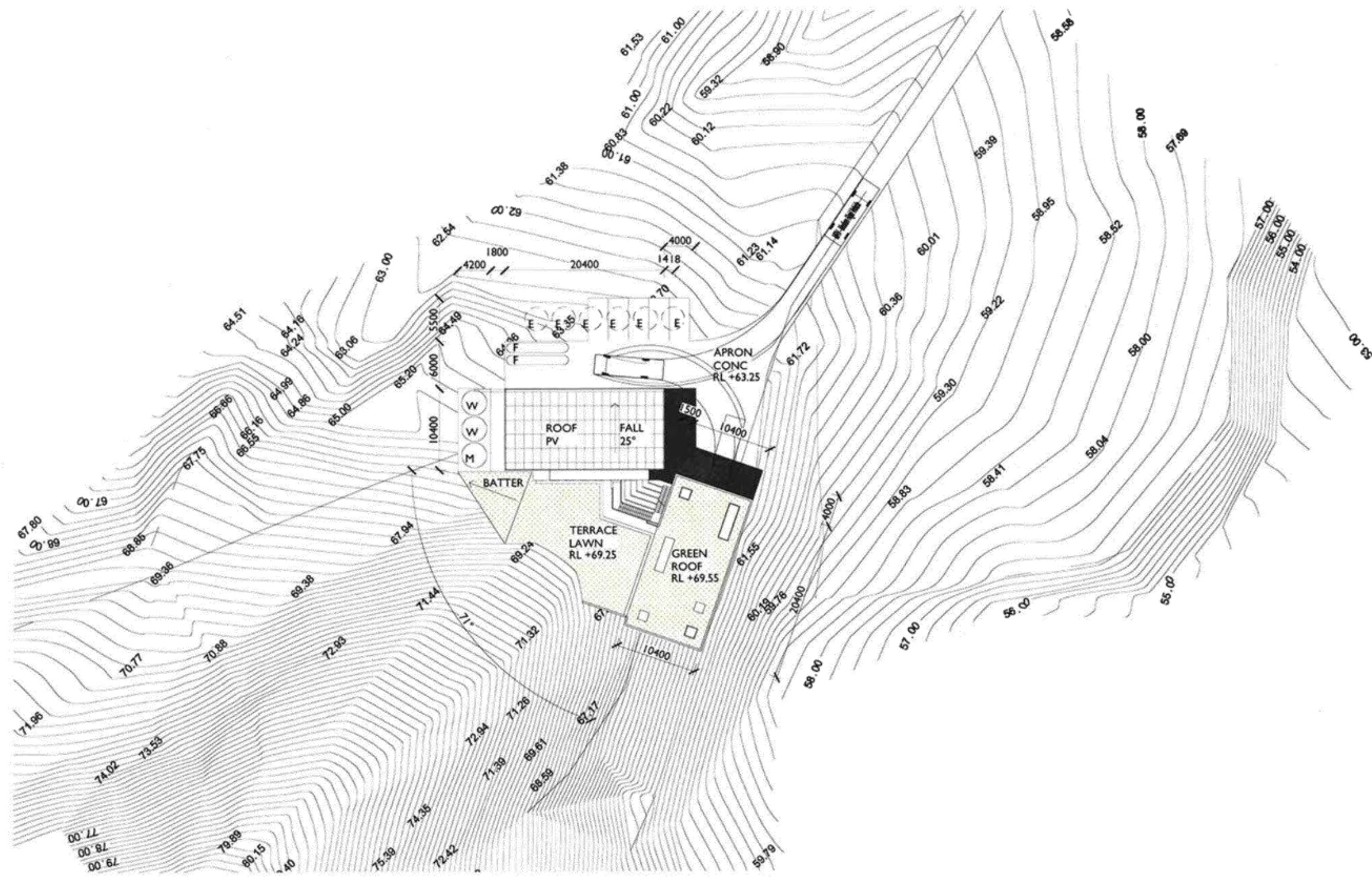
Action ID	Name	Description	2013-17 Delivery Plan Linkage	Council Responsibility	Theme	Scheduled Year	Responsible	Accountable	Consulted	Informed	Progress Notes - Dark green = complete, light green = In progress, white = not started, orange = cancelled
3	Solar Energy Contract Implications	Investigate contractual implications of the installations of large scale solar energy projects on Council's electricity contracts	24, 45	Corporate and Community Services	Renewable Energy	2					Sustainability Officer has conducted initial investigation into the implications of projects such as Local Electricity trading and large solar projects. The impacts of a significant reduction in the current contract are negligible due to consumption aggregation with other Local Government Procurement Partners. Going forward this both expected reductions in consumption plus Local Energy Trading will need to be incorporated in the new contracts.
4	Paper Reduction	Investigate ways to minimise paper use in the organisation (e.g. Digitising Council meeting agenda's and payslips)	5, 22, 24, 45, 46	Corporate and Community Services	Staff Engagement	2					Sustainability Matrix Group is currently drafting up a project to address this by investigating electronic timesheets.
27	Energy Efficient Street Lighting	Investigate further streetlight and public lighting options for energy efficiency including creative environmental design elements and public safety	22, 40, 45	Infrastructure Services	Energy Efficiency	2					To be commenced. Waiting on Essential Energy approval to use LEDs.
29	Timers on Hot Water Systems	Investigate opportunities to install timers on hot water systems in Council facilities (e.g. childcare centres)	45, 46	Infrastructure Services	Energy Efficiency	2					To be commenced.
28	Electricity Meter Upgrades	Identify electricity meters that can be upgraded to time of use or telemetry to take advantage of appropriate electricity tariffs	13, 22	Infrastructure Services	Energy Efficiency	2					Energy Optimisation officer already investigating monitoring systems for all existing solar assets and will be costing energy monitors for consumption during 2017.
31	Leachate Management Energy Efficiency	Reduce energy consumption at landfill by minimising volumes of leachate transported offsite	45	Infrastructure Services	Energy Efficiency	2	Lloyd Isaacson				To be commenced.
32	Industry Consultation on Peak oil Strategies	Approach Infrastructure Australia and Engineers Australia on their recommendations to prepare for peak oil in regard to heavy vehicle fleet	17, 47	Infrastructure Services	Peak oil	2					To be commenced.
30	Small Scale Renewable Energy Generation	Identify sites for small scale renewable energy generation (e.g., solar/wind)	22, 45, 46	Infrastructure Services	Renewable Energy	2					Through the COREM multiple projects have been identified and a procedure to implement has been agreed to by all Council stakeholders and COREM members. Additionally Council's Energy optimisation officer is commencing a project to do a bulk procurement of solar on Byron Bay Library, Sandhills Child Care, Myocum Landfill, and behind the meter at West Byron and Brunswick Valley STP's
35	Promote Composting	Investigate options to encourage composting	14, 45, 46, 47	Infrastructure Services	Waste	2	Lloyd Isaacson				New green bin collection service. Actively promotes home composting at community events and sustainability seminars and general public information. In partnership with North East Waste in delivered various food waste reduction and composting education.
37	Fuel Efficient Fleet Policy	Review Council's fleet policy to ensure fuel efficiency (in L/km) are predominant factors in fleet decisions	22, 45, 46	Infrastructure Services	Transport	2					To be commenced.
38	Using Biogas/Bio-diesel Fuels	Investigate opportunities for the use of biogas/ bio-diesel in Council fleet and encourage a local biofuels industry	14, 17, 22, 25, 45, 46	Infrastructure Services	Transport	2					To be commenced.
39	Byron Shire Bike Plan	Identify funding opportunities to facilitate the implementation of the Byron Shire Bike Plan	14, 16, 45, 46, 48	Infrastructure Services	Transport	2					To be commenced.
40	Improve Bike Plan	Review bike plan to seek new opportunities for improvement	22	Infrastructure Services	Transport	2					To be commenced.
23	Electric Vehicle Charging Stations	Install electric vehicle charging stations throughout the shire	22, 25, 45, 46, 47	Infrastructure Services	Transport	2	Sandi Middleton				A fast charging station has been installed in Byron Bay, powered by 100% renewable energy from ENOVA. The Northern Rivers Electric Vehicle strategy is also being finalised to further promote the uptake of EV's in the region in conjunction with Tweed, Lismore and Ballina Council.
24	Eco-friendly Priority Parking	Implement priority/designated car parking spaces for carpooling and electric/hybrid vehicles	14, 45, 46, 47	Infrastructure Services	Transport	2					A dedicated car park for the electric car at the Byron Bay Library has been created.
26	Street Tree Planting	Increase public street plantings	22, 40, 46, 47	Infrastructure Services	Carbon	2					

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61	Carbon Offset Tree Plantings	Investigate carbon offset potential of biodiversity/conservation stimulated tree plantings as a potential revenue generation source	40, 42, 43, 46	Sustainable Environment and Economy	Carbon	2	Alison Ratcliffe				Council is working with Mullum Music Festival tree plantings
62	Carbon Farming	Promote carbon farming initiatives including soil health, revegetation, bio char and farm forestry	14, 42, 43, 46	Sustainable Environment and Economy	Carbon	2	Sandi Middleton				A grant for a Carbon Farming project through Zero Emissions Byron has been applied for.
63	Low Carbon Transport	Encourage and promote low carbon transport options to the community	22, 45, 46	Sustainable Environment and Economy	Transport	2	Sandi Middleton				Sustainability Officer is actively encouraging and promoting the Northern Rivers Carpool website and phone app.
64	Climate Change Mitigation and Peak Oil Planning	Incorporate climate change mitigation and peak oil preparedness into local planning strategies	18, 45, 46, 53	Sustainable Environment and Economy	All	2	Sandi Middleton				To be commenced.
65	Community Solar Campaign	Conduct a community incentive solar campaign (e.g. Council facilitated bulk purchase scheme including options for low income residents)	14, 16, 17, 45, 46, 47	Sustainable Environment and Economy	Community Engagement	2	Sandi Middleton				Sustainability Officer is currently working with 100 Go Solar business campaign with Vicki Brooke. Also investigating other models through ENOVA and COREM for the bulk sale of panels. Council is also looking at a bulk buy solar scheme for Council infrastructure.
83	Showcase Byron Bay Library	Utilise the Byron Bay Library as a platform for environmental education to the wider community showcasing its sustainability features	14, 17, 34, 46	Sustainable Environment and Economy	Community Engagement	ongoing	Sandi Middleton				Currently drafting a RFQ for a 60kWh system on the Library roof as well as investigating recycled water to be connected to the Library.
66	Energy Monitoring	Invest in a set of removable energy monitors to allow for sub metering of Council assets for energy audits and project savings verification	45	Sustainable Environment and Economy	Energy Efficiency	2	Sandi Middleton				Energy Optimisation Consultant to purchase by March 2017.
67	Child Care Centres Energy and Water Audit	Conduct energy, water, waste and chemical use audits at child care centres	22, 45, 46	Sustainable Environment and Economy	Peak oil	2	Sandi Middleton				Energy efficiency audit of Sandhills Childhood Centre completed. Currently drafting a RFQ for a 12kWh system on the roof.
68	Staff Resource Education	Develop staff education program focussing on paper and computer use etc (e.g. 'Green Points' Rewards program)	5, 45, 46	Sustainable Environment and Economy	Staff Engagement	2	Sandi Middleton				Sustainability Matrix Group is currently drafting up a project to address this.
5	Sustainable Office Products	Implement Sustainable Office Products Initiatives (e.g. green cleaning supplies and recyclable stationery)	45, 46	Sustainable Environment and Economy	Staff Engagement	2	Sandi Middleton				Sustainability Matrix Group is currently drafting up a project to address this.
69	Composting Toilets	Investigate opportunities for the installation of composting toilets in sewerage areas and large events to reduce load on sewer system	22, 45, 46	Sustainable Environment and Economy	Waste	2					
70	Sustainability Advantage Program	Promote OEH Sustainability Advantage Program to private businesses	5, 17, 46	Sustainable Environment and Economy	Community Engagement	2	Sandi Middleton				Due to the change in fee structure Council is not longer a part of Sustainability Advantage.
7	Video Conferencing	Implement video conferencing ability for staff to attend regional meetings remotely	13, 45	Corporate and Community Services	Peak oil	3					Staff currently use Skype for regional meetings.
33	Micro Hydro-Electricity	Investigate feasibility of micro hydro turbines in reticulated water supply network	22, 45, 46	Infrastructure Services	Renewable Energy	aspirational					Currently examining this as part of the Zero Emissions Byron Energy Plan.
45	Byron Bay Library Energy Efficiency	Assess energy use and benchmark the Byron Bay Library to other similar buildings in Australia	22, 34, 45, 46	Infrastructure Services	Energy Efficiency	3					This has been started with an energy efficiency audit of the Library and further benchmarking will continue after the solar system is installed.
46	Water and Sewer Energy 'Smart Metres'	Install 'smart meters' across Shire water and sewerage assets to provide centralized monitoring of energy consumption	45	Infrastructure Services	Energy Efficiency	3					Currently provide five powermate lite devices to our local libraries for community members to borrow.
34	Extend Landfill Gas Capture System	Investigate opportunities for utilising heat produced from landfill gas flare with mindfulness to neighbouring residents	22, 45, 46	Infrastructure Services	Waste	3	Lloyd Isaacson				
47	Alternative Solutions to Fossil Fuels	Investigate alternatives to bitumen use that do not rely on fossil fuels	22, 45, 47	Infrastructure Services	Peak oil	Aspirational					
43	Travel Reduction	Conduct an in house staff engagement initiative to identify new fuel saving and travel reduction techniques.	5, 6, 45, 46	Infrastructure Services	Staff Engagement	3					Internal staff carpooling promotion and lunch event on World Environment Day 2015.
36	Water Harvesting	Encourage and promote safe water harvesting and reuse for residents and businesses	14, 17, 22, 45, 46, 47	Infrastructure Services	Water	3					
44	Fuel Efficient Driving	Conduct staff education/ training for fuel choice and fuel efficient driving techniques	5, 6, 45, 46	Infrastructure Services	Staff Engagement	3					

BYRON SHIRE COUNCIL

Action ID	Name	Description	2013-17 Delivery Plan Linkage	Council Responsibility	Theme	Scheduled Year	Responsible	Accountable	Consulted	Informed	Progress Notes - Dark green = complete, light green = In progress, white = not started, orange = cancelled
41	Fuel Efficient Route Maps	Investigate feasibility of route mapping for fuel efficiency via in vehicle GPS in Council's fleet	13, 45, 47	Infrastructure Services	Transport	3					
42	Promoting School Bus Network	Promote school bus network to reduce number of students driven to school	14, 45, 46	Infrastructure Services	Transport	aspirational					
48	Public Bicycle Hire	Implement a public bicycle hire scheme in the Byron Shire (e.g. Brisbane model)	14, 17, 25	Infrastructure Services	Transport	3					Currently examining this as part of the Zero Emissions Byron Energy Plan.
71	Community Council Services	Investigate decentralising Council community services to the public where appropriate e.g. use community centres/libraries one day/week or month for public access to Council services	13, 46, 47	Sustainable Environment and Economy	All	3	Sandi Middleton				
75	Food Production on Public Land	Promote food production on public land & develop map for Shire (online) with fruiting trees	14, 17, 40, 46, 47	Sustainable Environment and Economy	Peak oil	3	Sandi Middleton				Council currently provides a demonstration garden outside of Council Chambers and funds ongoing maintenance.
72	New Development Energy Efficiency	Review and amend DCP 2014 to ensure new subdivisions feature energy efficient or renewably powered street lighting and public transport considerations	38, 41, 45, 46, 47	Sustainable Environment and Economy	Energy Efficiency	3	Sandi Middleton				
73	Commercial and Industrial Energy Efficiency	Amend DCP 2014 relating to commercial and industrial developments to include energy efficiency provisions	38, 41, 45	Sustainable Environment and Economy	Energy Efficiency	3	Sandi Middleton				
74	Energy Efficiency Planning Framework Input	Investigate opportunities to incorporate proposed energy efficient standards into NSW planning strategic planning framework and proposed codification and make representations as opportunities permit	18, 41, 46	Sustainable Environment and Economy	Energy Efficiency	3	Sandi Middleton				





I SITE PLAN
1:500

ISSUE	BY	DETAILS	DATE
A	DH	For Comment	20.06.16
B	DH	FOR APPROVAL	10.08.16



SCALE

058_DMP
Rural Production
I DP 368094 & 4 DP 576923
469 Middle Pocket Rd
Middle Pocket NSW 2402

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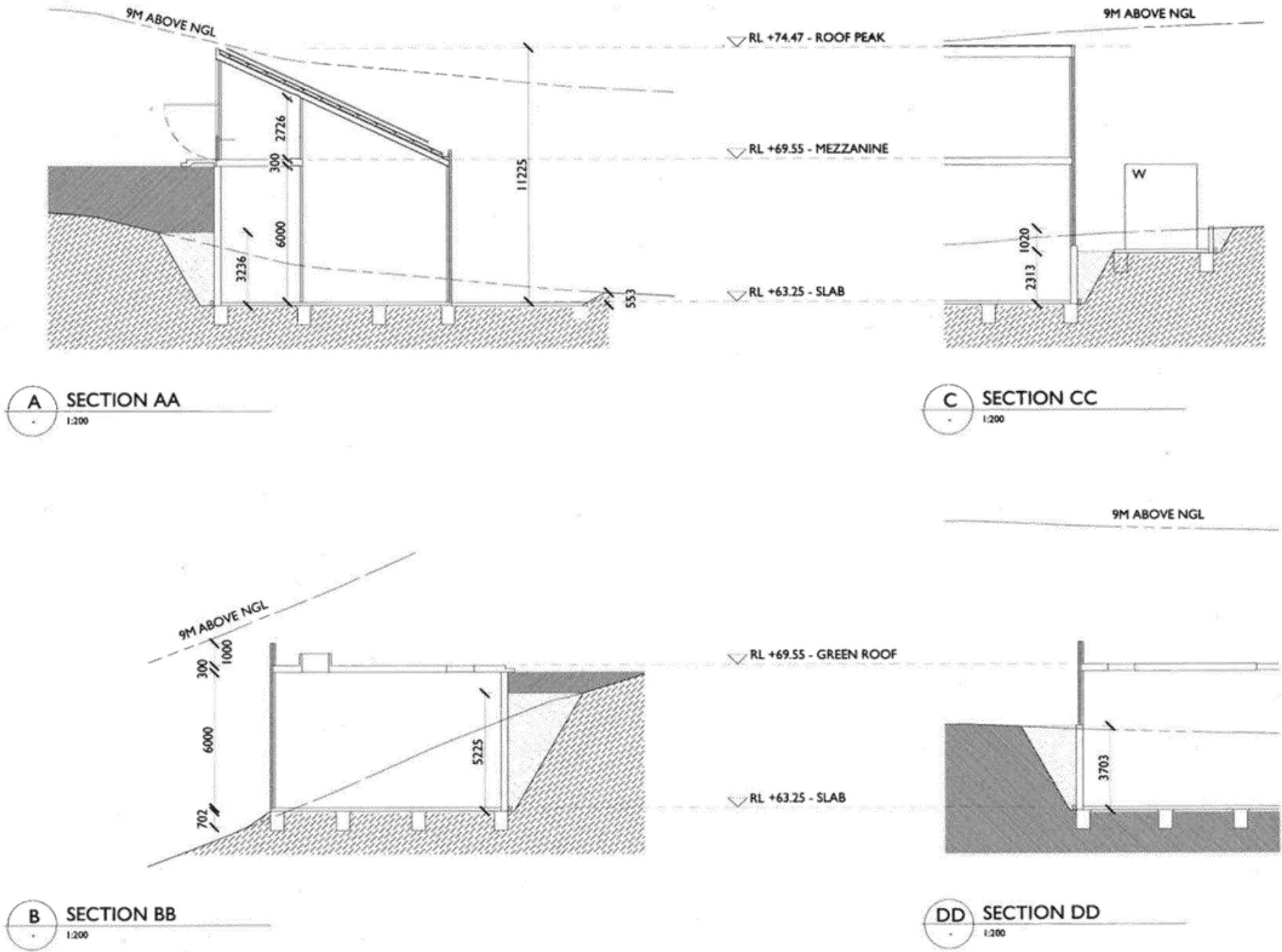
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PHOTOGRAPHY
WEB DESIGN
FURNITURE

SITE PLAN

DATE 10.08.16 SCALE 1:500 @ A3 DRAWN DH

DRAWG NO.





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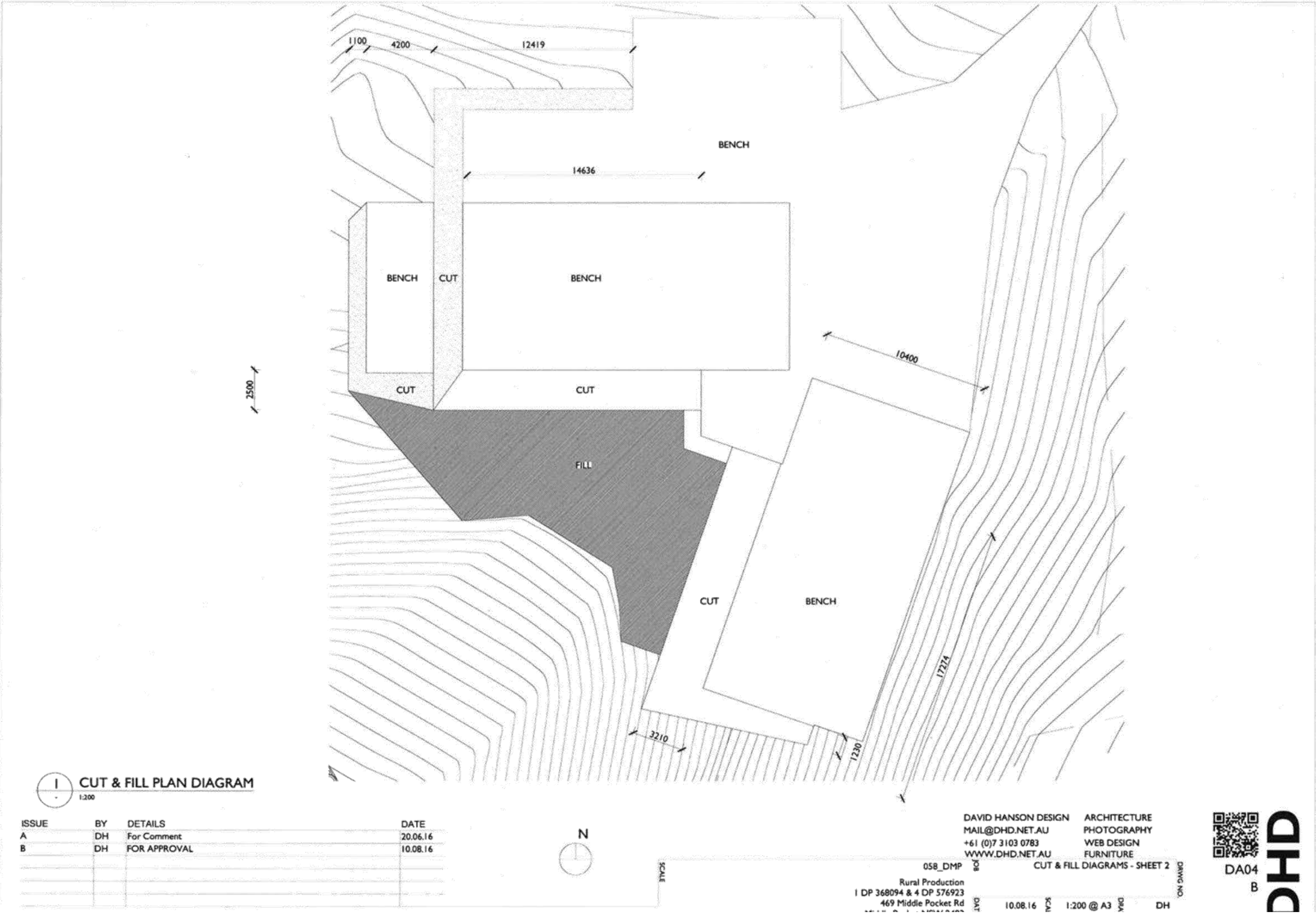
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MIDDLE POCKET NSW 2463

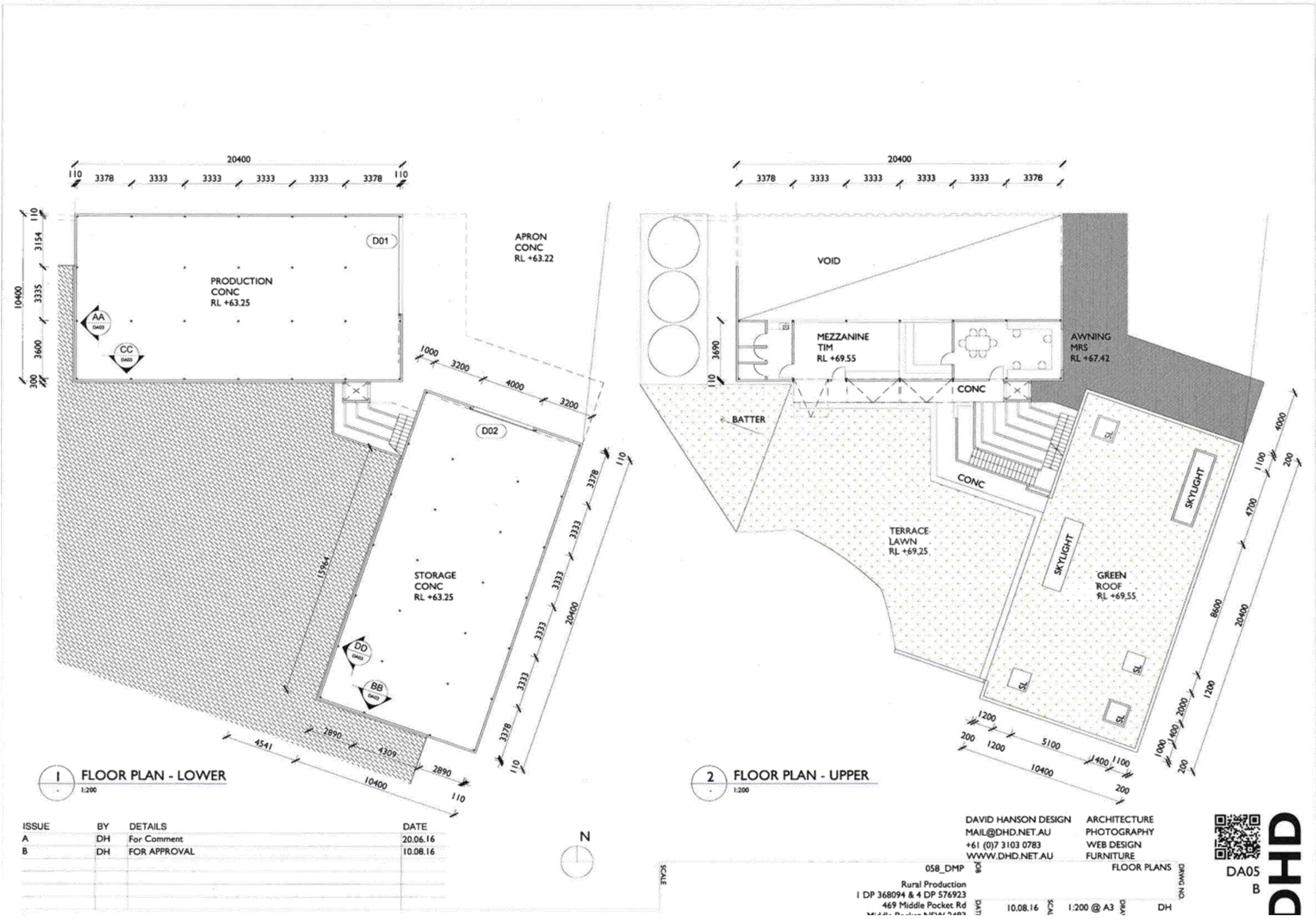
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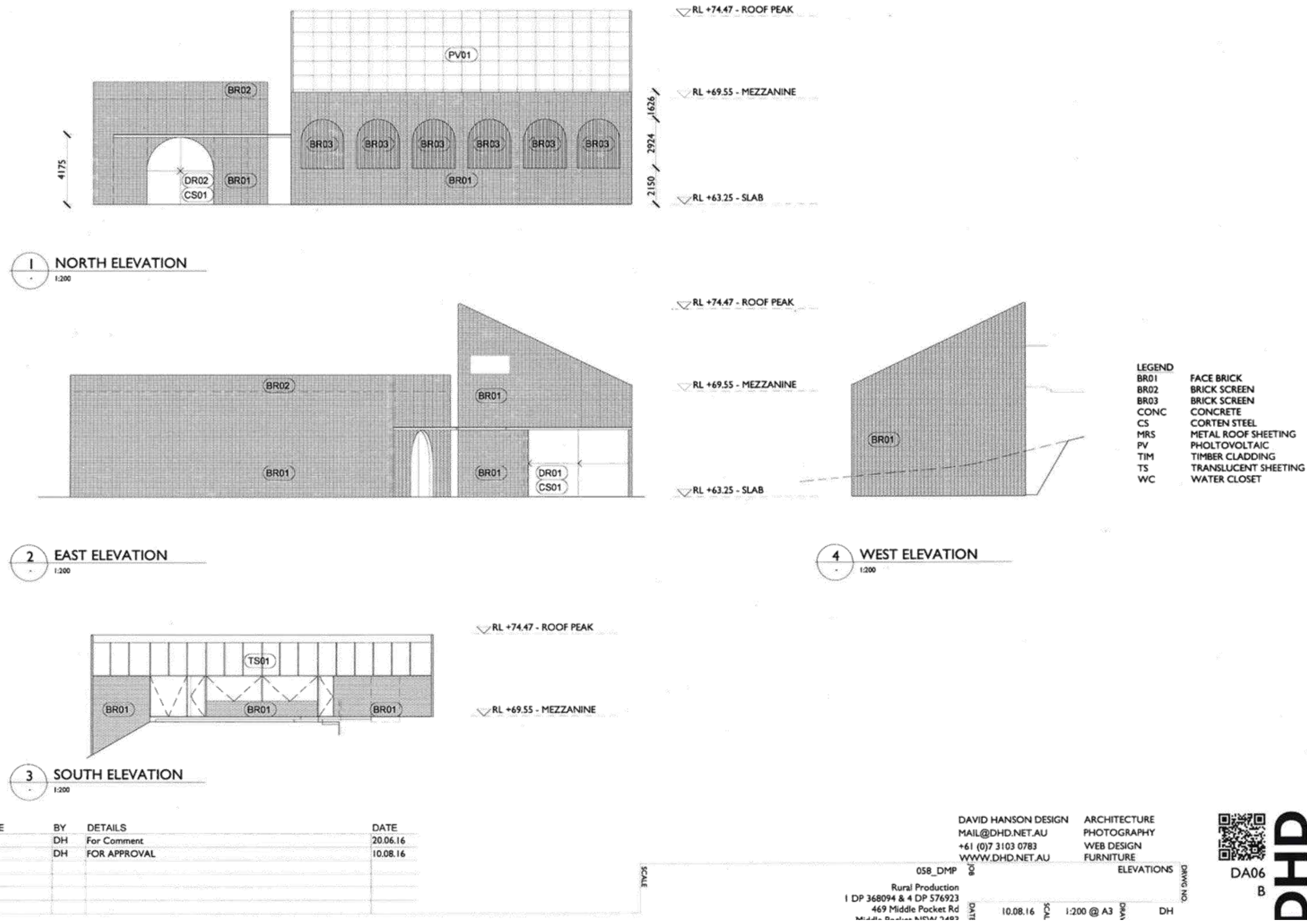
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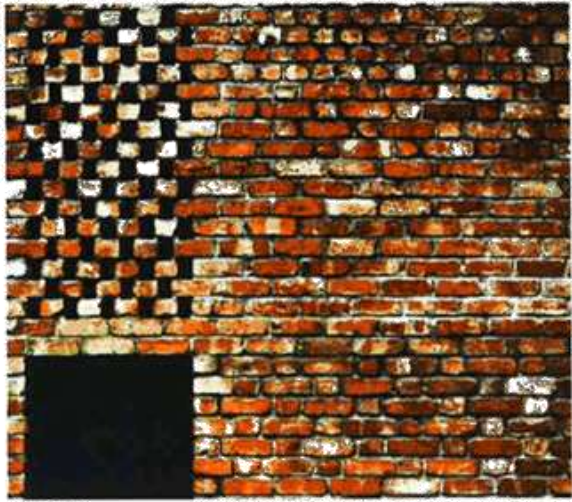


2 VIEW NORTH
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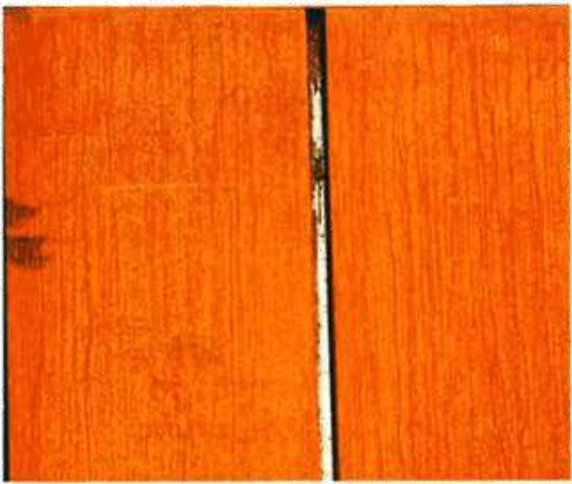
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A RECYCLED BRICK - BR01
THE BRICK RECYCLERS



A RECYCLED BRICK - BR01
SURROUNDINGS - PANORAMA HOUSE
RECYCLED BRICK SCREEN
- BR02 & BR03



B CORTEN STEEL - CS01
BRADLEY ARCHITECT - GRILLAGH WATER HOUSE



C TRANSLUCENT SHEETING - TS01
KOA - ARC HOUSE

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ARCHITECTURE
PHOTOGRAPHY
WEB DESIGN
FURNITURE
3D VIEWS & MATERIALS

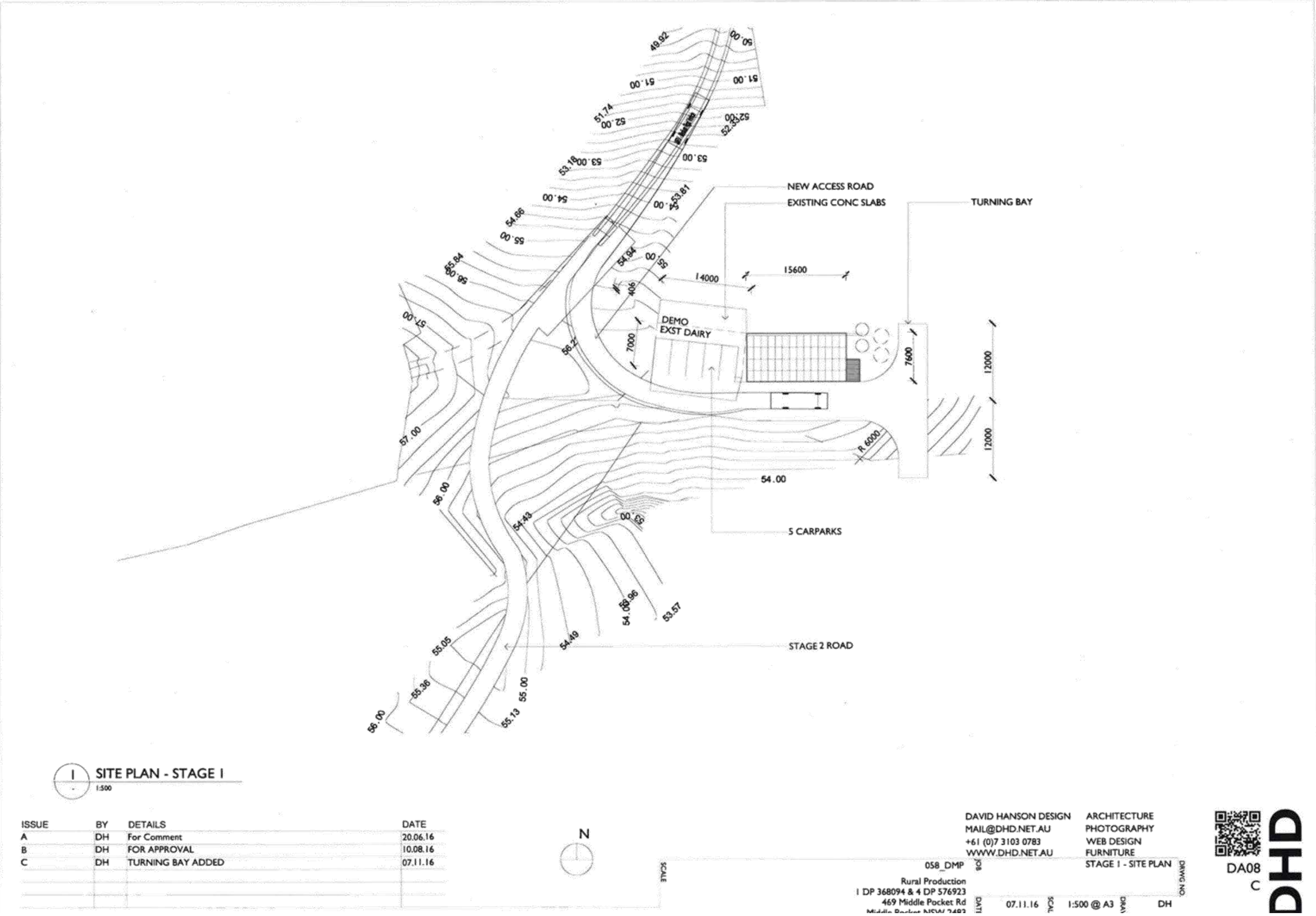
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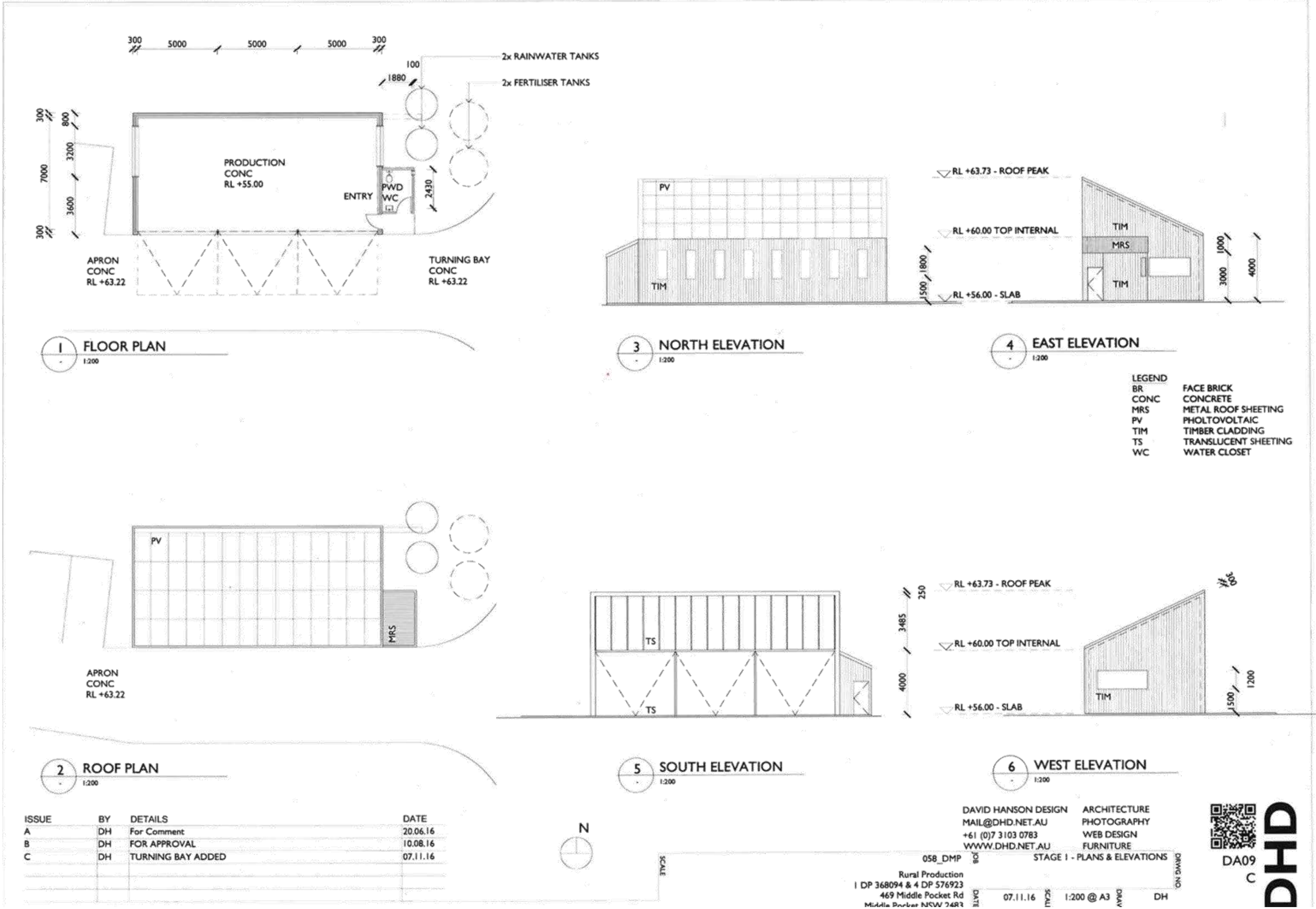
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1 VIEW FROM HOMESTEAD
NTS



2 VIEW FROM ROAD
NTS



A TIMBER CLADDING - TIM



A TIMBER CLADDING - TIM



A TIMBER CLADDING - TIM



C TRANSLUCENT SHEETING - TS01
KOA - ARC HOUSE

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STAGE 1 - 3D VIEWS & MATERIALS
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469 Middle Pocket Rd
Middle Pocket NSW 2483
10.08.16
SCALE 1:200 @ A3
DHD
DH



BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY 13.9 - ATTACHMENT

2

E2017/14468

10.2016.575.1 CONDITIONS OF CONSENT:

Parameters

1. Development is to be in accordance with approved plans

The development is to be in accordance with plans listed below:

Plan No.	Description	Prepared by	Dated:
DA01 Version B	Driveway and Locality Plan	David Hanson Design	10.08.2016
DA02 Version B	Stage 2 Site Plan	David Hanson Design	10.08.2016
DA03 Version B	Stage 2 Sections	David Hanson Design	10.08.2016
DA04 Version B	Stage 2 Cut and Fill Plan Diagram	David Hanson Design	10.08.2016
DA05 Version B	Stage 2 Floor Plans	David Hanson Design	10.08.2016
DA06 Version B	Stage 2 Elevations	David Hanson Design	10.08.2016
DA07 Version B	Stage 2 Materials	David Hanson Design	10.08.2016
DA08 Version C	Stage 1 Site Plan	David Hanson Design	07.11.2016
DA09 Version C	Stage 1 Floor Plans and Elevations	David Hanson Design	07.11.2016
DA10 Version B	Stage 1 Materials	David Hanson Design	10.08.2016
Report Ref: 16/151	Bushfire Threat Assessment Report	Peter Thornton of Bushfire Certifiers	4 August 2016

The development is also to be in accordance with any changes shown in red ink on the approved plans or conditions of consent.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY 13.9 - ATTACHMENT

2

The approved plans and related documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

2. Erection of signs

- (1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.
- (2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.
- (3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.
- (5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.
- (6) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

3. Bush fire safety measures

This land is identified as being designated bush fire prone land and under section 79BA of the Act, Council must be satisfied prior to making a determination for development on bush fire prone land that the development complies with "Planning for Bush Fire Protection 2006".

The development is approved subject to the following requirements applying:

- (1) The development is to be carried out in accordance with the recommendations of the Bushfire Threat Assessment Report prepared by Peter Thornton of Bushfire Certifiers Ref: 16/151 and dated 4 August 2016.

4. Integrated Approvals from other Authorities

This development consent includes the following integrated development approvals, subject to the conditions listed under the heading "General Terms of Integrated Development Approval" in this consent:

- A Controlled Activity Approval under Section 91 of the *Water Management Act 2000*.

5. Limitation on expansion or intensification of use of distillery

To protect the amenity of the neighbourhood the development must be operated strictly in accordance with the development conditions imposed upon this consent.

The production of distilled alcohol produced by the approved distillery is limited to:

- 200L per day for stage 1, and
- 1000L per day for stage 2 (1200L total for both stages combined).

Any intensification or expansion of the development will require further environmental assessment and Council approval.

6. Limitation on industrial retail outlet

The industrial retail outlet (comprising tasting and ancillary sales) is to remain within the approved areas shown on plan no. DA05 in condition 1 of this consent. No expansion of the industrial retail outlet is permitted without the prior approval of Byron Shire Council.

The industrial retail outlet must be used in conjunction with the approved distillery and shall only be used for tastings, display or sale (whether be retail or wholesale) of products which have been manufactured on the land.

The industrial retail outlet is not permitted to operate as a café, restaurant or take away food or drink premises without the prior approval of Byron Shire Council.

Note. Limitations on the hours of operation for the industrial retail outlet are provided in condition 55 of this consent.

7. Separate application required for advertising structures

A separate application is to be submitted and approved prior to the erection of any advertisements or advertising structures, other than those permitted without development consent or as exempt development.

8. Staging of development

The development is to be carried out in the following stages:

Stage 1:

- Demolition of Dairy Building;
- Stage 1 Production Shed;
- Stage 1 Driveway and Parking Areas.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY 13.9 - ATTACHMENT

2

Stage 2:

- Stage 2 Production Building, including Industrial Retail Outlet;
- Stage 2 Maturation Building;
- Stage 2 Driveway and Parking Areas.

Stage 1 shall be undertaken before stage 2.

Where conditions are required to be satisfied prior to a particular event, those conditions are the conditions relevant to the works being carried out in the stage.

The relevant conditions are the conditions deemed necessary, by the Principal Certifying Authority (PCA) appointed for the development, or, where pursuant to the issue of a Construction Certificate, the relevant consent authority.

The following conditions are to be complied with prior to issue of a Construction Certificate for building works STAGE ONE

9. Long Service Levy to be paid

A Long Service Levy must be paid to the Long Service Payments Corporation. This is a State Government Levy and is subject to change.

These payments may be made online at www.lspc.nsw.gov.au or at Council's Administration Office, Station Street, Mullumbimby. Where paying to Council, cheques are to be made payable to 'Byron Shire Council'.

For further information regarding the Long Service Payment please refer to the website above.

10. Section 94A Levy to be paid

Prior to the issue of a construction certificate the section 94A levy required by the Byron Developer Contributions Plan 2012 shall be paid to Council.

The levy will be calculated as follows:

Levy payable = %C x \$C

Where: %C is the levy rate applicable as set out in the latest Ministerial Direction issued under section 94E.

\$C is the proposed cost of carrying out the development.

The rate of %C is:

Proposed cost of the development	Maximum percentage of the levy
Up to \$100,000	Nil
\$100,001–\$200,000	0.5 percent
More than \$200,000	1.0 percent

The cost of development shall be calculated in accordance with clause 25J of the regulation and shall be set out in schedule 1. A copy of schedule 1 shall be submitted with the payment to Council.

11. On-site sewage management facility Section 68 approval required

An approval under Section 68 of the Local Government Act 1993 for on-site effluent disposal must be obtained from Council prior to issue of a Construction Certificate. Such approval must be issued after the date of this consent. The application for Section 68 approval must be accompanied by a report prepared by a suitably qualified professional with demonstrated experience in effluent disposal matters, which addresses the site specific design of sewage management in accordance with the requirements of the NSW Local Government Act, and Approvals Regulation and Guidelines approved by the Director General.

12. Copy of NSW Office of Water licence and conditions

The applicant must provide documentary evidence that a licence has been obtained from the NSW Office of Water for the development. To comply with this condition a copy of the water licence and conditions must be provided to the PCA prior to the issue of a Construction Certificate for Stage One of the development.

13. Mechanical Ventilation – plans and specifications required

Mechanical ventilation is required and should comply with Clause F4.12 of the *Building Code of Australia* and *Australian Standard AS 1668 Parts 1 & 2*. The application for a construction certificate must include a plans and specifications prepared by a mechanical ventilation engineer that demonstrate compliance with standards. In particular, air capture velocities and air exhaust rates must comply.

Plans and specifications for mechanical ventilation must be approved prior to the issue of a construction certificate.

14. Bunding – Fertilizer Storage Area

An application for a construction certificate must include detail of bunding for the Fertilizer Storage Area. Bunding design must comply with relevant Australian Standards for bund design and construction.

15. Sediment and Erosion Control Management Plan required

The application for a Construction Certificate is to include plans and specifications that indicate the measures to be employed to control erosion and loss of sediment from the site. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices such as catch drains, energy dissipaters, level spreaders and sediment control devices such as filter fences and sedimentation basins.

Such plans and specifications must be approved as part of the Construction Certificate.

NOTE: The plans must be in compliance with Council's current "Northern Rivers Local Government Development Design & Construction Manuals and Standard Drawings".

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16. Consent required for works within the road reserve

Consent from Council must be obtained for works within the road reserve pursuant to Section 138 of the Roads Act 1993. Three (3) copies of engineering construction plans must accompany the application for consent for works within the road reserve.

Such plans are to be in accordance with Council's current Design & Construction Manuals and are to provide for the following works:

Driveway Crossover (rural & residential areas without kerb & gutter)	A driveway(s) in accordance with Council's current "Northern Rivers Local Government Development Design & Construction Manuals and Standard Drawings".
Middle Pocket Road	Road warning signage on the approaches to the culvert adjacent to 303 Middle Pocket Road, generally in accordance with AS1742.2 Figure 4.11.

17. Internal Driveway details required

The application for a Construction Certificate is to include plans and specification that indicate vehicular access from the site boundary to the proposed car space(s). Vehicular access must be in accordance with AS 2890.1-2004: Parking facilities, Part 1: Off-street car parking. Plans are to include the following items:

- Pavement description;
- Site conditions affecting the access;
- Existing and design levels;
- Longitudinal section from the road centreline to the car space(s);
- Cross sections every 20 metres;
- Drainage (open drains, pipes, etc.), including calculations and catchment details;
- Property access roads shall comply with section 4.1.3 (2) of Planning for Bushfire Protection 2006.

NOTE: The plans must be in compliance with Council's current "Northern Rivers Local Government Development Design & Construction Manuals and Standard Drawings".

18. Bond required to guarantee against damage to public land

A bond of \$2000 is to be paid to Council as guarantee against damage to surrounding public land and infrastructure during construction of the proposed development. Evidence is to be provided to Council indicating the pre development condition of the surrounding public land and infrastructure. Such evidence must include photographs. The proponent will be held responsible for the repair of any damage to roads, kerb and gutters, footpaths, culverts, driveway crossovers or other assets.

Such bond will be held until Council is satisfied that the infrastructure is maintained/repaired to pre development conditions and that no further work is to be carried out that may result in damage to Council's roads, footpaths etc.

19. Public liability insurance cover required

The developer and/or contractor must produce evidence to the Principal Certifying Authority of public liability insurance cover for a minimum of \$10 million. Council is to be nominated as an interested party on the policy.

20. Public safety requirements

All care is to be taken to ensure the safety of the public in general, road users, pedestrians and adjoining property. The public liability insurance cover, for a minimum of \$10 million, is to be maintained for the duration of the construction of the development. Council is not held responsible for any negligence caused by the undertaking of the works.

The following conditions are to be complied with prior to issue of a Construction Certificate for building works STAGE TWO

21. Section 68 approval required – Connection of Drains

An approval under Section 68 of the Local Government Act 1993 for on-site effluent disposal must be obtained from Council prior to issue of a Construction Certificate.

22. Plans of retaining walls and drainage

The application for a Construction Certificate is to include plans and specifications that indicate retaining walls or other approved methods of preventing movement of the soil, where any excavation or filled area exceeds 600mm in height. Adequate provision must be made for drainage.

Such plans and specifications must be approved as part of the Construction Certificate.

23. Sediment and Erosion Control Management Plan required

The application for a Construction Certificate is to include plans and specifications that indicate the measures to be employed to control erosion and loss of sediment from the site. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices such as catch drains, energy dissipaters, level spreaders and sediment control devices such as filter fences and sedimentation basins.

Such plans and specifications must be approved as part of the Construction Certificate.

NOTE: The plans must be in compliance with Council's current "Northern Rivers Local Government Development Design & Construction Manuals and Standard Drawings".

24. Internal Driveway details required

The application for a Construction Certificate is to include plans and specification that indicate vehicular access from the site boundary to the proposed car space(s). Vehicular access must be in accordance with AS

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2890.1-2004: Parking facilities, Part 1: Off-street car parking. Plans are to include the following items:

- h) pavement description;
- i) site conditions affecting the access;
- j) existing and design levels;
- k) longitudinal section from the road centreline to the car space(s);
- l) cross sections every 20 metres;
- m) drainage (open drains, pipes, etc.), including calculations and catchment details;
- n) property access roads shall comply with section 4.1.3 (2) of Planning for Bushfire Protection 2006.

NOTE: The plans must be in compliance with Council's current "Northern Rivers Local Government Development Design & Construction Manuals and Standard Drawings".

25. Bond required to guarantee against damage to public land

A bond of \$2000 is to be paid to Council as guarantee against damage to surrounding public land and infrastructure during construction of the proposed development. Evidence is to be provided to Council indicating the pre development condition of the surrounding public land and infrastructure. Such evidence must include photographs. The proponent will be held responsible for the repair of any damage to roads, kerb and gutters, footpaths, culverts, driveway crossovers or other assets.

Such bond will be held until Council is satisfied that the infrastructure is maintained/repaired to pre development conditions and that no further work is to be carried out that may result in damage to Council's roads, footpaths etc.

26. Public liability insurance cover required

The developer and/or contractor must produce evidence to the Principal Certifying Authority of public liability insurance cover for a minimum of \$10 million. Council is to be nominated as an interested party on the policy.

27. Public safety requirements

All care is to be taken to ensure the safety of the public in general, road users, pedestrians and adjoining property. The public liability insurance cover, for a minimum of \$10 million, is to be maintained for the duration of the construction of the development. Council is not held responsible for any negligence caused by the undertaking of the works.

The following conditions are to be complied with prior to issue of a Construction Certificate for building works ALL STAGES

28. Details and specifications - floor drainage - water wash down tanks - fertilizer storage area

Details and specifications for floor drainage to water wash down collection tanks must be submitted to Council. Design plans must include transfer drainage for liquids from wash down collection tanks to fertilizer storage area. Such information must be prepared by a suitably qualified person and approved by the PCA prior to the issue of a construction certificate.

29. Detailed Site Waste Minimisation and Management Plan

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Chapter B8 of Byron Shire Development Control Plan 2014 (DCP 2014) aims to facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development. Prior to the issue of a Construction Certificate, a Site Waste Minimisation and Management Plan (SWMMP) must be submitted outlining measures to minimise and manage waste generated during demolition, construction and the ongoing operation and use of the development. The SWMMP must specify the proposed method of recycling or disposal and the waste management service provider.

A template is provided on Council's website to assist in providing this information www.byron.nsw.gov.au/files/publication/swmmp-pro-forma.doc

30. Access and facilities for disabled.

The application for a Construction Certificate is to include plans and specifications that indicate access and facilities for persons with access disabilities to and within the development in accordance with AS 1428.1 - Design for Access and Mobility and Part D3 of the Building Code of Australia.

Such plans and specifications must be approved as part of the Construction Certificate.

The following conditions are to be complied with prior to any building or construction works commencing ALL STAGES

31. Erosion and Sediment Control Management Plan

Erosion and sedimentation controls are to be in place in accordance with the approved Erosion and Sediment Control Plan.

Sediment and erosion control measures in accordance with the approved Erosion and Sedimentation Control plan/s must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

Any such measures that are deemed to be necessary because of the local conditions must be maintained at all times until the site is made stable (i.e. by permanent vegetation cover or hard surface).

Note: Council may impose on-the-spot fines for non-compliance with this condition.

The following conditions are to be complied with during demolition/construction ALL STAGES

32. Excavation and below ground works – Aboriginal Relics

If any Aboriginal archaeological relics or items are exposed during excavation or construction works, the applicant shall immediately cease works, notify the NSW National Parks and Wildlife Service (NPWS) and obtain any necessary permits and/or approvals to continue the work under the *National Parks and Wildlife Act 1974*. The applicant shall comply with any further request made by the NPWS to cease work for the purposes of archaeological assessment and recording.

33. Earthworks

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Exposed and battered areas to be suitably landscaped, grassed and or mulched during the construction period to assist with stabilising these disturbed areas.

34. Demolition/Construction times

Demolition/construction works must not unreasonably interfere with the amenity of the neighbourhood. In particular demolition/construction noise, when audible on adjoining residential premises, can only occur:

- a) Monday to Friday, from 7 am to 6 pm.
- b) Saturday, from 8 am to 1 pm.
- c) No construction work to take place on Sundays or Public Holidays.

35. Demolition/Construction noise

Demolition/construction noise is to be limited as follows:

- a) For demolition/construction periods of four (4) weeks and under, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).
- b) For demolition/construction periods greater than four (4) weeks and not exceeding twenty six (26) weeks, the L10 noise level measured over a period of not less than fifteen (15) minutes when the demolition/construction site is in operation must not exceed the background level by more than 10 dB(A).

36. Builders rubbish to be contained on site

All builders rubbish is to be contained on the site in a 'Builders Skips' or an enclosure. Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.

37. Removal of wastes

All wastes associated with these works are to be handled and disposed of in accordance with the requirements of the Work Cover Authority. The applicant/owner is to produce documentary evidence that this condition has been met. Wastes must be disposed of at a Licensed Waste Facility. All wastes removed from the site must be managed and disposed of in accordance with *NSW DECC Waste Classification Guidelines (2014)*
www.environment.nsw.gov.au/resources/waste/08202classifyingwaste.pdf

38. Maintenance of sediment and erosion control measures

Sediment and erosion control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

39. Prevention of water pollution

Only clean and unpolluted water is to be discharged to Council's stormwater drainage system or any watercourse to ensure compliance with the Protection of Environment Operations Act.

40. Food safety – design and construction

- a) The food premises must be designed and constructed to comply with Food Safety Standard 3.2.3 Food Premises and Equipment of the Food Standards Code.

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Note: Requirements of Australian Standard AS4674 – 2004 “Design, construction and fit-out of food premises” and NSW Food Authority “Food premises – Design, construction and fit-out guide” to be considered to achieve the necessary construction standards for the food premises.

- b) The applicant must arrange for an inspection of the food premises to assess compliance with Food Safety Standard 3.2.2 Food Safety Practices and General Requirements and Food Safety Standard 3.2.3 Food Premises and Equipment of the Food Standards Code prior to operating the food business.
- c) Payment for the inspection at b) above will be levied in accordance with Council's fees and charges and must be paid to Council.

Note: Inspections are available on business days and must be arranged at least three working days prior to the inspection occurring by telephoning (02) 6626 7054.

The following conditions are to be complied with prior to commencing operations ALL STAGES

41. Workplace Risk Assessment and Management Plan

The *Micro Distillery* must be operated to comply with the Workplace Health and Safety Act 2011 and NSW WorkCover Authority requirements. Prior to commencement of operations the applicant must engage a suitably qualified profession to prepare a Workplace Risk Assessment and Management Plan (WRAMP). The owner/operator must ensure that all persons entering the premises, including employees and visitors, have been inducted and are aware of their responsibilities as outlined in the WRAMP.

42. Food safety

The premises must be operated and maintained to comply with the NSW Food Act 2003 and Food Standard Code. To notify business details visit <http://www.foodnotify.nsw.gov.au>

43. Ventilation System

On completion of the development, provide a certificate and system specifications detailing the air flow velocity readings to Council. The certificate should be completed by a suitably qualified professional and shall ensure that the installation satisfies AS1668.2 “Mechanical ventilation for acceptable indoor-air quality”.

The following conditions are to be complied with prior to occupation of the building

44. Works to be completed prior to issue of a Final Occupation Certificate

All of the works indicated on the plans and approved by this consent, including any other consents that are necessary for the completion of this development, are to be completed and approved by the relevant consent authority/s prior to the issue of a Final Occupation Certificate.

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Any Security bond paid for this application will be held until Council is satisfied that no further works are to be carried out that may result in damage to Councils road/footpath reserve.

45. Car parking areas to be completed and signs to be provided

The car parking areas are to be constructed in accordance with the approved plans. Signs are to be erected clearly indicating the availability of off-street parking and the location of entry/exit points, visible from both the street and the subject site.

46. Stormwater disposal

Stormwater must be collected and disposed of in a controlled manner such that stormwater flows are:

- a) Clear of buildings and infrastructure,
- b) Clear of effluent disposal areas,
- c) Not concentrated so as to cause soil erosion,
- d) Not directly to a watercourse, and
- e) Not onto adjoining land.

The following conditions will need to be complied with at all times ALL STAGES

47. Must not interfere with the amenity of the neighbourhood

The use of the food premises must not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, dust, wastewater or otherwise. In particular:

- a) The noise level emanating from the use of the premises must comply with the New South Wales Industrial Noise Policy. All sources of noise and vibration must be effectively managed so as not to be intrusive or 'offensive' within the nearest residential properties.
- b) Only clean and unpolluted water is permitted to be discharged to Councils' stormwater drainage system or any waters.
- c) All wastes shall be contained within appropriate containers fitted with a tight-fitting vermin-proof lid.
- d) All trade waste pre-treatment devices and other waste storage facilities shall be serviced and maintained to ensure that all relevant environment protection standards are satisfied.
- e) Goods deliveries shall be restricted to daytime operating hours.

48. Use of air locks

The owner / operator is to ensure that the fermentation tanks are operated with airlock valves to prevent odours emissions being vented into the atmosphere. Molasses, liquid fertiliser and any other odorous materials are to be stored in air-locked containers at all times.

49. Compliance with NSW Office of Water licence conditions

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The owner / operator must implement and comply with NSW Office of Water licence conditions and recommendations at all times.

50. Fertilizers Act 1985

The owner/operator of the development shall comply with the provisions of the *Fertilizers Act 1985*.

51. Workplace Health and Safety Act 2011

All activities associated with the *Micro Distillery* shall strictly comply with the *Workplace Health and Safety Act 2011* and NSW WorkCover Authority requirements.

52. Smoke free Environment

The owner/operator of the development shall comply with the provisions of the NSW Smoke-free Environment Amendment Act 2004.

53. Wastewater loading must not exceed the design capacity of the approved on-site sewage management system

- a) The volume of wastewater generated must not exceed the design capacity of the approved on-site sewage management system.
- b) Wash down water from the distillery must not be disposed of into the on-site sewage management system.

54. Hours of Operation

The following hours of operation apply to the each part of the development:

(a) Distillery

Hours of operation for the distillery are limited to Monday to Saturday 8am to 6pm, and Sunday and Public Holidays 8am to 5pm.

(b) Industrial Retail Outlet/ Tasting

Hours of operation for the Industrial Retail Outlet are limited to 10am to 5pm for a maximum of two (2) days per week.

General Terms of Integrated Development Approval

General Terms of Approval

for work requiring a controlled activity approval under s91 of the *Water Management Act 2000*

Number	Condition	File no: 2016-0522
Site Address	469 Middle Pocket Road, Middle Pocket	
DA Number:	DA 10.2016.575.1	
LGA	Byron Shire Council	
Plans, standards and guideline		
1	These General Terms of Approval (GTA) only apply to the controlled	

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	activities described in the plans and associated documentation relating to DA10.2016.575.1 and provided by Council. Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified DPI Water (formerly the NSW Office of Water) must be notified to determine if any variations to these GTA will be required.
2	Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from DPI Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.
3	The consent holder must prepare or commission the preparation of: <ul style="list-style-type: none"> (i) Vegetation Management Plan; (ii) Works Schedule; (iii) Erosion and Sediment Control Plan
4	All plans must be prepared by a suitably qualified person and submitted to the DPI Water for approval prior to any controlled activity commencing. The plans must be prepared in accordance with DPI Water's guidelines located at www.water.nsw.gov.au/ Water-Licensing/Approvals .
5	The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to DPI Water.
Rehabilitation and maintenance	
6	The consent holder must carry out a maintenance period of two (2) years after practical completion of all controlled activities, rehabilitation and vegetation management in accordance with a plan approved by the DPI Water.
7	The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the DPI Water.
Reporting requirements	
8	The consent holder must use a suitably qualified person to monitor the progress, completion, performance of works, rehabilitation and maintenance and report to DPI Water as required.
Security deposits	
9	N/A
Access-ways	
10	N/A
11	N/A
Bridge, causeway, culverts, and crossing	
12	The consent holder must ensure that the construction of any bridge, causeway, culvert or crossing does not result in erosion, obstruction of flow, destabilisation or damage to the bed or banks of the river or waterfront land, other than in accordance with a plan approved by DPI

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STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY 13.9 - ATTACHMENT

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	Water.
13	N/A
Disposal	
14	The consent holder must ensure that no materials or cleared vegetation that may (i) obstruct flow, (ii) wash into the water body, or (iii) cause damage to river banks; are left on waterfront land other than in accordance with a plan approved by DPI Water.
Drainage and Stormwater	
15	N/A
16	N/A
Erosion control	
17	The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by DPI Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.
Excavation	
18	The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by DPI Water.
19	N/A
Maintaining river	
20	The consent holder must ensure that (i) river diversion, realignment or alteration does not result from any controlled activity work and (ii) bank control or protection works maintain the existing river hydraulic and geomorphic functions, and (iii) bed control structures do not result in river degradation other than in accordance with a plan approved by DPI Water.
21	N/A
River bed and bank protection	
22	N/A
23	The consent holder must establish a riparian corridor along the unnamed creek in accordance with a plan approved by DPI Water.
Plans, standards and guidelines	
24	N/A
25	N/A
26	N/A
27	N/A
Groundwater	
28	N/A
END OF CONDITIONS	

Notes

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Construction Certificate required:

This development consent is issued under the Environmental Planning and Assessment Act 1979 and does not relate to structural aspects or specifications of the building under the Building Code of Australia. All buildings and alterations require the issue of a Construction Certificate prior to works commencing. Application forms are available from the customer services counter or Council's website www.byron.nsw.gov.au.

Principal Certifying Authority:

Work must not commence until the applicant has:-

- 1) appointed a Principal Certifying Authority (if the Council is not the PCA); and
- 2) given the Council at least two days notice of their intention to commence the erection of the building. Notice must be given by using the prescribed 'Form 7'.
- 3) notified the Principal Certifying Authority of the Compliance with Part 6 of the Home Building Act 1989.

Occupation Certificate required:

The building must not be occupied until the Principal Certifying Authority has issued an Occupation Certificate.

Protection of the Environment Operations Act 1997:

It is an offence under the provisions of the Protection of the Environment Operations Act 1997 to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice ("on-the-spot fine") or prosecution.

Food handling/storage:

The NSW Food Act 2003 provides specific conditions relating to the handling and storage of food. Council's Environmental Services must be consulted to determine any requirements relevant to this consent.

Disability Discrimination Act:

All development other than domestic construction must meet the provisions of the Disability Discrimination Act 1992 under which civil action may be taken if access for people with disabilities is denied or provided in a discriminatory way.

Penalties apply for failure to comply with development consents

Failure to comply with conditions of development consent may lead to an on the spot fine (generally \$600) being issued pursuant to section 127A of the Environmental Planning & Assessment Act 1979 or prosecution pursuant to section 125 of the Environmental Planning & Assessment Act 1979.

Section 94A Contributions

Schedule 1 to be completed and submitted to Council with the payment of Section 94A contributions.

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SCHEDULE 1

Cost Summary Report

[Development Cost no greater than \$500,000]

DEVELOPMENT APPLICATION No:

COMPLYING DEVELOPMENT APPLN NO:

CONSTRUCTION CERTIFICATE No.

DATE:

APPLICANT'S NAME:

APPLICANT'S ADDRESS:

DEVELOPMENT DETAILS:

DEVELOPMENT ADDRESS:

ANALYSIS OF DEVELOPMENT COSTS:

Demolition and alterations	\$	Hydraulic services	\$
Structure	\$	Mechanical services	\$
External walls, windows and doors	\$	Fire services	\$
Internal walls, screens and doors	\$	Lift services	\$
Wall finishes	\$	External works	\$
Floor finishes	\$	External services	\$
Ceiling finishes	\$	Other related work	\$
Fittings and equipment	\$	Sub-total	\$

Sub-total above carried forward	\$
Preliminaries and margin	\$
Sub-total	\$
Consultant Fees	\$
Other related development costs	\$
Sub-total	\$

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Goods and Services Tax	\$
TOTAL DEVELOPMENT COST	\$

I certify that I have:

- inspected the plans the subject of the application for development consent or construction certificate.
- calculated the development costs in accordance with the definition of development costs in clause 25J of the *Environmental Planning and Assessment Regulation 2000* at current prices.
- included GST in the calculation of development cost.

Signed: _____

Date: _____

Name: _____

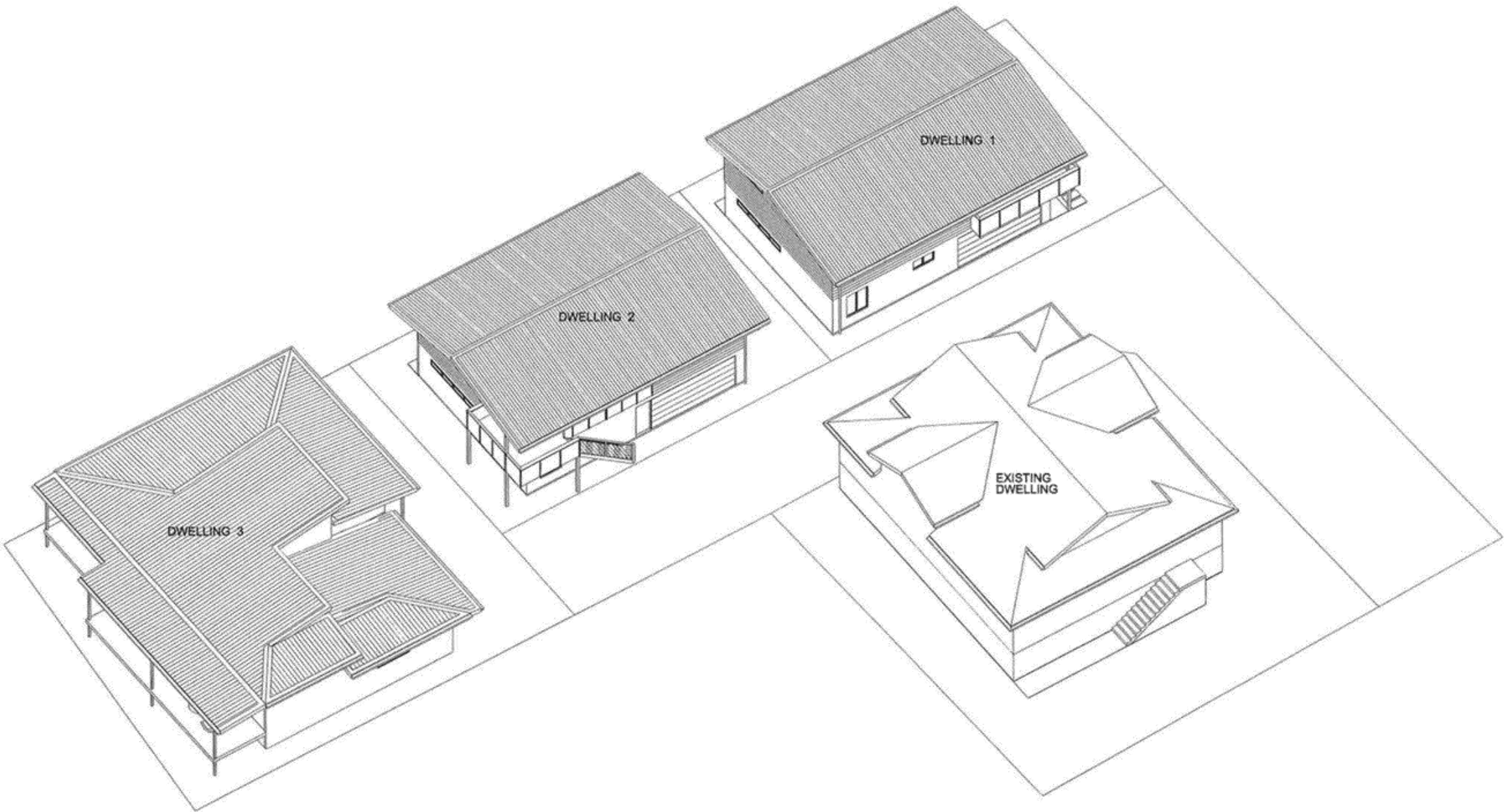
Phone: _____

Position and Qualifications: _____

Address: _____

Reasons

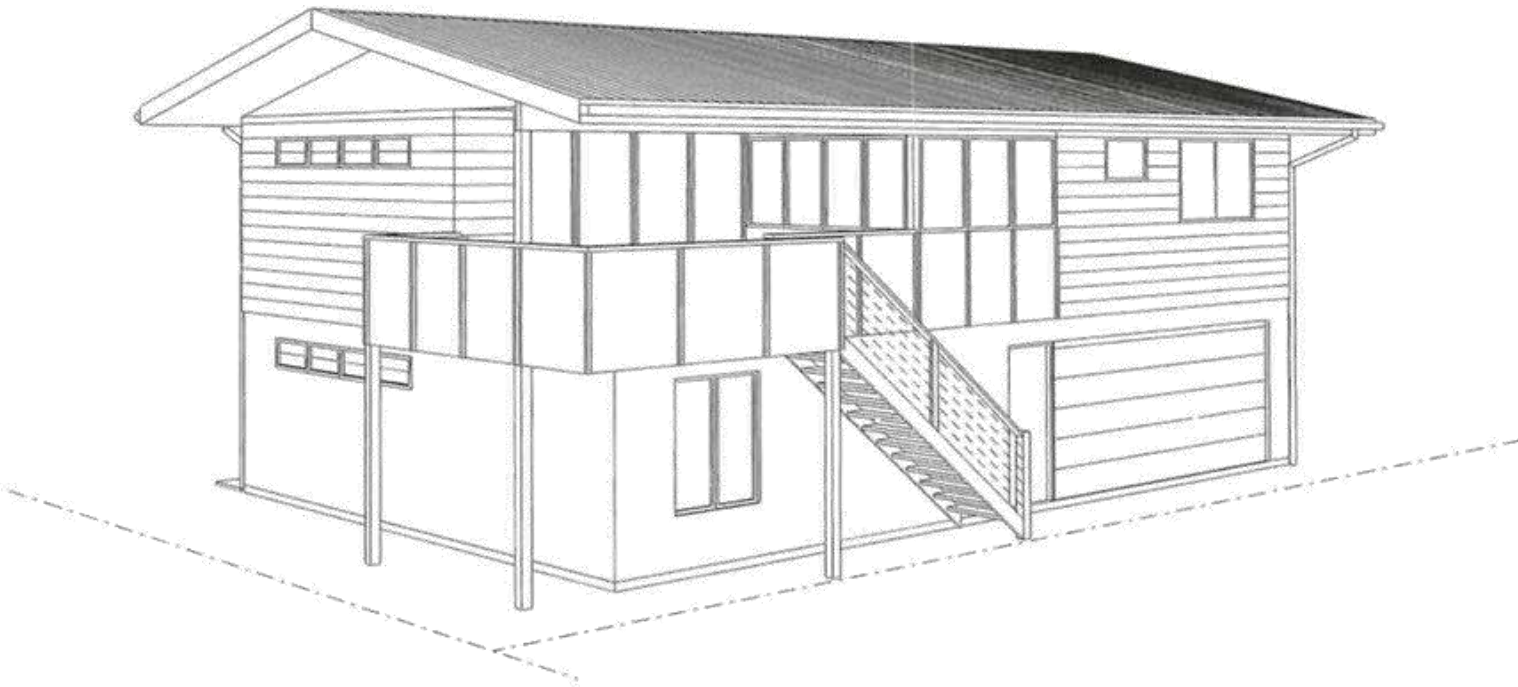
- To comply with the provisions of *Byron Local Environmental Plan 2014*.
- To preserve the environment and existing or likely future amenity of the neighbourhood.
- To protect the environment.
- To preserve the amenity and traffic safety of the area.
- To ensure adequacy of services to the development.
- To ensure public health and safety.
- To ensure compliance with Section 68 of the *Local Government Act 1993*.
- To ensure compliance with the *Roads Act 1993*.
- To ensure that the land or adjoining land is not damaged by the uncontrolled discharge of runoff from any buildings and paved areas that may be constructed on the land.
- To ensure compliance with engineering standards.
- To minimise the adverse effects of bushfires.



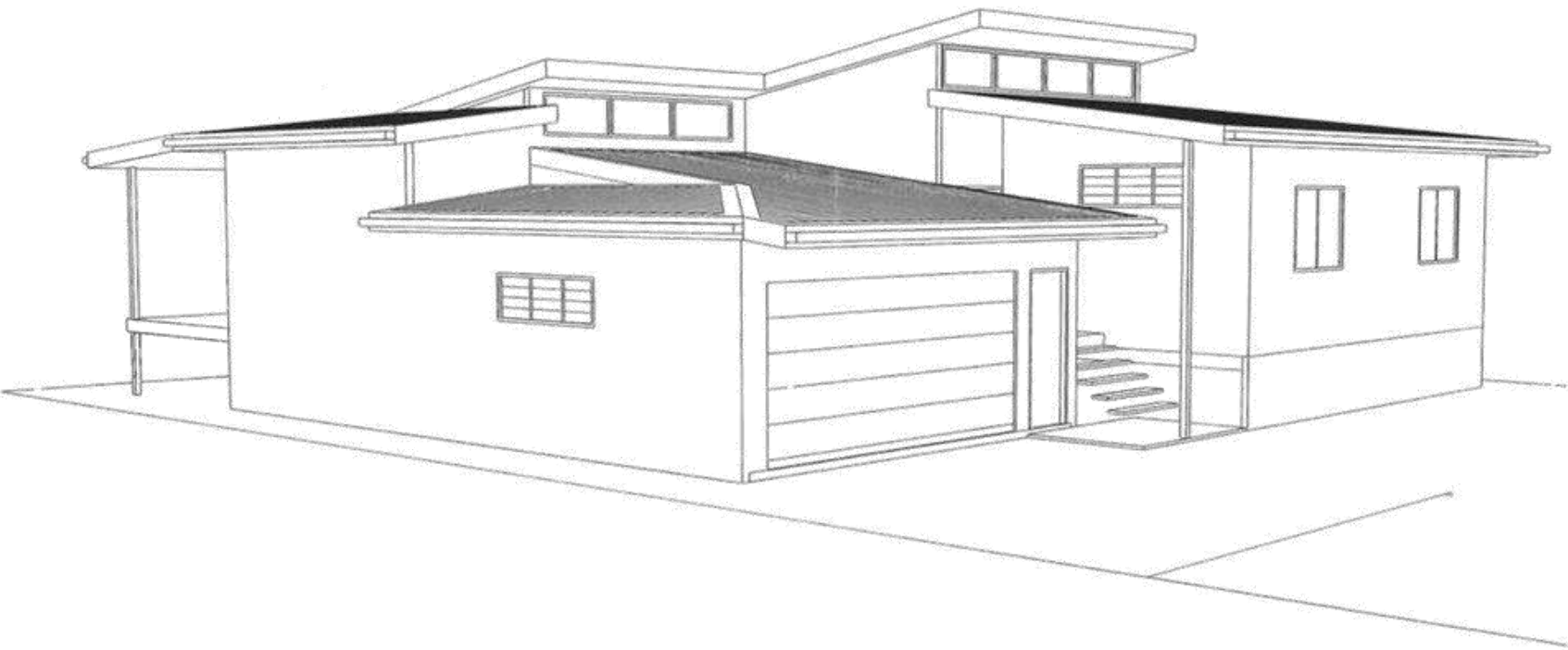
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9 BYRON ST			
MULLUMBIMBY			
DWG TITLE:			
PERSPECTIVE VIEW 1			
REVISIONS:			
A	10/10/16	DA ISSUE	
PROJECT DWG NUMBER REV			
P1606	DA	001	A



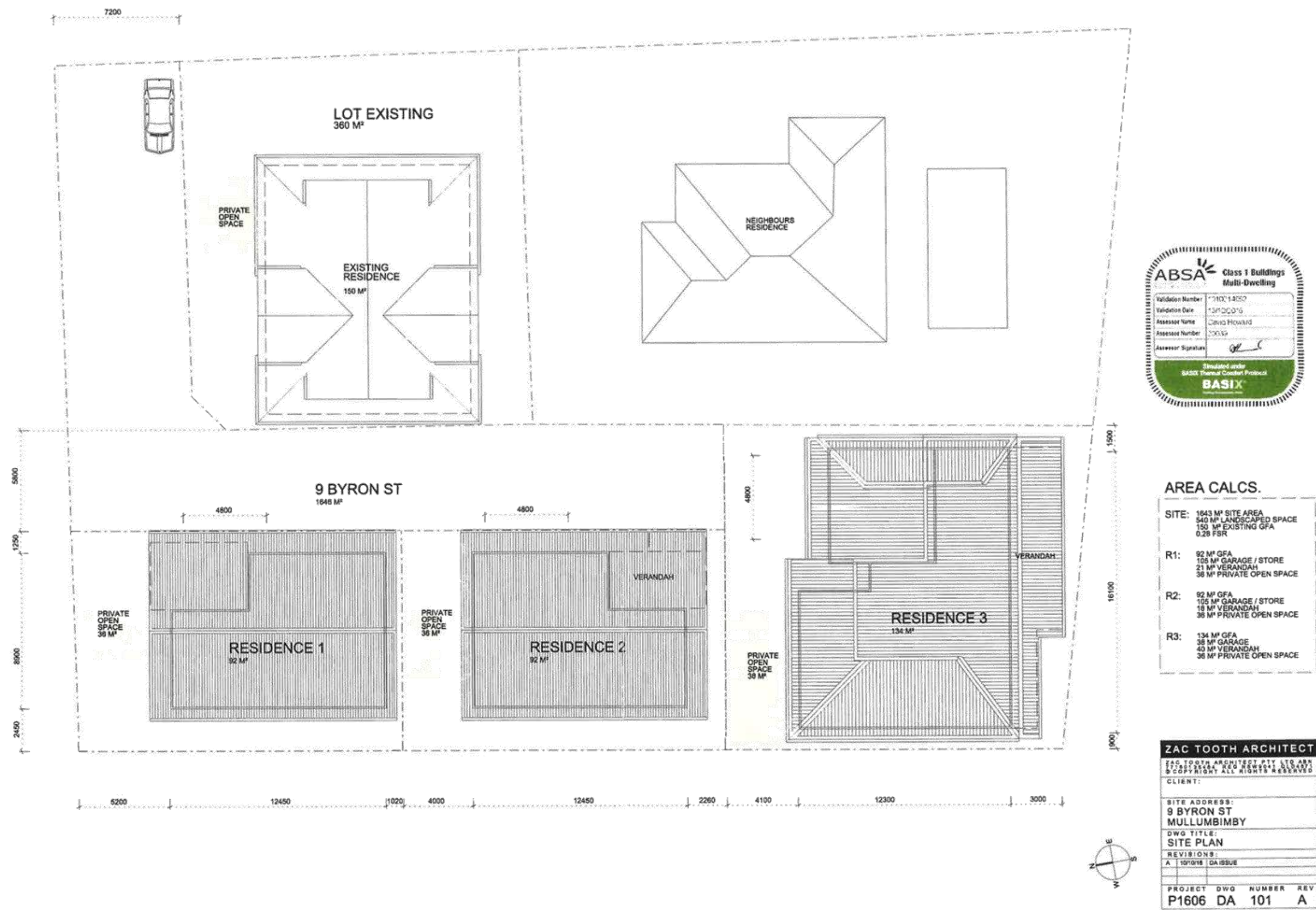
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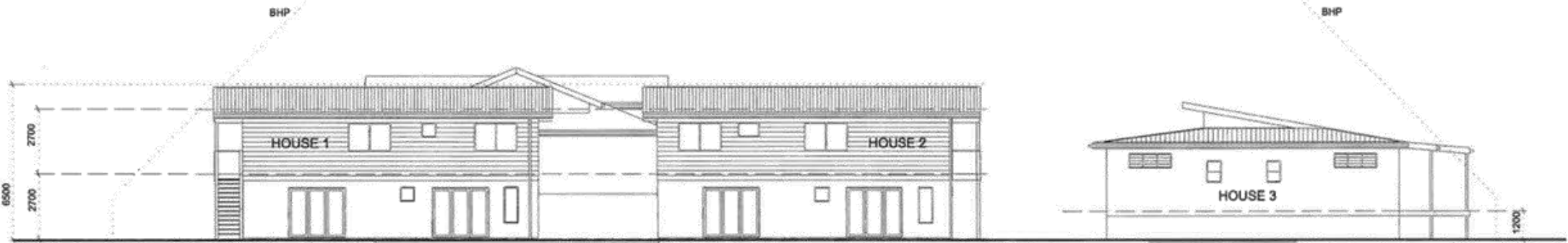


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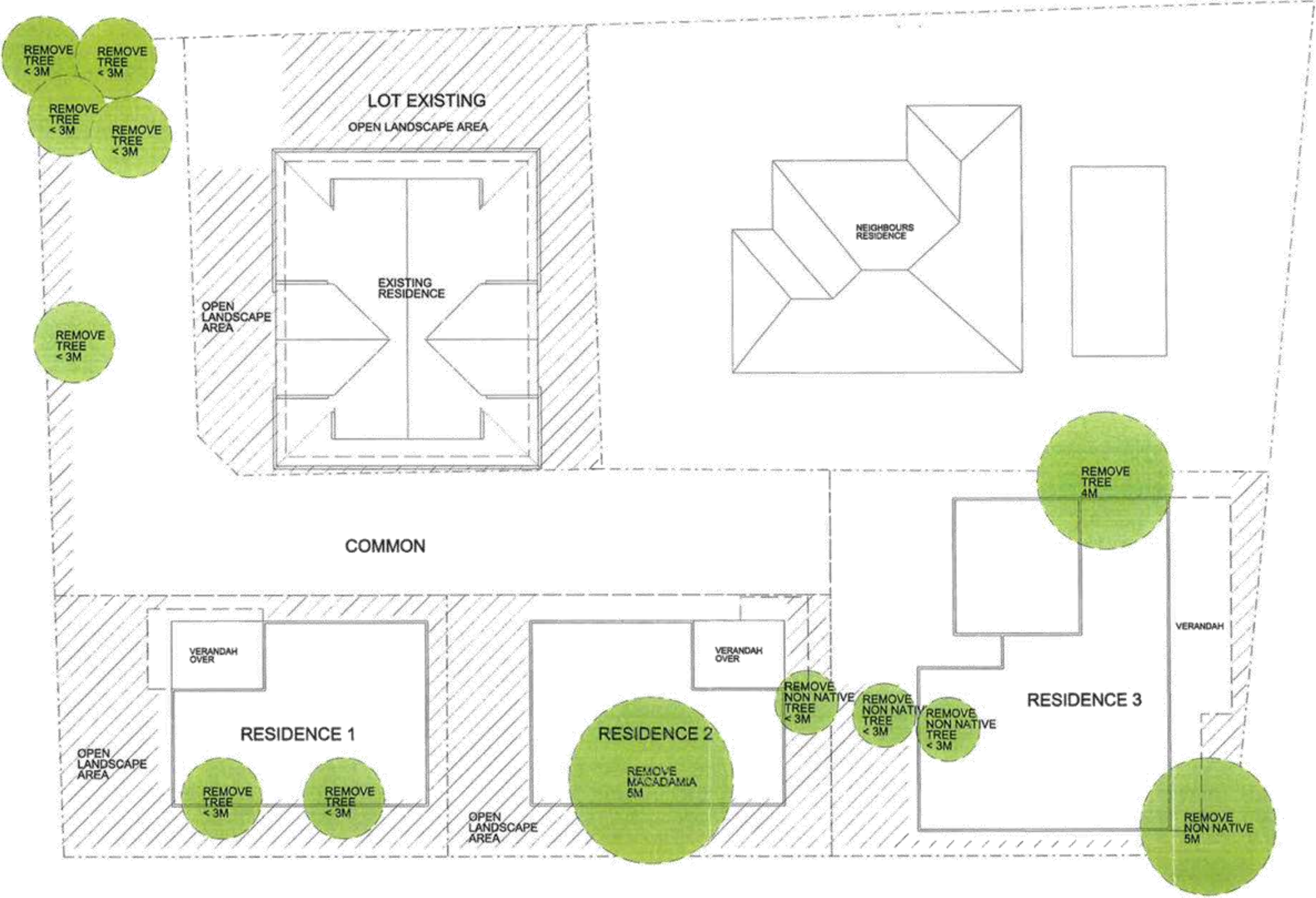


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MULLUMBIMBY			
DWG TITLE:			
HOUSE 3 PERSPECTIVE			
REVISIONS:			
A	10/10/16	DA ISSUE	
PROJECT DWG NUMBER REV			
P1606	DA	004	A





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CLIENT:			
SITE ADDRESS: 9 BYRON ST MULLUMBIMBY			
DWG TITLE: SITE ELEVATION			
REVISIONS			
A	16/10/16	DA ISSUE	
PROJECT	DWG	NUMBER	REV
P1606	DA	102	A



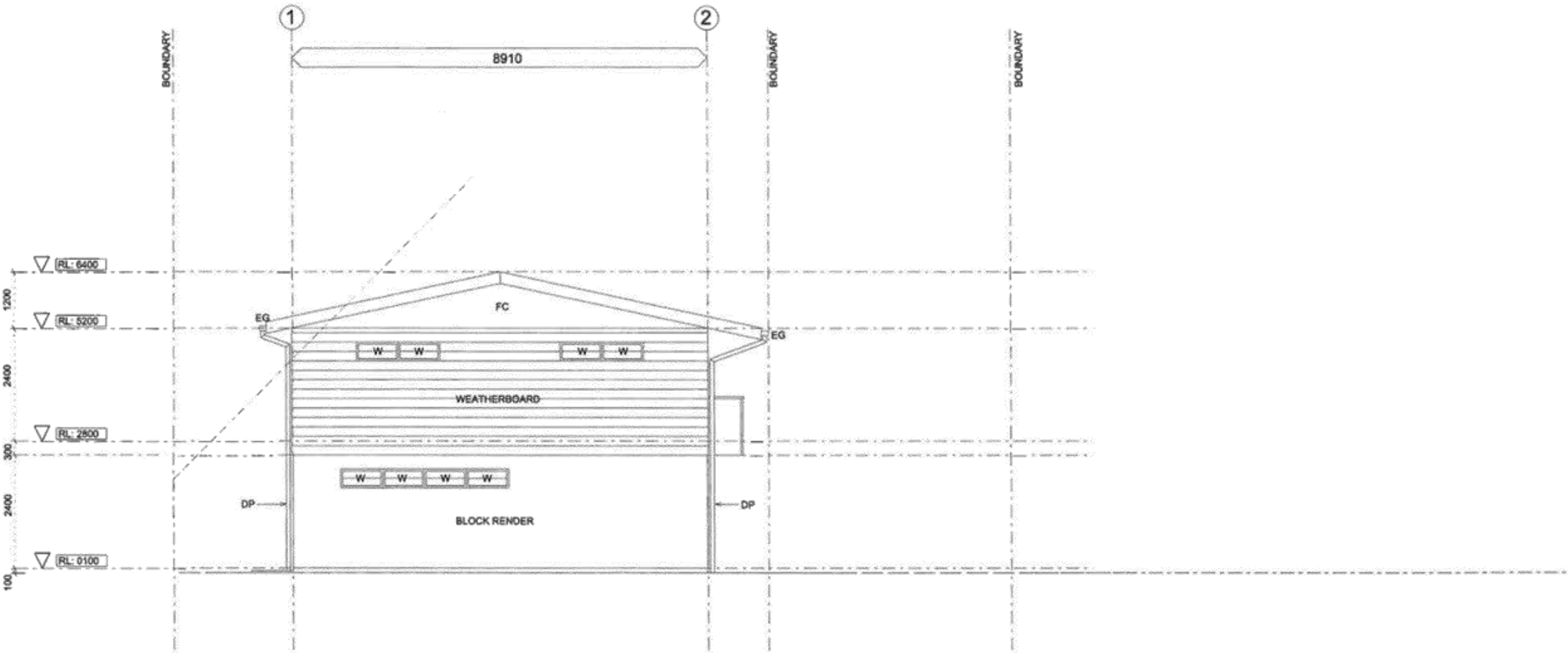
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CLIENT:			
SITE ADDRESS: 9 BYRON ST MULLUMBIMBY			
DWG TITLE: LANDSCAPE AREA			
REVISIONS:			
A	10/10/18	DA ISSUE	
PROJECT	DWG	NUMBER	REV
P1606	DA	103	A



ZAC TOOTH ARCHITECT	
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CLIENT:	
SITE ADDRESS:	
9 BYRON ST MULLUMBIMBY	
DWG TITLE:	
HOUSE 1 - GROUND PLAN	
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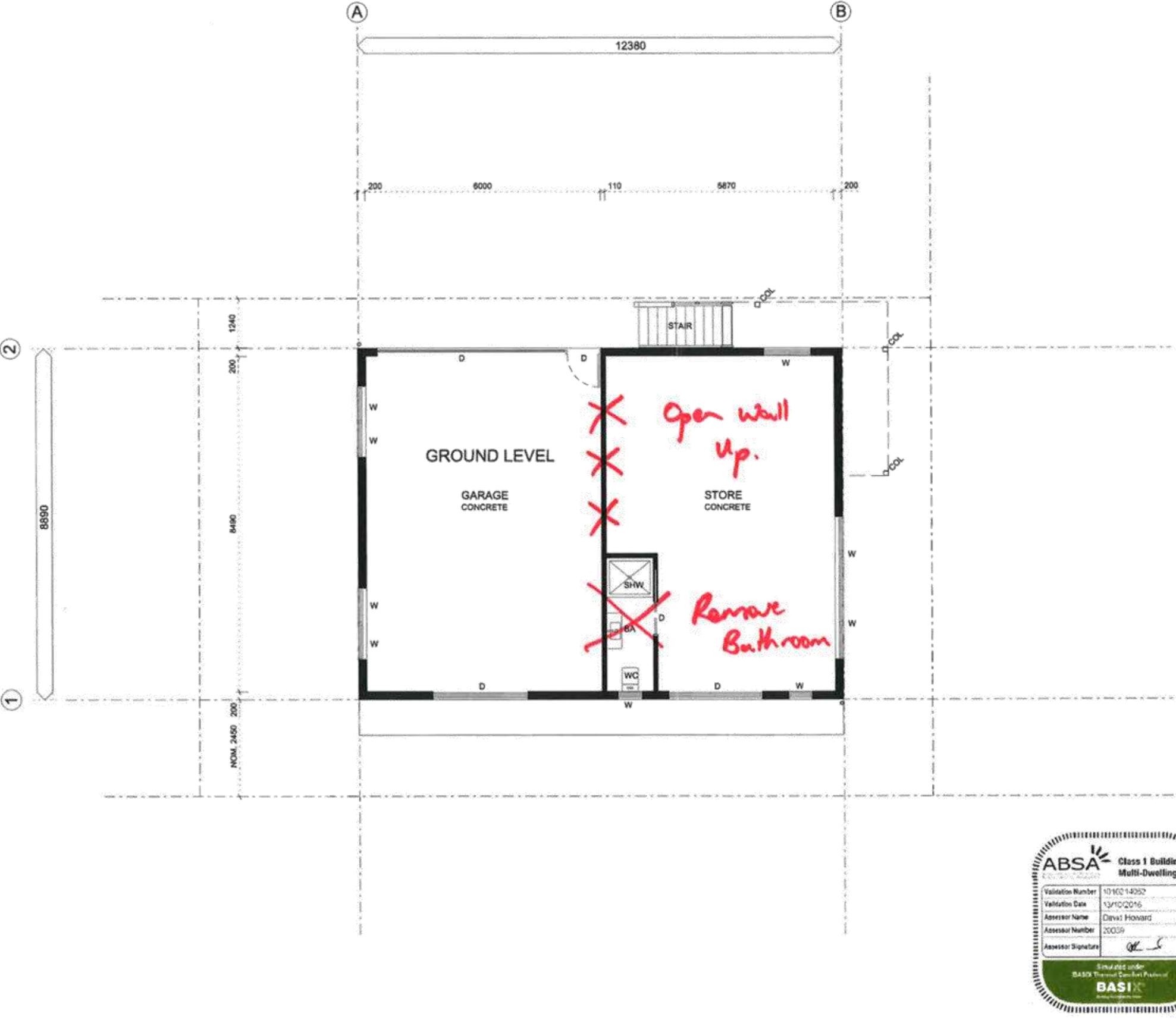
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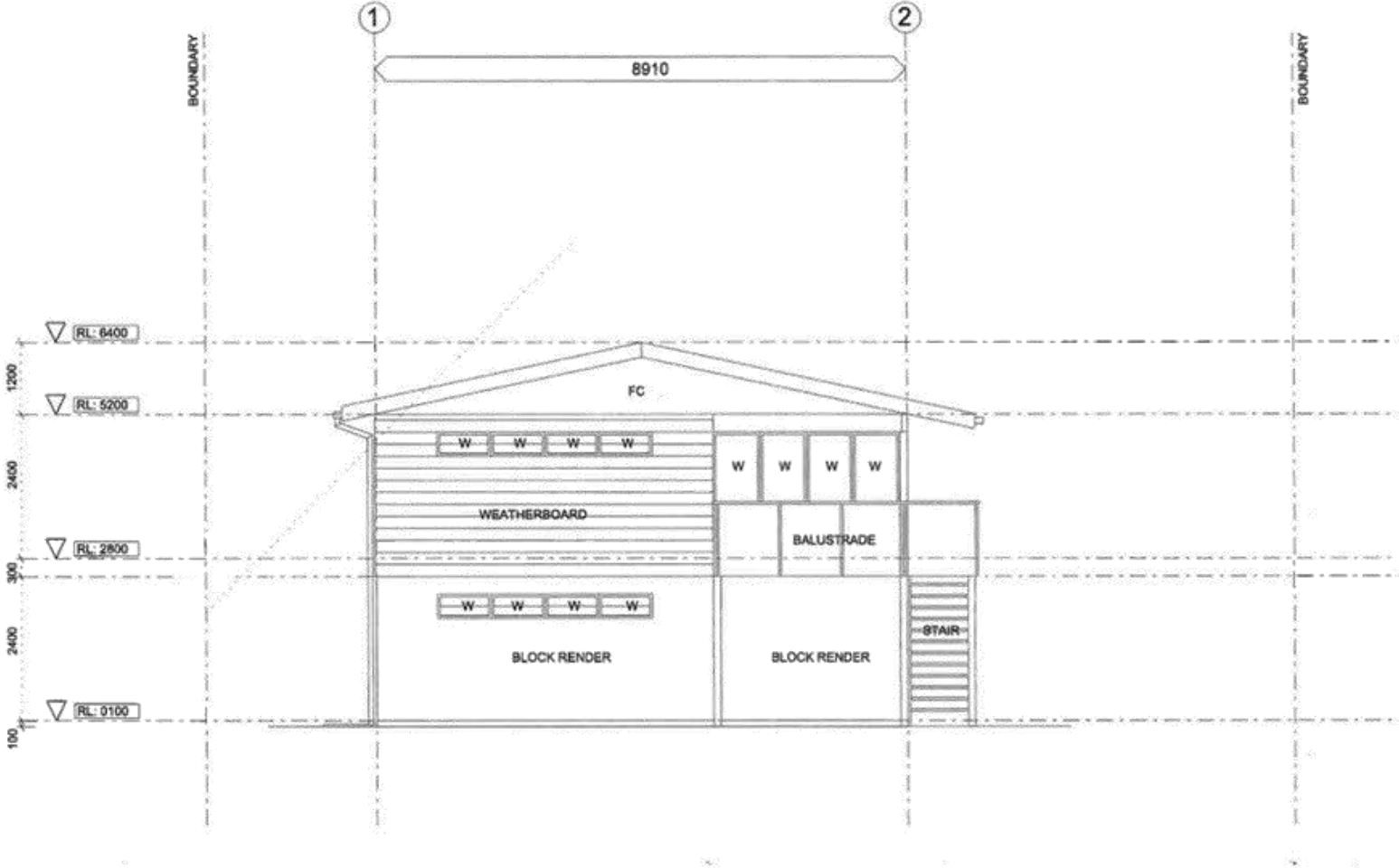
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301 JOURNAL AVENUE SUITE 100 COLUMBIA, SC 29208-1700 TEL: 803-733-1100 FAX: 803-733-1101					
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P1606	DA	253	A		



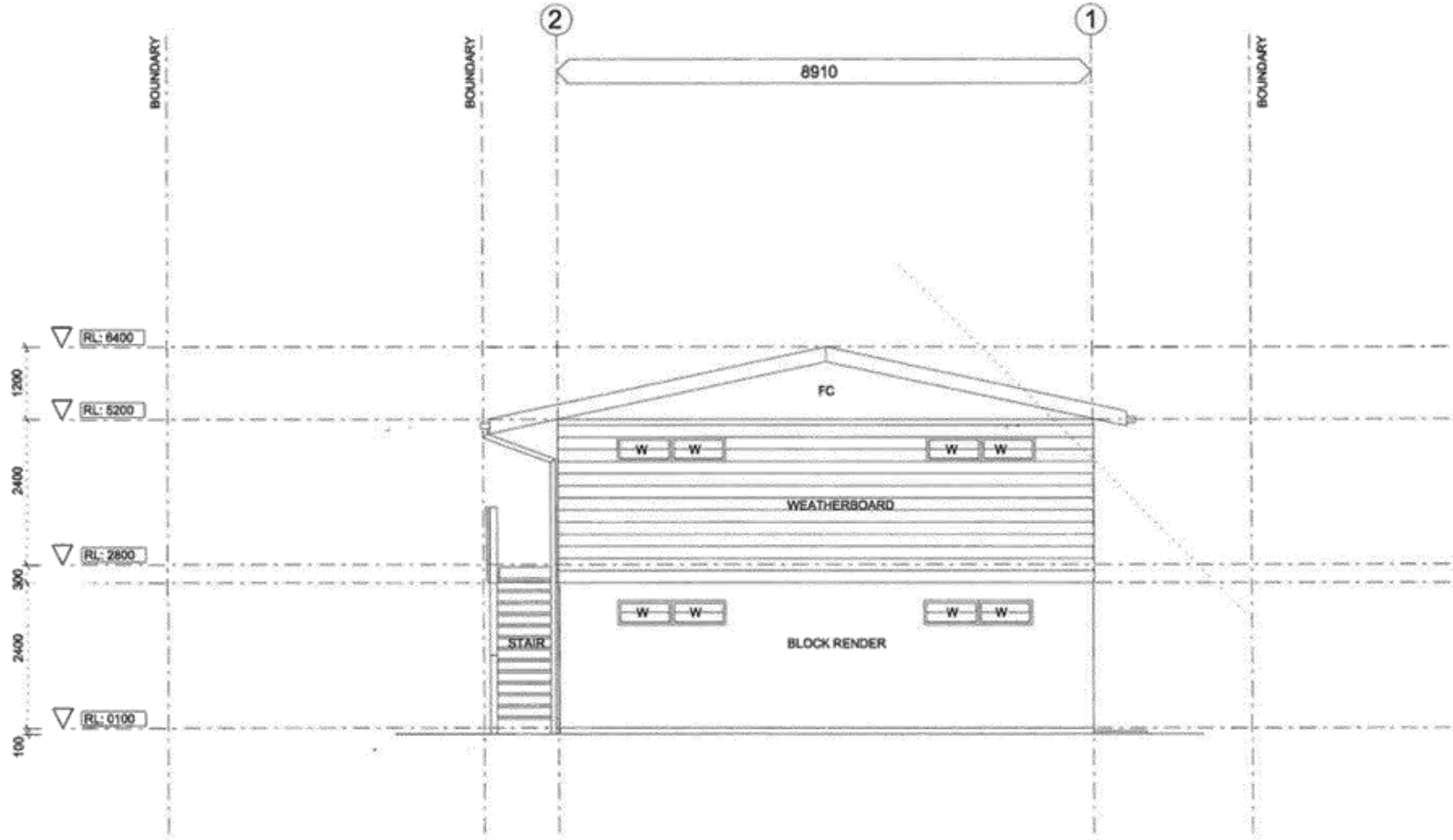
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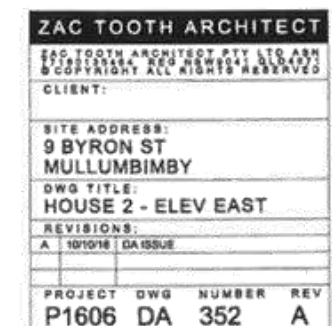
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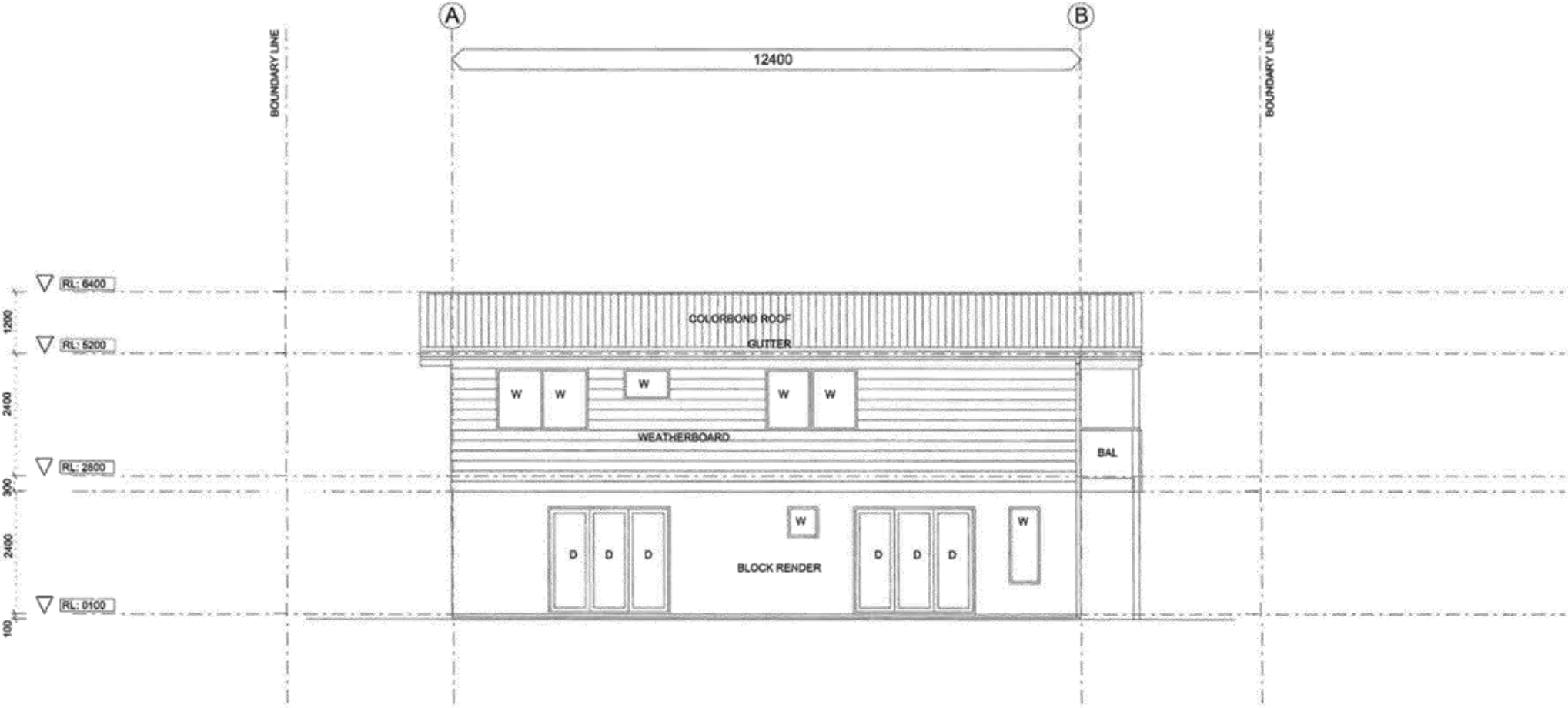


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DWG TITLE:			
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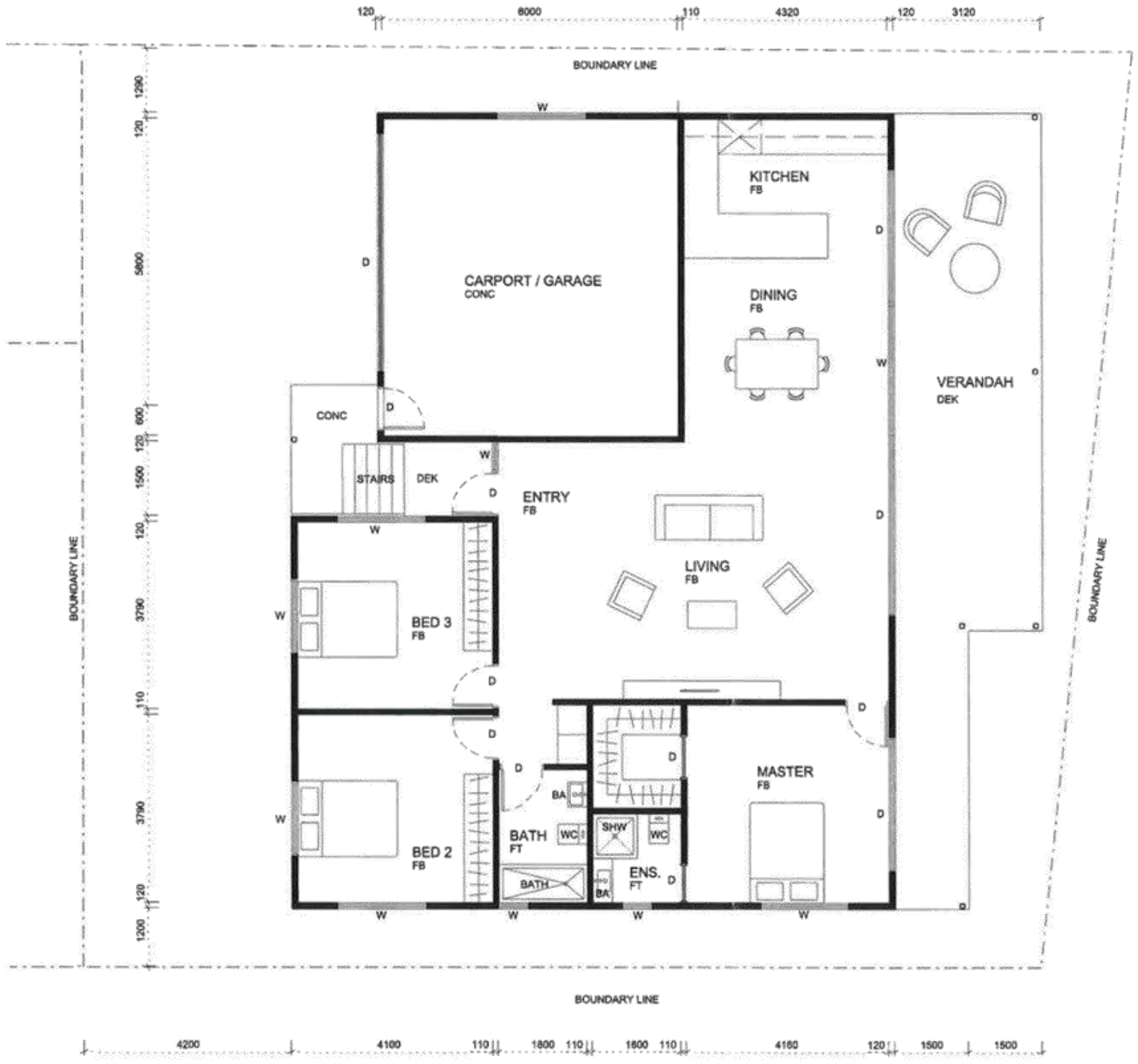


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PROJECT DWG NUMBER REV			
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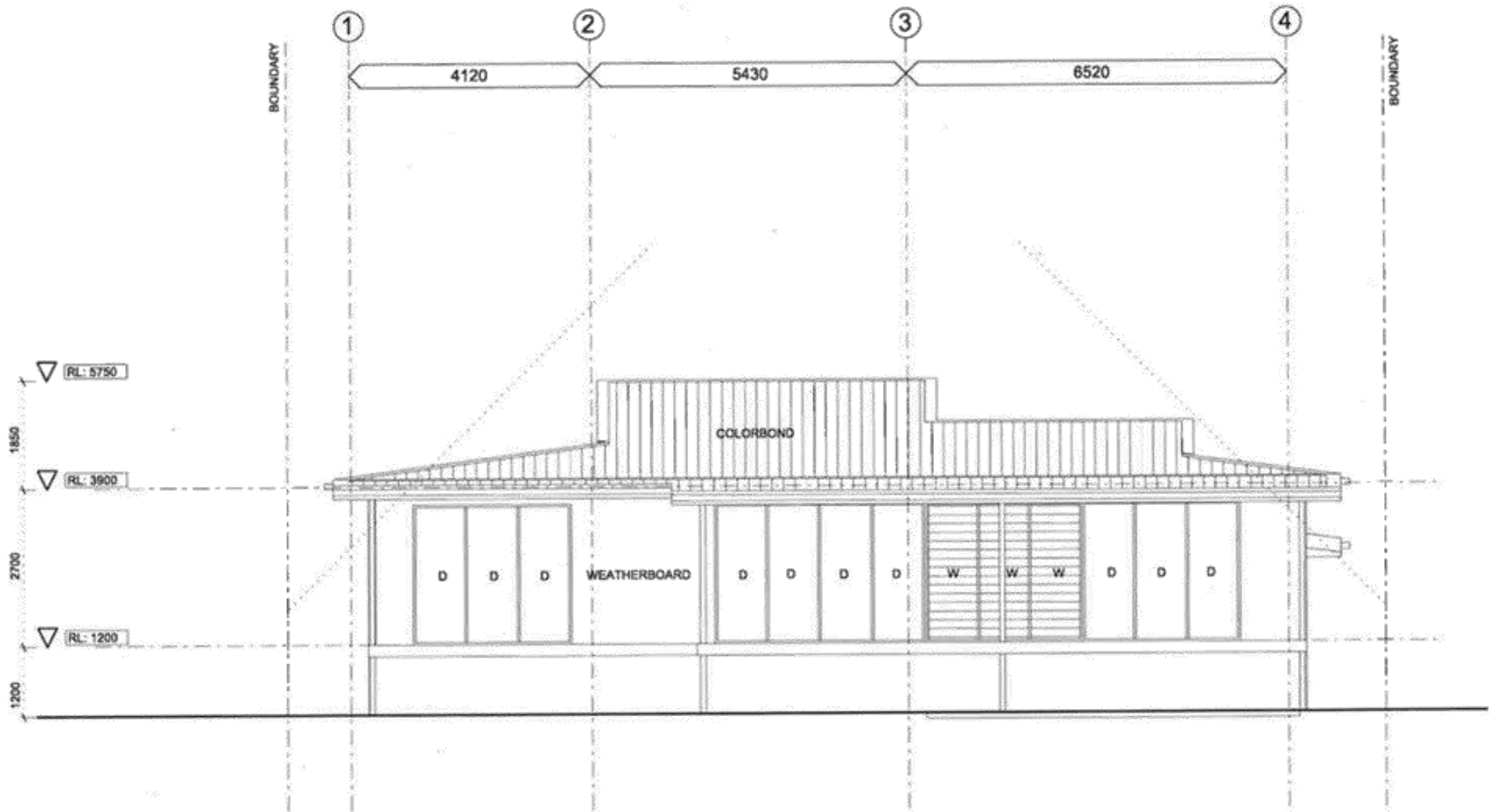




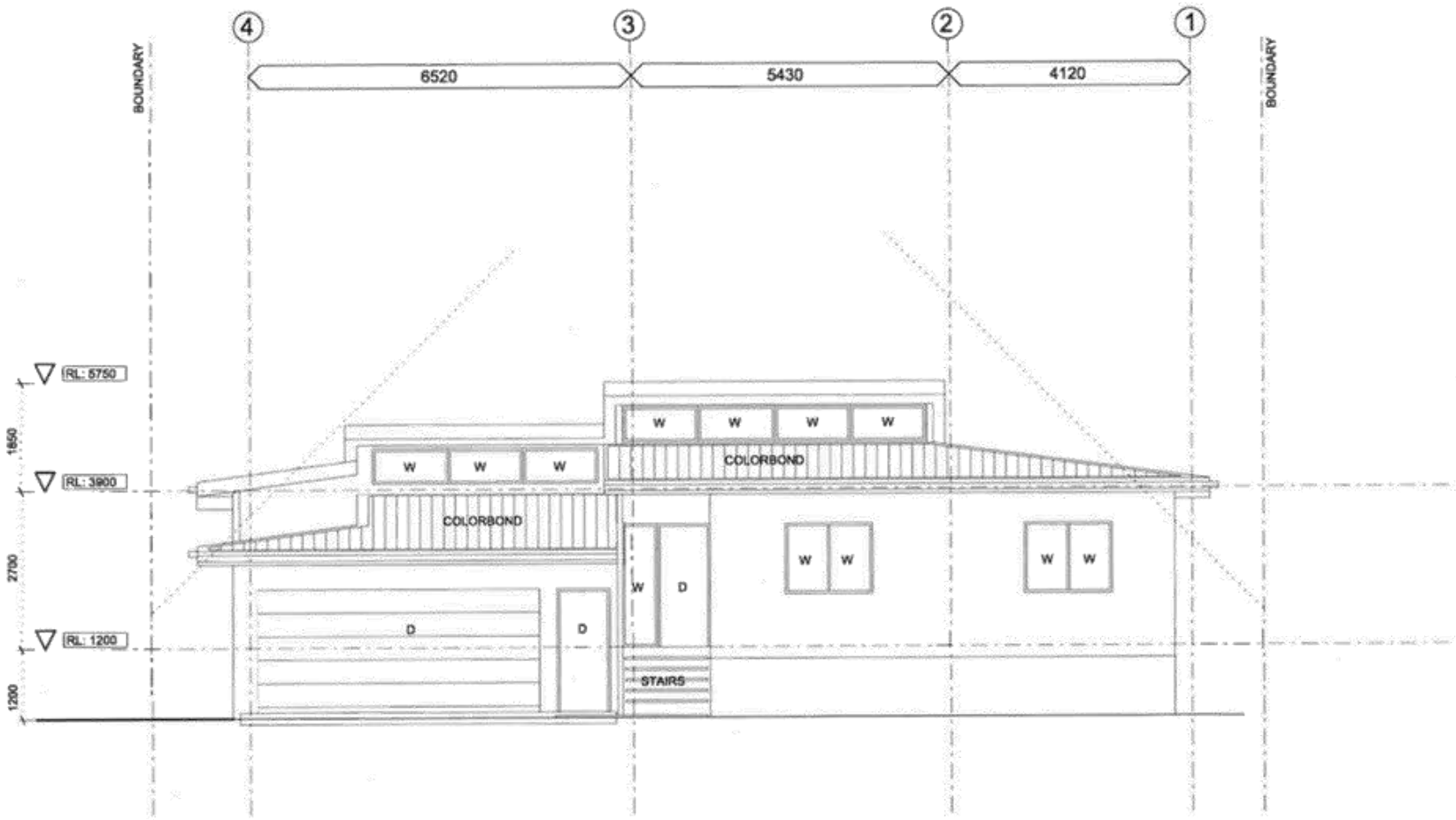
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DWG TITLE: HOUSE 2 - ELEV WEST			
REVISIONS:			
A	10/10/16	DA ISSUE	
PROJECT	DWG	NUMBER	REV
P1606	DA	353	A



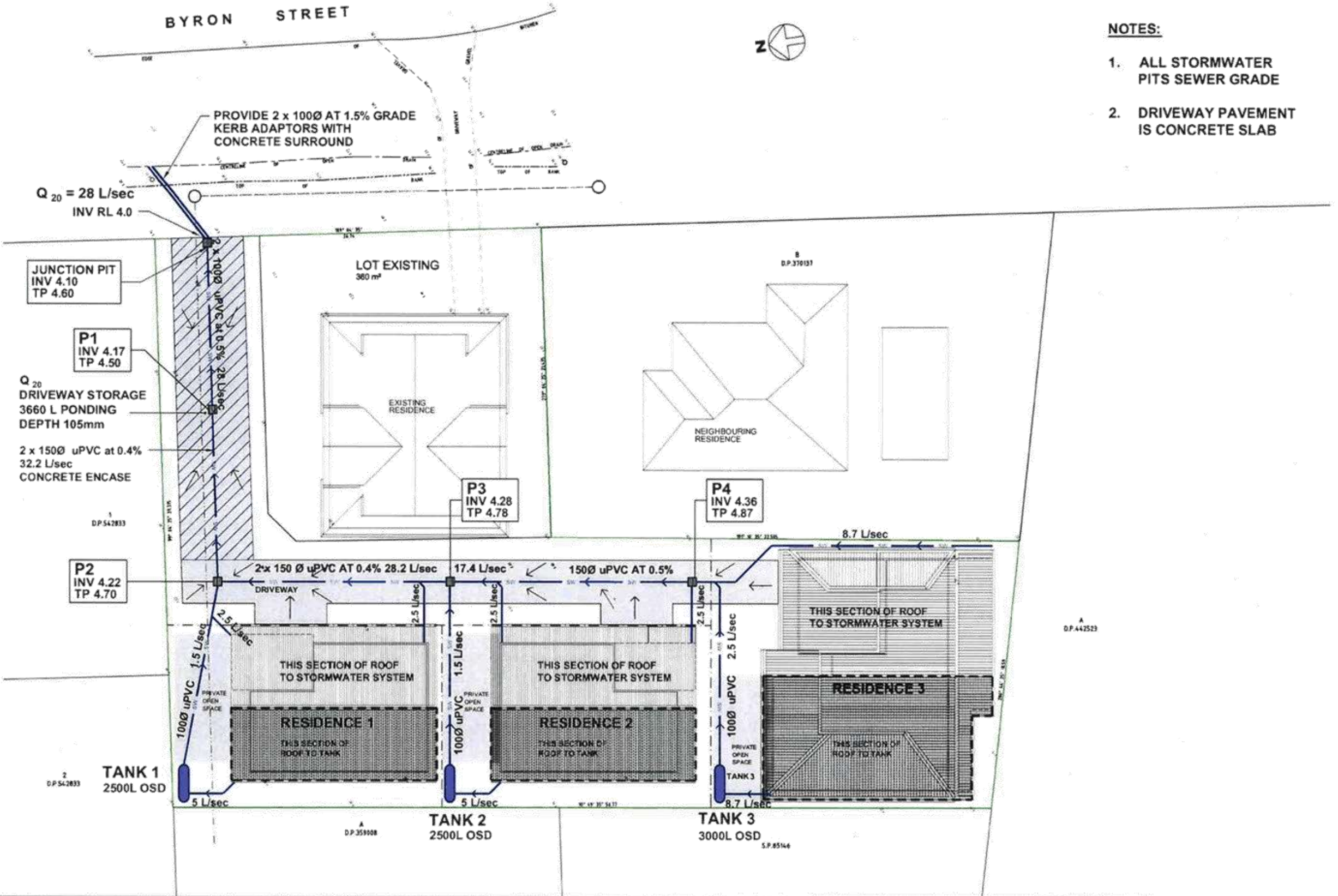
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CLIENT:			
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DWG TITLE: HOUSE 3 - GROUND PLAN			
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PROJECT	DWG	NUMBER	REV
P1606	DA	400	A



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DWG TITLE:			
HOUSE 3 - ELEV SOUTH			
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B	01/12/16	DA	ISSUE
PROJECT	DWG	NUMBER	REV
P1606	DA	451	B



NOTES:

1. ALL STORMWATER PITS SEWER GRADE
2. DRIVEWAY PAVEMENT IS CONCRETE SLAB

Project: PROPOSED DWELLINGS 9 BYRON STREET MULLUMBIMBY		Client: P. SANDERS		 HAMMOND & ASSOCIATES CIVIL & STRUCTURAL ENGINEERS Telephone: 02 6680 7510 Facsimile: 02 6680 7560 e-mail: bruce@hammondassoc.com.au ABN: 81 130 428 732		A 28.11.16 CC SUBMISSION BH SN	
Do not scale drawing. Use written dimensions only This plan is copyright © all rights reserved		Title: STORMWATER DETENTION PLAN				Issue Date Description Des Dnw Appd	
						Scale at A3 1 : 250 Datum AHD File No BH16207-SW1A.dwg	
						Drawing No BH16205-SW3 Sheet No S3 of 4 Issue A	

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY ATTACHMENT 2

13.11 -

E2017/14398

10.2016.681.1 CONDITIONS OF CONSENT:

Parameters

1. Development is to be in accordance with approved plans

The development is to be in accordance with plans listed below:

Plan No.	Description	Prepared by	Dated:
001	Perspective 01	Zac Tooth Architecture	10/10/16
002	House 1 Perspective	Zac Tooth Architecture	10/10/16
003	House 2 Perspective	Zac Tooth Architecture	10/10/16
004	House 3 Perspective	Zac Tooth Architecture	10/10/16
101	Site Plan	Zac Tooth Architecture	10/10/16
102	Site Elevation	Zac Tooth Architecture	10/10/16
103	Landscape	Zac Tooth Architecture	10/10/16
200	House 1 – Plan Ground	Zac Tooth Architecture	10/10/16
201	House 1 – Plan Level 1	Zac Tooth Architecture	10/10/16
250	House 1 – Elev West	Zac Tooth Architecture	10/10/16
251	House 1 – Elev East	Zac Tooth Architecture	10/10/16
252	House 1 – Elev North	Zac Tooth Architecture	10/10/16
253	House 1 – Elev South	Zac Tooth Architecture	10/10/16
300	House 2 - Plan Ground	Zac Tooth Architecture	10/10/16
301	House 2 - Plan Level 1	Zac Tooth Architecture	10/10/16
350	House 2 - Elev West	Zac Tooth Architecture	10/10/16
351	House 2 - Elev East	Zac Tooth Architecture	10/10/16
352	House 2 - Elev North	Zac Tooth Architecture	10/10/16
353	House 2 - Elev South	Zac Tooth Architecture	10/10/16
400	House 3 – Plan Ground	Zac Tooth Architecture	10/10/16

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY ATTACHMENT 2

13.11 -

450	House 3 – Elev South Rev B	Zac Tooth Architecture	1/12/16
451	House 3 – Elev North Rev B	Zac Tooth Architecture	1/12/16
452	House 3 – Elev East	Zac Tooth Architecture	10/10/16
453	House 3 – Elev West	Zac Tooth Architecture	10/10/16
S3	Stormwater Detention Plan	Hammond & Associates	28/11/16

The development is also to be in accordance with any changes shown in red ink on the approved plans or conditions of consent.

The Ground Level Store areas of Proposed Units 1 and 2 (the two storey units) are not to be used for habitable room purposes and the associated plans are notated to provide openings in the dividing wall between the store and garage.

The approved plans and related documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

2. Staged Development

The development is to be carried out in the following stages:

Stage 1: Two Lot Strata subdivision creating proposed Lot 1 and a development lot proposed Lot 2

Stage 2: Construct 3 dwellings on development lot

Stage 3: Strata subdivide the 3 dwellings

Where conditions are required to be satisfied prior to a particular event, those conditions are the conditions relevant to the works being carried out in the stage.

The relevant conditions are the conditions deemed necessary, by the Principal Certifying Authority (PCA) appointed for the development, or, where pursuant to the issue of a Construction Certificate, the relevant consent authority.

3. Heritage Setting of Existing Dwelling

To improve the setting of the existing dwelling, whilst it is not assessed as an individual heritage item but to better reflect the traditional pattern of development, a 500mm setback to the rear of the existing dwelling is required. This setback area is to be appropriately landscaped.

4. Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

- (1) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:
 - (a) that the work must be carried out in accordance with the requirements of the Building Code of Australia ,

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY ATTACHMENT 2

13.11 -

- (b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
- (2) This clause does not apply:
 - (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
 - (b) to the erection of a temporary building.
- (3) In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

5. Erection of signs

- (1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.
- (2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.
- (3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.
- (5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.
- (6) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

6. Notification of Home Building Act 1989 requirements

- (1) For the purposes of section 80A (11) of the Act, the requirements of this clause are prescribed as conditions of a development consent for development that involves any residential building work within the meaning of the Home Building Act 1989.
- (2) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
 - (a) in the case of work for which a principal contractor is required to be appointed:
 - (i) the name and licence number of the principal contractor, and
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
 - (b) in the case of work to be done by an owner-builder:
 - (i) the name of the owner-builder, and
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
- (3) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.
- (4) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

STAGE 1 – Creation of Development Lot

The following conditions will need to be complied with prior to issue of a Construction Certificate for Stage 1 subdivision works

7. Consent required for works within the road reserve

Consent from Council must be obtained for works within the road reserve pursuant to Section 138 of the Roads Act 1993.

8. Engineering Construction Plans

Three (3) copies of engineering construction plans and specifications must accompany the construction certificate application demonstrating compliance with Council's standards for the required engineering works. Each set of drawings shall be accompanied by a Certification Report which must be signed by a suitably qualified Civil Engineer or Registered Surveyor. The Certification Report will comprise the certificate and check lists set out in Annexure DQS-A of the Northern Rivers Local Government Development & Design Manuals. The information shown on the drawings shall be logically collected on discrete sheets generally in accordance with Annexure DQS-B and the Sample Drawings of the Northern Rivers Local Government Development & Designs. The drawings are to provide for the following works :

a) Road Construction

Road and drainage reconstruction of Byron St with 4m wide bitumen seal for 25m, tying in with existing road upgrade adjacent to Lot: C DP: 370137 through to Cedar St intersection.

b) Driveways

Sealed driveways, in accordance with Council's rural driveway standards, from the edge of the bitumen to 3 metres within the property boundary to each of the proposed new allotments. Development Lot driveway to be 5.5m wide, minimum.

c) Access Handle

A 5.5 metre wide reinforced concrete driveway (or equivalent), together with all necessary services/service conduits (water, sewer, telephone, power, stormwater) within the access handle of the proposed Development Lot.

d) Lot 1 Driveway details required

The application for a Construction Certificate is to include plans and specification that indicate vehicular access from the site boundary to the proposed car space(s). Vehicular access must be in accordance with AS 2890.1-2004: Parking facilities, Part 1: Off-street car parking. Plans are to include the following items:

- a) pavement description;
- b) existing and design levels;
- c) longitudinal section from the road centreline to the car space(s);
- d) typical cross sections;

NOTE: The plans must be in compliance with Council's current "Northern Rivers Local Government Development Design & Construction Manuals and Standard Drawings".

9. Erosion and Sedimentation Control Plan

The plans and specifications to accompany the construction certificate application are to include a sediment and erosion control plan to indicate the measures to be employed to control erosion and loss of sediment from the site. The sediment and erosion control plan is to be designed in accordance with the requirements of the *NSW Department of Housing Manual (1989), Managing Urban Stormwater, Soils and Construction*.

A suitably experienced person must prepare the sediment and erosion control plan. Suitably experienced people include those certified by:

- The Institution of Engineers, Australia, for engineering and hydrology matters.
- The International Erosion Control Association for soil conservation matters.
- The Australian Society of Soil Science for collection or analysis of soil data.

The plan must incorporate (without being limited to) information on general site management, material handling practices, soil stabilisation, water control, sediment control, wind erosion control and access measures.

10. Traffic Control Plan

The plans and specifications to accompany the construction certificate application are to include a traffic control plan to indicate the measures to be employed to control traffic during construction of the subdivision. The traffic control plan is to be designed in accordance with the requirements of the Roads and Traffic Authority's Manual (1998), *Traffic Control at Work Sites*, and Australian Standard 1742.3 - 1985, *Manual of Uniform Traffic Control Devices Part 3, 'Traffic Control Devices for Works on Roads'*.

The traffic control plan must be prepared by a suitably qualified and RTA accredited Work Site Traffic Controller.

11. Bond required to guarantee against damage to public land

A bond of \$5000 is to be paid to Council as guarantee against damage to surrounding public land and infrastructure during construction of the proposed development. Evidence is to be provided to Council indicating the pre development condition of the surrounding public land and infrastructure. Such evidence must include photographs. The proponent will be held responsible for the repair of any damage to roads, kerb and gutters, footpaths, driveway crossovers or other assets.

Such bond will be held until Council is satisfied that the infrastructure is maintained/repaired to pre development conditions and that no further work is to be carried out that may result in damage to Council's roads, footpaths etc. As a minimum Bond to be held by Council through out Stages 1 and 2.

12. Developer Contributions to be paid

Contributions set out in the schedule below are to be paid to Council prior to the release of a subdivision certificate for the creation of the vacant strata lot. Contributions are levied in accordance with the Byron Shire Developer Contributions Plan 2012 (as amended). The Plan may be viewed on line at <http://www.byron.nsw.gov.au/> or during office hours at the Council Offices located at Station Street, Mullumbimby. These contributions are to fund public amenities and services as listed in the schedule. Additional details on the specific amenities are to be found in the Byron Shire Developer Contributions Plan 2012 (as amended).

The contributions in the schedule are current at the date of this consent. The contributions payable will be adjusted in accordance with the relevant plan and **the amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment.** The schedule contains a date for which the schedule remains valid, after this date you will have to contact Council for an updated schedule.

PAYMENTS WILL ONLY BE ACCEPTED BY CASH OR BANK CHEQUE.

The following conditions must be complied with prior to commencement of Stage 1 subdivision works

13. Written Notification

Written notification of intention to commence works must be forwarded to the Council seven (7) days prior to work commencing. Notification is to include contact details of the supervising engineer and site contractor.

14. Public Liability Insurance

The developer and/or contractor must produce evidence to the Principal Certifying Authority of public liability insurance cover for a minimum of \$10 million. Council is to be nominated as an interested party on the policy. Public liability insurance to remain in place throughout Stages 1 and 2.

15. Erosion and sediment measures

Erosion and sedimentation controls are to be in place in accordance with the approved Erosion and Sediment Control Plan.

Additionally the enclosed sign, to promote the awareness of the importance of maintenance of sediment and erosion controls, is to be clearly displayed on the most prominent sediment fence or erosion control device for the duration of the project. No soil or fill material is to be placed within the dripline of a tree so as to cause changes in surface level by more than 50mm from the existing level and such soil is not to be compacted. Such soil fill must not be finer than that being covered in situ, e.g. clay must not be placed over loam soil.

Note: Council may impose on-the-spot fines for non-compliance with this condition.

The following conditions must be complied with during construction of Stage 1 subdivision works

16. Construction noise

Construction noise is to be limited as follows:

- a) For construction periods of four (4) weeks and under, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).
- b) For construction periods greater than four (4) weeks and not exceeding twenty-six (26) weeks, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

17. Public safety requirements

All care is to be taken to ensure the safety of the public in general, road users, pedestrians and adjoining property. Council is not held responsible for any negligence caused by the undertaking of the works.

18. Council Specification

All works to be constructed to at least the minimum requirements of the "Northern Rivers Local Government Design and Construction Manual"

19. Approved Plans to remain on site

A copy of the approved Construction Certificate including plans, details and specifications must remain at the site at all times during the construction of the subdivision.

The following conditions must be complied with prior to the commencement of Stage 2

20. Completion of All Works

All of the works indicated on the plans and approved as part of Stage 1 by this consent, including any other consents that are necessary for the completion of this development, are to be completed and approved by the relevant consent authority/s prior to any building or construction works commencing for Stage 2.

STAGE 2 – 3 DWELLINGS

The following conditions are to be complied with prior to issue of a Construction Certificate for building works

21. Building materials and colours to be specified

The application for a Construction Certificate is to include plans and specifications that indicate the proposed building materials, finishes and colours consistent with the provisions of Section C1.4.5 of Council's Development Control Plan 2014. These plans and specifications should include colours and finishes which is harmonious with the aesthetic character of the Mullumbimby Conservation Area. The information contained in the Byron DCP 2014 – Appendix C1.3 may assist with colour selection.

Such plans and specifications must be approved as part of the Construction Certificate.

22. Privacy controls. Amendment to the plan required

The elevated verandah, deck on the east elevation of Proposed Unit 3 has the potential to reduce the level of privacy enjoyed by the occupants of the adjoining dwelling to the east.

The plans submitted for approval of the Construction Certificate must be amended to include a privacy screen constructed on the eastern end of the verandah.

The screen could be constructed from lattice, vertical slats or other similar non-transparent screenings. Where slats are used they are to be angled to ensure the line of sight is directed away from the adjoining dwelling. The screen must be a minimum of 1.8m high.

Such plans are to be approved as part of the Construction Certificate.

23. Site boundary fencing

The plans submitted for approval of the Construction Certificate must be amended to include the provision of appropriate fencing along the current site boundary. Such fencing is not to detract from the heritage conservation area and to be in accordance with C1.4.7 of Byron Shire Development Control Plan 2014 (DCP 2014).

The application for a Construction Certificate is to include plans and specifications that indicate details of the site boundary fencing. Adequate provision must be made for drainage.

Such plans and specifications must be approved as part of the Construction Certificate.

24. Long Service Levy to be paid

A Long Service Levy must be paid to the Long Service Payments Corporation. This amount payable is based on the cost of the work. These payments may be made at Council's Administration Office, Station Street, Mullumbimby. Cheques are to be made payable to 'Byron Shire Council'.

25. Site Waste Minimisation and Management Plan

Chapter B8 of Byron Shire Development Control Plan 2014 (DCP 2014) aims to facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development. Prior to the issue of a Construction Certificate, a Site Waste Minimisation and Management Plan (SWMMP) must be submitted outlining measures to minimise and manage waste generated during demolition, construction and the ongoing operation and use of the development. The SWMMP must specify the proposed method of recycling or disposal and the waste management service provider.

A template is provided on Council's website to assist in providing this information www.byron.nsw.gov.au/files/publication/swmmp-pro-forma.doc

26. Water and Sewerage - Section 68 approval required

An **Approval** under Section 68 of the Local Government Act 1993 to carry out water supply work and sewerage work must be obtained.

27. Compliance required with Building Over Pipelines Policy

In all new subdivisions and/or developments an easement shall be provided for all pipelines including gravity sewer mains per Clause 3.4 of the Policy 4.20. Pursuant to Section 88B of the Conveyancing Act, 1919 an Instrument shall be prepared for each lot with creation of easement.

Swimming pools are classed as buildings and are required to comply with this policy.

The use of displacement and screw pile construction methods will require approval by Council.

Any brick / masonry fence crossing a sewer main must be supported over the sewer main will require approval by Council.

28. Certificate of Compliance – Water Management Act 2000

A Certificate of Compliance will be issued upon payment of developer charges for water and sewer as calculated in accordance with Byron Shire Council and Rous Water Development Servicing Plans.

Byron Shire Council acts as Rous Water's agent in this matter and will issue a Certificate of Compliance on behalf of Rous Water upon payment of the Rous Water Development Servicing Charge to this Council.

Note: Copies of the application forms for Certificates of Compliance are available on Council's website

http://www.byron.nsw.gov.au/files/Forms/Section_305_Certificate.pdf or from

BYRON SHIRE COUNCIL

Council's Administration Office. Copies of Byron Shire Council's Development Servicing Plans are available at Council's Administration Office.

Developer charges will be calculated in accordance with the Development Servicing Plan applicable at the date of payment. A check must be made with Council to ascertain the current rates by contacting Council's Principal Engineer Systems Planning, Water on 02 6626 7081. Applicable charges can be found on Council's website: <http://www.byron.nsw.gov.au/development-contributions-plans-section-94-and-64>

The contributions payable will be adjusted in accordance with relevant plan and the amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment.

Payment by Personal or Company Cheque will not be Accepted

29. Developer Contributions to be paid

Contributions set out in the schedule at the end of this consent are to be paid to Council prior to the release of a construction certificate. Contributions are levied in accordance with the Byron Shire Developer Contributions Plan 2012 (as amended). These contributions may be paid on a proportional basis based on the number of dwellings applied for in the construction certificate.

The Plan may be viewed on line at <http://www.byron.nsw.gov.au/> or during office hours at the Council Offices located at Station Street, Mullumbimby. These contributions are to fund public amenities and services as listed in the schedule. Additional details on the specific amenities are to be found in the Byron Shire Developer Contributions Plan 2012 (as amended).

The contributions in the schedule are current at the date of this consent. The contributions payable will be adjusted in accordance with the relevant plan and **the amount payable will be calculated on the basis of the contribution rates that are applicable at the time of payment.** The schedule contains a date for which the schedule remains valid, after this date you will have to contact Council for an updated schedule.

PAYMENTS WILL ONLY BE ACCEPTED BY CASH OR BANK CHEQUE.

30. Sediment and Erosion Control Management Plan required

The application for a Construction Certificate is to include plans and specifications that indicate the measures to be employed to control erosion and loss of sediment from the site. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices such as catch drains, energy dissipaters, level spreaders and sediment control devices such as filter fences and sedimentation basins.

Such plans and specifications must be approved as part of the Construction Certificate.

NOTE: The plans must be in compliance with Council's current "Northern Rivers Local Government Development Design & Construction Manuals and Standard Drawings".

31. On-site stormwater detention - Section 68 approval required

An approval under Section 68 of the Local Government Act 1993 to carry out on-site detention drainage system and connection to a Council approved drainage system.

The plans must be in compliance with the Northern Rivers Local Government Development Design and Construction Manuals, Byron Shire Council Comprehensive Guidelines for Stormwater Management and relevant Australian Standards. Refer to Council's website for copies of Council documents.

32. Car parking layout, vehicle circulation and access plans required.

The application for a Construction Certificate is to include plans and specification that indicate access, parking and manoeuvring details in accordance with the plans approved by this consent.

The access, parking and manoeuvring for the site is to comply with the requirements of Council's Development Control Plan 2014, AS 2890.1-2004: Parking facilities, Part 1: Off-street car parking and AS 2890.2 – 2010 - Parking facilities, Part 2: Off-street commercial vehicle facilities. Plans are to include, but not be limited to, the following items:

- a) 1 visitor car park;
- b) pavement description;
- c) existing and design levels;
- d) longitudinal section from the road centreline to the car space(s);
- e) cross sections every 15 metres;
- f) drainage (pipes, pits, on-site detention, etc.);
- g) turning paths;
- h) linemarking and signage.

The engineering plans and specifications are to be designed by a qualified practising Civil Engineer. The Civil Engineer is to be a corporate member of the Institution of Engineers Australia or is to be eligible to become a corporate member and have appropriate experience and competence in the related field.

Such plans and specifications must be approved as part of the Construction Certificate.

NOTE: The plans must be in compliance with Council's current "Northern Rivers Local Government Development Design & Construction Manuals and Standard Drawings".

33. Flood Planning Level for new buildings

The flood planning level for this development is 5.45m A.H.D. The plans and specifications to accompany the construction certificate application are to indicate a minimum habitable floor level that is at or above the flood planning level. The plans and specifications to accompany the construction certificate application are to also indicate a minimum floor level of 4.8m A.H.D for non-habitable building or room (eg. Shed, carport, garage, laundry, shelter, etc.).

The plans and specifications to accompany the construction certificate application are also to indicate the use of flood compatible materials and services below the flood planning level in accordance with the requirements of

ATTACHMENT 2

Council's Development Control Plan 2014 – Chapter C2 – Areas Affected by Flood.

34. Compliance with BASIX Certificate requirements

The development is to comply with BASIX Certificate N° 767429M for Multi Dwelling development, dated 13 October 2016.

The commitments indicated in the Certificate are to be indicated on the plans submitted for approval of the Construction Certificate.

Note that the plans submitted must clearly indicate all windows numbered or identified in a manner that is consistent with the identification on the BASIX Certificate.

Minor changes to the energy efficiency measures may be undertaken without the issue of any amendment under Section 96 of the Act, provided that the changes do not affect the form, shape or size of the building.

Proposed colours must be consistent with the provisions of Section D2.2.3 of Council's Development Control Plan 2014. Note that white colours are not permissible.

Such plans and specifications must be approved as part of the Construction Certificate.

35 Landscaping plan required

The application for a Construction Certificate is to include plans and specifications that indicate the landscaping of the site. Such landscaping plan must incorporate adequate detail to demonstrate compliance with the provisions of Chapter B9 of Development Control Plan 2014. Species identified in Chapter B9 of Development Control Plan 2014 are to be planted wherever possible. The landscaping plan must indicate:

- a) proposed location for planted shrubs and trees
- b) botanical name of shrubs and trees to be planted
- c) mature height of trees to be planted
- d) location of grassed and paved areas, and
- e) location of trees identified for retention in the development application plans.
- f) The plan is to be prepared by a suitably qualified landscape architect / architect / ecologist who has appropriate experience and competence in landscaping.

Such plans and specifications must be approved as part of the Construction Certificate.

The following conditions are to be complied with prior to any building or construction works commencing

36 Public safety requirements

All care is to be taken to ensure the safety of the public in general, road users, pedestrians and adjoining property. The public liability insurance cover, for a minimum of \$10 million, is to be maintained for the duration of the construction

of the development. Council is not held responsible for any negligence caused by the undertaking of the works.

37 Erosion and Sediment Control Management Plan required

Erosion and sedimentation controls are to be in place in accordance with the approved Erosion and Sediment Control Plan.

Sediment and erosion control measures in accordance with the approved Erosion and Sedimentation Control plan/s must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

Any such measures that are deemed to be necessary because of the local conditions must be maintained at all times until the site is made stable (i.e. by permanent vegetation cover or hard surface).

Note: Council may impose on-the-spot fines for non-compliance with this condition.

38 Plumbing Standards and requirements.

All Plumbing, Water Supply, Sewerage and Stormwater Works shall be installed in accordance with the Local Government Act 1993, Plumbers Code of Australia and AS/NZS 3500 Parts 0-5, the approved plans (any notations on those plans) and the approved specifications. The changes made are from Plumbers and Drainage Regulation 2012 NSW Government.

- a) The licensee is to provide 24 hours notice and attend the site for the following **INSPECTIONS**, prior to covering of work. Inspections will be carried out a mutually convenient time:
 - i) Pre-start and Sediment Control;
 - ii) Internal Drainage;
 - iii) External Drainage;
 - iv) Water Rough In;
 - v) Fire Services;
 - vi) Stackwork;
 - vii) Final - all work completed. - * Note below.
- b) A licensee is required to provide to Council and owner of the property after completion of the work and within 48 hours, **a Compliance Certificate and Sewer Services Diagram/ Works as Executed drawings.**

Note: Council will send each plumber proformas of these documents when the Notice of Work permit has been issued by Council to allow the plumber to commence work.

The following conditions are to be complied with during construction

39 Stormwater drainage work

Stormwater shall be collected and disposed of in a controlled manner. The point of disposal shall be to the Byron Street open drain system. Drainage lines within the road reserve must be sewer class or other approved equivalent. All drainage works are to be installed by a suitably qualified person and in accordance with the requirements of AS/NZS 3500.3:2003 - Plumbing and drainage, Part 3: Stormwater drainage.

40 Construction times

Construction works must not unreasonably interfere with the amenity of the neighbourhood. In particular construction noise, when audible on adjoining residential premises, can only occur:

- a. Monday to Friday, from 7 am to 6 pm.
- b. Saturday, from 8 am to 1 pm.
- c. No construction work to take place on Sundays or Public Holidays.

41 Construction noise

Construction noise is to be limited as follows:

- a. For construction periods of four (4) weeks and under, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).
- b. For construction periods greater than four (4) weeks and not exceeding twenty six (26) weeks, the L10 noise level measured over a period of not less than fifteen (15) minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

42 Builders rubbish to be contained on site

All builders rubbish is to be contained on the site in a 'Builders Skips' or an enclosure. Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.

43 Maintenance of sediment and erosion control measures

Sediment and erosion control measures must be maintained at all times until the site has been stabilised by permanent vegetation cover or hard surface.

44 Prevention of water pollution

Only clean and unpolluted water is to be discharged to Council's stormwater drainage system or any watercourse to ensure compliance with the Protection of Environment Operations Act.

The following conditions are to be complied with prior to occupation of the building

45 Works to be completed prior to issue of a Final Occupation Certificate

All of the works indicated on the plans and approved by this consent, including any other consents that are necessary for the completion of this development, are to be completed and approved by the relevant consent authority/s prior to the issue of a Final Occupation Certificate.

Any Security bond paid for this application will be held until Council is satisfied that no further works are to be carried out that may result in damage to Council's road/footpath reserve.

46 Floor Levels – Certification for Flooding

Prior to the issue of an Occupation Certificate, a certificate from a registered surveyor must be submitted to the Principle Certifying Authority confirming the height of habitable and non-habitable floors. An Occupation Certificate must not be issued unless the floor levels are at or above the relevant flood planning levels.

47 Water service and meter to be connected to each dwelling

A water service and water meter must be connected to all residential dwellings in the development using an approved backflow prevention device. It is the applicant's responsibility to engage a licensed plumber who shall liaise with council during this process.

Any new water service and meter will be at the applicants cost.

STAGE 3 – STRATA SUBDIVISION OF 3 DWELLINGS

The following conditions must be complied with prior to issue of a Subdivision Certificate

48 Subdivision Certificate application required

An application for a Strata Subdivision Certificate must be made on the approved form. The Subdivision Certificate fees, in accordance with Council's adopted schedule of fees and charges, must accompany such application.

NOTE: The application must address ALL those conditions of consent required to be complied with "Prior to the issue of a subdivision Certificate" with a clear explanation how that condition has been complied with, together with supplying ALL the relevant information/documents/certificate and/or plans that is required by that condition.

The application MUST be one complete, concise package, addressing all those conditions. Failure to provide the abovementioned information in one package, will likely result in the application being refused/rejected and returned to you.

49 Plan of Subdivision

The final plan of subdivision must be in accordance with the approved plan/s. A Deposited Plan Administration Sheet (original plus one (1) copy), two (2) copies of the plan of subdivision and any necessary section 88B instrument (original plus one (1) copy) are to be submitted with the application for a subdivision certificate. An additional copy of the final plan of subdivision is to be submitted showing the location of all buildings and/or other permanent improvements including any fences, internal access driveways/roads and where relevant, the 1 in 100 year flood and flood planning level extents on land within or adjacent to a flood planning area. Where the building/s or improvements are close to boundaries, offset distances are to be included on the additional copy of the plan. This plan must be endorsed by a Registered Surveyor. Any encroachments over new boundaries or on the road reserve must be removed or relocated wholly within the allotment.

50 Section 88B Instrument

A Section 88B Instrument and one (1) copy are to be submitted with the application for a subdivision certificate. The final plan of subdivision and accompanying Section 88B Instrument are to provide for:

a) Inter-allotment Drainage Easements

The creation of easements for drainage of water, with a minimum width of 1.5 metres, over all inter-allotment drainage pipelines and structures located within the proposed allotments.

b) Sewer Easements

The creation of easements for drainage of sewage over all sewage pipelines and structures located within the proposed allotments in accordance with Council's policy.

c) Rights of Carriageway

The creation of suitable rights of carriageway over the access to proposed Lots 2, 3, 4 & 5

d) Easement for Services

The creation of suitable easements for services for proposed Lots 2, 3, 4 & 5

51 Completion of All Works

All roads, drainage and civil works, required by this development consent and Construction Certificate, are to be completed.

52 CCTV Inspection and Report

CCTV inspection shall be undertaken on all completed underground pipe systems, **including minor sewer main extensions**, in accordance with Council's specification, currently DEVELOPMENT CONSTRUCTION SPECIFICATION, C402 - SEWERAGE SYSTEM (http://www.lismore.nsw.gov.au/cp_themes/default/page.asp?p=DOC-IMY-18-62-12). Both a hardcopy and electronic copy of the report (submitted in CD or DVD medium in a format suitable to Council) of the CCTV inspection shall be provided to Council for consideration prior to the release of the Subdivision Certificate, Occupation Certificate, Final Inspection for Section 68 Approvals, "Off-maintenance" or Release of Security Bond.

53 Certificate for services within easements and/or common property

The submission of a certificate from a registered surveyor certifying that all pipelines, structures, access driveways and/or services are located wholly within the relevant easements.

54 Electricity Supply Certificate

Written evidence from an electricity supply authority is to be submitted with the application for a subdivision certificate stating that satisfactory arrangements have been made for the provision of electricity supply throughout the subdivision.

55 Telephone Supply Certificate

Written evidence from a telecommunications provider is to be submitted with the application for a subdivision certificate stating that satisfactory arrangements have been made for the provision of telephone supply throughout the subdivision.

56 Geotechnical Report (Lot Classification)

A certificate from a practicing Geotechnical Engineer must be provided in conjunction with a Lot Classification Report prepared in accordance with Australian Standard AS2870.1. Such certificate must certify that all vacant allotments have a building site of adequate size and shape on each lot that is not subject to slip or subsidence.

57 Maintenance Bond

A maintenance bond of 5% (**minimum bond amount of \$1,000.00**) of the value of the works constructed is to be lodged with Council. A copy of the contract construction cost of the subdivision works is to be submitted with the bond. The maintenance period is 6 months in accordance with Council's current Design & Construction Manuals and will commence from the date of issue of the **Subdivision Certificate**. The security may be provided, at the applicant's choice, by way of cash bond or a satisfactory bank guarantee. An application in writing for the release of the bond must be made at the satisfactory completion of the maintenance period.

Notes

Construction Certificate required:

This development consent is issued under the Environmental Planning and Assessment Act 1979 and does not relate to structural aspects or specifications of the building under the Building Code of Australia. All buildings and alterations require the issue of a Construction Certificate prior to works commencing. Application forms are available from the customer services counter or Council's website www.byron.nsw.gov.au

Occupation Certificate required:

The buildings must not be occupied until the Principal Certifying Authority has issued an Occupation Certificate.

Principal Certifying Authority:

Work must not commence until the applicant has:-

- Appointed a Principal Certifying Authority (if the Council is not the PCA); and
- Given the Council at least two days notice of their intention to commence the erection of the building. Notice must be given by using the prescribed 'Form 7'.
- Notified the Principal Certifying Authority of the Compliance with Part 6 of the Home Building Act 1989.

Protection of the Environment Operations Act 1997:

It is an offence under the provisions of the Protection of the Environment Operations Act 1997 to act in a manner causing, or likely to cause, harm to the environment. Anyone allowing material to enter a waterway or leaving material where it can be washed off-site may be subject to a penalty infringement notice ("on-the-spot fine") or prosecution.

Penalties apply for failure to comply with development consents

Failure to comply with conditions of development consent may lead to an on the spot fine (generally \$600) being issued pursuant to section 127A of the Environmental Planning and Assessment Act 1979 or prosecution pursuant to section 125 of Environmental Planning and Assessment Act 1979.

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY ATTACHMENT 2

13.11 -

Section 94 Payments for Creation of Strata Allotment

Section 94 contributions Schedule for Mullumbimby Catchment						
This schedule was calculated in spreadsheet #E2015/28112						
1 bedroom units =		0	@	0.55 SDU	=	0
2 bedroom units =		0	@	0.75 SDU	=	0
3 bedroom units/dwellings =		0	@	1 SDU	=	0
Allotments =		2	@	1	=	2
Less Site Credits =		1	@	-1	=	-1
Total SDU					=	1
Schedule valid until		23/01/2017	After this date contact Council for CPI update.			
Local Open Space & Recreation	(OS-ML)	1.00	SDU @	\$ 12,184.18	=	\$ 12,184.18
LGA Wide Open Space & Recreation	(OS-SW)	1.00	SDU @	\$ 720.21	=	\$ 720.21
LGA wide Community Facilities	(CF-SW)	1.00	SDU @	\$ 1,054.83	=	\$ 1,054.83
Local Community Facilities	(CF-ML)	1.00	SDU @	\$ 207.41	=	\$ 207.41
Bikeways & Footpaths	(CW-ML)	1.00	SDU @	\$ 1,991.84	=	\$ 1,991.84
Shire Wide Bikeways & Footpaths	(CW-SW)	1.00	SDU @	\$ 77.37	=	\$ 77.37
Urban Roads	(R-ML)	1.00	SDU @	\$ 1,033.86	=	\$ 1,033.86
LGA Wide Roads	(R-SW)	1.00	SDU @	\$ 221.44	=	\$ 221.44
Rural Roads	#N/A	1.00	SDU @	\$ -	=	\$ -
Administration Levy	(OF-SW)	1.00	SDU @	\$ 1,089.38	=	\$ 1,089.38
Total					=	\$ 18,580.52

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY
ATTACHMENT 2

13.11 -

Section 94 Payments for Creation of Additional Units

Section 94 contributions Schedule for Mullumbimby Catchment						
This schedule was calculated in spreadsheet #E2015/28112						
1 bedroom units =		0	@	0.55 SDU	=	0
2 bedroom units =		0	@	0.75 SDU	=	0
3 bedroom units/dwellings =		3	@	1 SDU	=	3
Allotments =		0	@	1	=	0
Less Site Credits =		1	@	-1	=	-1
Total SDU					=	2
Schedule valid until		23/01/2017	After this date contact Council for CPI update.			
Local Open Space & Recreation	(OS-ML)	2.00	SDU @	\$ 12,184.18	=	\$ 24,368.36
LGA Wide Open Space & Recreation	(OS-SW)	2.00	SDU @	\$ 720.21	=	\$ 1,440.42
LGA wide Community Facilities	(CF-SW)	2.00	SDU @	\$ 1,054.83	=	\$ 2,109.66
Local Community Facilities	(CF-ML)	2.00	SDU @	\$ 207.41	=	\$ 414.82
Bikeways & Footpaths	(CW-ML)	2.00	SDU @	\$ 1,991.84	=	\$ 3,983.68
Shire Wide Bikeways & Footpaths	(CW-SW)	2.00	SDU @	\$ 77.37	=	\$ 154.74
Urban Roads	(R-ML)	2.00	SDU @	\$ 1,033.86	=	\$ 2,067.72
LGA Wide Roads	(R-SW)	2.00	SDU @	\$ 221.44	=	\$ 442.88
Rural Roads	#N/A	2.00	SDU @	\$ -	=	\$ -
Administration Levy	(OF-SW)	2.00	SDU @	\$ 1,089.38	=	\$ 2,178.76
Total					=	\$ 37,161.04

Water payments under the Water Management Act 2000

Charges will be calculated based on the additional water and sewerage load that the proposed development generates, shown in Equivalent Tenements (ET) by the following table:

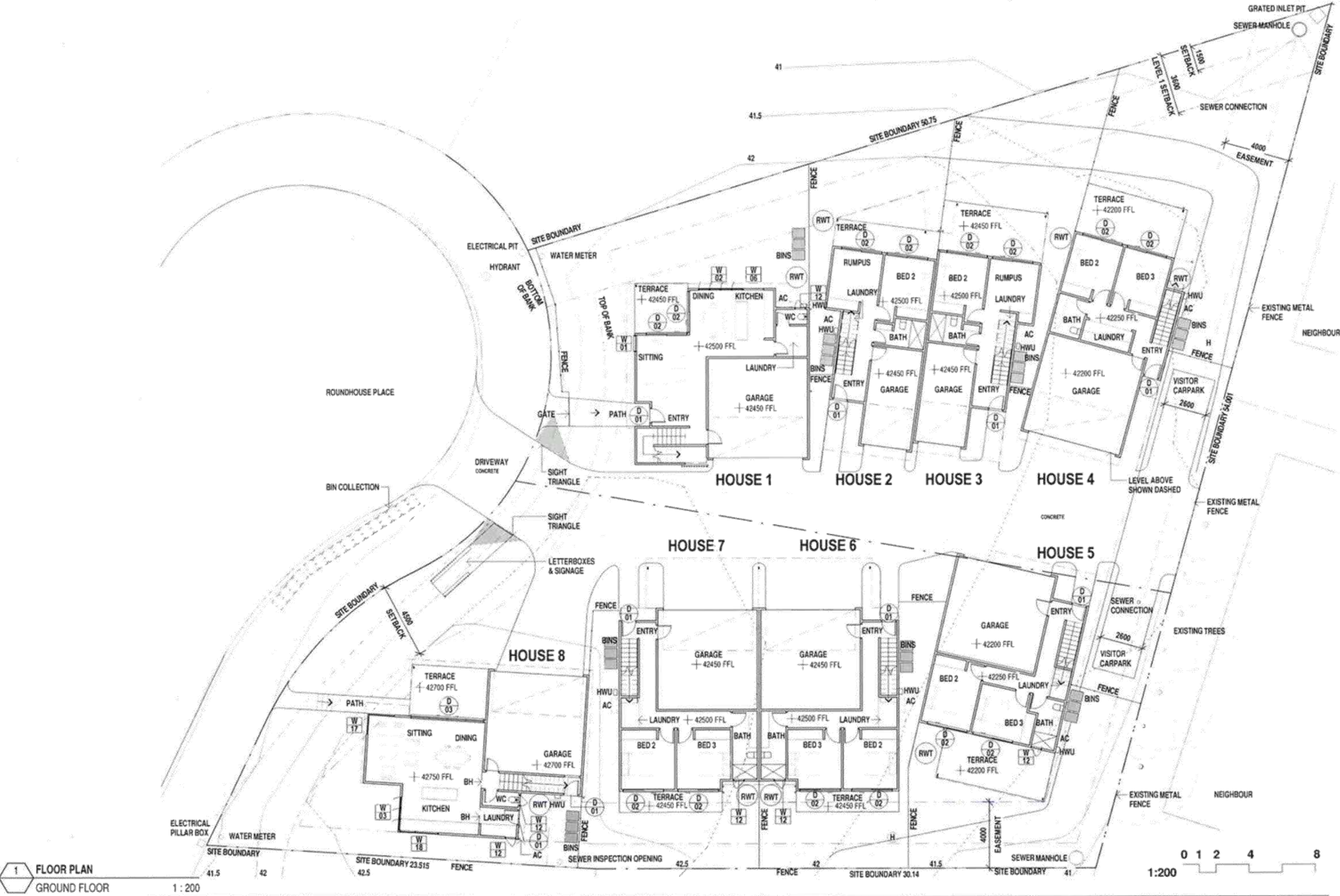
ADDITIONAL WATER & SEWER LOAD OF DEVELOPMENT **(ET Policy No:13/005)**

Water	2.2 ET
Sewer	3.0 ET

NB: Information regarding Development Servicing charges can be found on the Byron Shire Council website (<http://www.byron.nsw.gov.au/development-contributions-plans-section-94-and-64>). These charges will enable you to calculate the total contribution charges payable when you are ready to pay them. Developer charges will be calculated in accordance with the Development Servicing Plan applicable at the date of payment.

Reasons

- To comply with the provisions of Byron LEP 2014.
- To comply with the provisions of Byron DCP 2014.
- To ensure the development is completed in accordance with conditions of consent and approved plans.
- To protect the significance and setting of the Heritage Conservation Area
- To protect the environment.
- To preserve the environment and existing or likely future amenity of the neighbourhood.
- To ensure adequate access to and from the development.
- To ensure that appropriate landscaping is provided.
- To ensure adequacy of services.
- To ensure that the land or adjoining land is not damaged by the uncontrolled discharge of runoff from any buildings and paved areas that may be constructed on the land.
- To ensure compliance with engineering standards.
- To ensure public health and safety.
- To ensure compliance with Section 68 of the Local Government Act 1993.





1 FLOOR PLAN
LEVEL 1
1:200

PO Box 5981
West End QLD 4101
07 3844 0680
mail@marcandco.com.au



Preliminary
For information only
Not for construction

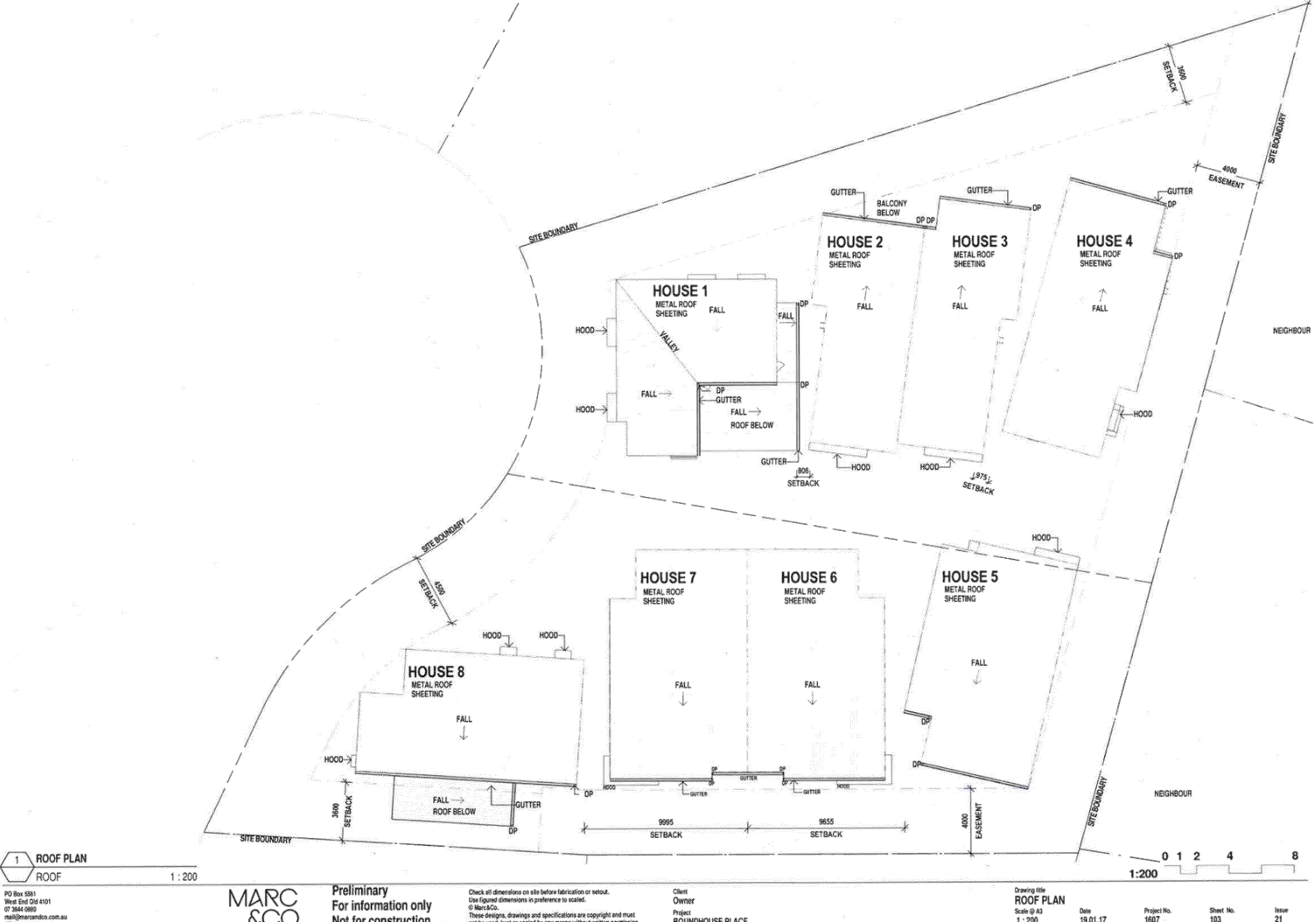
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Client
Owner
Project
BRIMMURREE DI APE



Drawing title
FLOOR PLAN - LEVEL 1
Scale @ A3
1:200

Date
10/01/17
Project No.
1607
Sheet No.
107
Issue
01





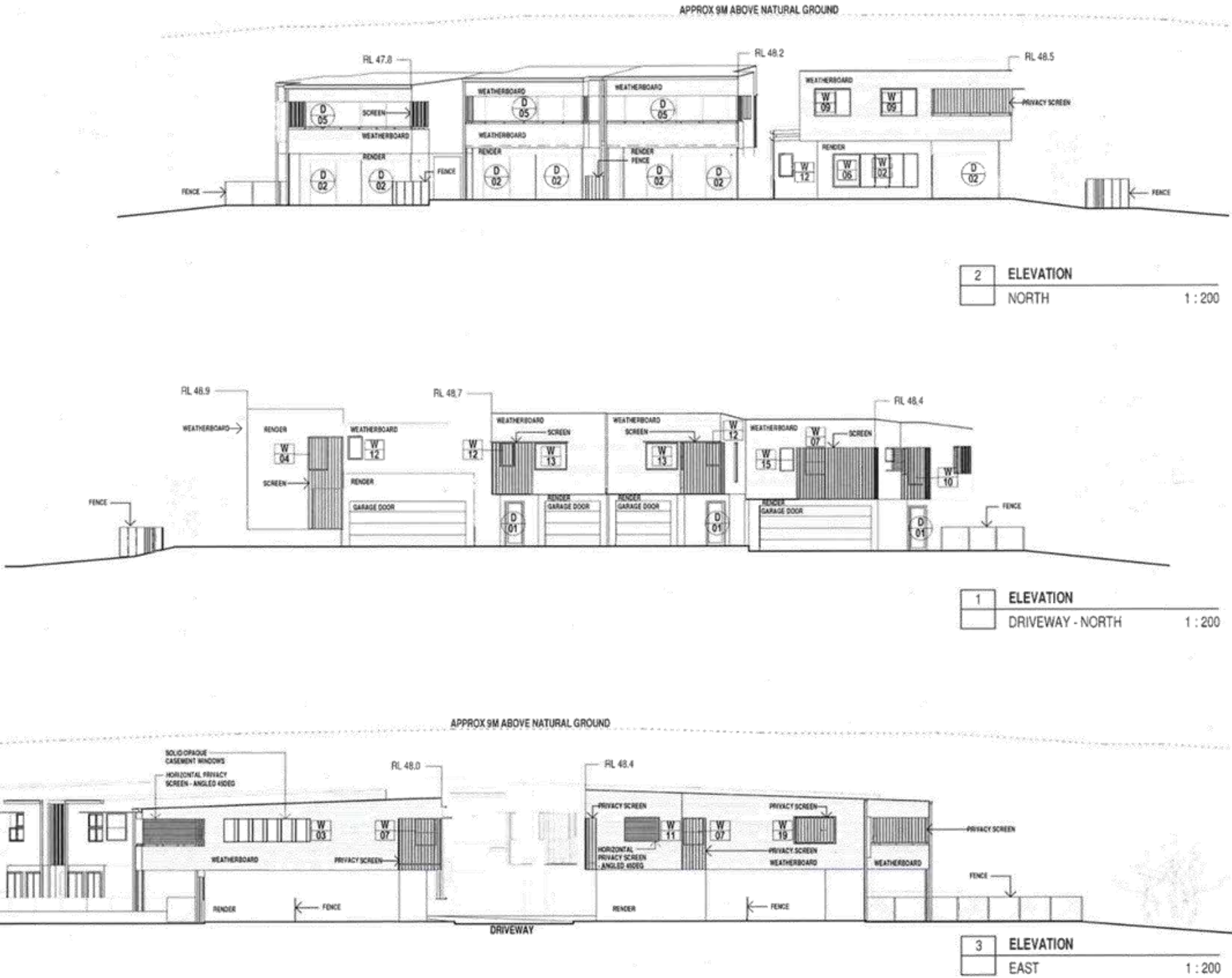
INTERNAL AREAS - GFA		EXTERNAL AREAS - GFA	
HOUSE NUMBER	AREA	HOUSE NUMBER	AREA
1	122 m ²	1	98 m ²
2	90 m ²	2	44 m ²
3	90 m ²	3	19 m ²
4	122 m ²	4	37 m ²
5	127 m ²	5	40 m ²
6	130 m ²	6	29 m ²
7	130 m ²	7	29 m ²
8	128 m ²	8	27 m ²
Total	975 m ²	Total	244 m ²

NOTE: GFA (GROSS FLOOR AREA) IS MEASURED TO THE INTERNAL FACE OF EXTERNAL WALLS, TO THE CENTRE OF SHARED SEPARATING WALLS, AND EXCLUDES CAR PARKING AS SHOWN.



DOOR SCHEDULE			
NO.	WIDTH	HEIGHT	DESCRIPTION
01	900	2100	PAINT FINISHED TIMBER FRAMED EXTERNAL GRADE SWING DOOR WITH GLASS INFILL PANEL
02	2470	2100	ALUMINIUM FRAMED XO SLIDING DOOR, CLEAR GLASS, INSECT SCREENS
03	4372	2100	ALUMINIUM FRAMED OXOXO SLIDING DOOR, CLEAR GLASS, INSECT SCREENS
04	2170	2100	ALUMINIUM FRAMED XO SLIDING DOOR, CLEAR GLASS, INSECT SCREENS
05	4852	2100	ALUMINIUM FRAMED OXOXO SLIDING DOOR, CLEAR GLASS, INSECT SCREENS
06	6302	2100	ALUMINIUM FRAMED OXOXOXO SLIDING DOOR, CLEAR GLASS, INSECT SCREENS
07	4372	2100	ALUMINIUM FRAMED OXOXO SLIDING DOOR, CLEAR GLASS, INSECT SCREENS
Grand total: 31			

WINDOW SCHEDULE			
NO.	WIDTH	HEIGHT	Description
01	1000	1840	ALUMINIUM FRAMED POWDERCOATED LOUVRE WINDOW, CLEAR GLASS, INSECT SCREENS
02	670	1560	PAINT FINISHED TIMBER FRAMED CASEMENT WINDOWS, SOLID LEAF
03	670	1090	PAINT FINISHED TIMBER FRAMED CASEMENT WINDOWS, SOLID LEAF
04	910	1560	ALUMINIUM FRAMED POWDERCOATED FIXED GLASS WINDOW, CLEAR GLASS
05	400	1860	ALUMINIUM FRAMED POWDERCOATED FIXED GLASS WINDOW, CLEAR GLASS
06	1270	1560	ALUMINIUM FRAMED POWDERCOATED FIXED GLASS WINDOW, CLEAR GLASS
07	970	1260	ALUMINIUM FRAMED POWDERCOATED DOUBLE HUNG WINDOW, BOTTOM SASH FIXED, BCA COMPLIANT, CLEAR GLASS, INSECT SCREENS
08	670	1860	ALUMINIUM FRAMED POWDERCOATED FIXED GLASS WINDOW, CLEAR GLASS
09	970	1260	ALUMINIUM FRAMED POWDERCOATED 2x SASHES, 1x 570W FIXED CLEAR GLASS + 1x 970W DOUBLE HUNG WINDOW, BOTTOM SASH FIXED, BCA COMPLIANT, CLEAR GLASS, INSECT SCREENS
10	970	1860	ALUMINIUM FRAMED POWDERCOATED FIXED GLASS WINDOW, CLEAR GLASS
11	1570	660	ALUMINIUM FRAMED POWDERCOATED FIXED GLASS WINDOW, CLEAR GLASS
12	670	1090	ALUMINIUM FRAMED POWDERCOATED CASEMENT WINDOW, CLEAR GLASS, INSECT SCREENS, PRIVACY FILM TO SUIT
13	1510	1260	ALUMINIUM FRAMED POWDERCOATED FIXED GLASS WINDOW, CLEAR GLASS
14	970	1260	ALUMINIUM FRAMED POWDERCOATED FIXED GLASS WINDOW, CLEAR GLASS
15	670	1090	ALUMINIUM FRAMED POWDERCOATED DOUBLE HUNG WINDOW, FROSTED GLASS BOTTOM, CLEAR GLASS TOP, INSECT SCREENS
16	1270	1090	ALUMINIUM FRAMED POWDERCOATED FIXED GLASS WINDOW, CLEAR GLASS
17	1630	1800	ALUMINIUM FRAMED POWDERCOATED CORNER WINDOW 2x SASHES, 1x 1630W FIXED CLEAR GLASS, 1x 1270W FIXED CLEAR GLASS
18	2324	1090	ALUMINIUM FRAMED POWDERCOATED 2x SASHES, 1x 900W FIXED CLEAR GLASS, 1x 1400W FIXED CLEAR GLASS
19	1860	1270	ALUMINIUM FRAMED XO SLIDING WINDOW, CLEAR GLASS
20	1270	660	ALUMINIUM FRAMED AWNING WINDOW, TRANSLUCENT GLASS, BCA COMPLIANT, INSECT SCREENS



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West End Qld 4101
07 3544 0660
mail@marcandco.com.au

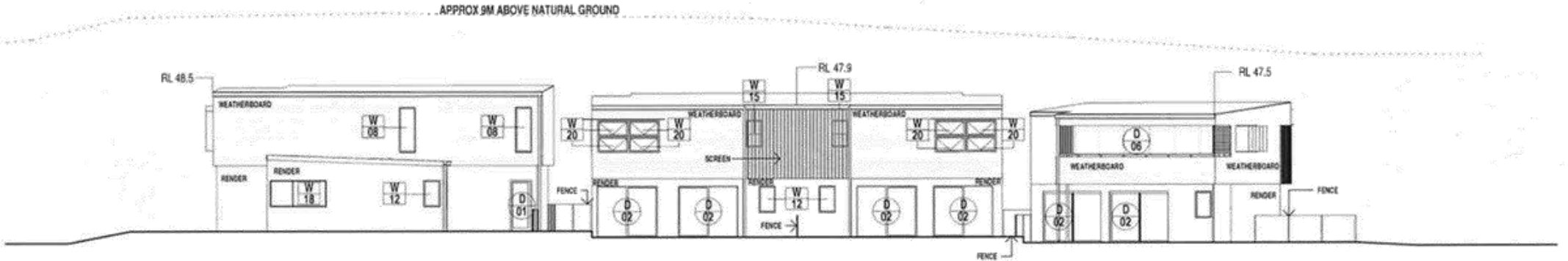
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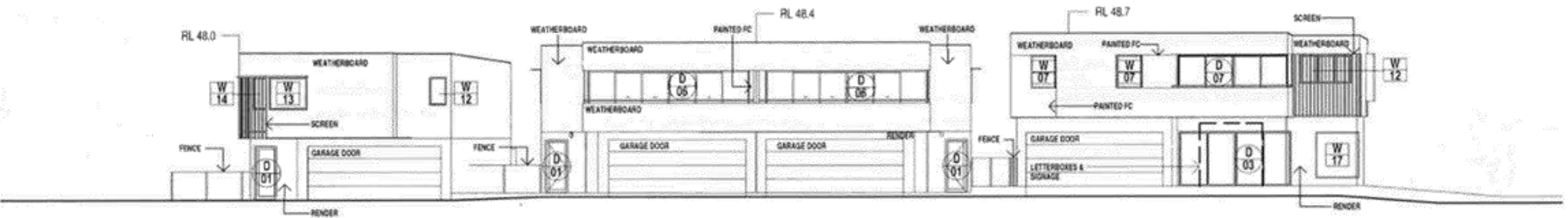
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Use figured dimensions in preference to scaled.
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Client
Owner
Project

Drawing title
ELEVATIONS
Scale @ A3
Date
Project No.
Sheet No.
Issue



1 ELEVATION
SOUTH 1:200



2 ELEVATION
DRIVEWAY - SOUTH 1:200



3 ELEVATION
WEST (STREET) 1:200

PO Box 5581
West End Qld 4101
07 3544 0860
mail@marcandco.com.au

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and
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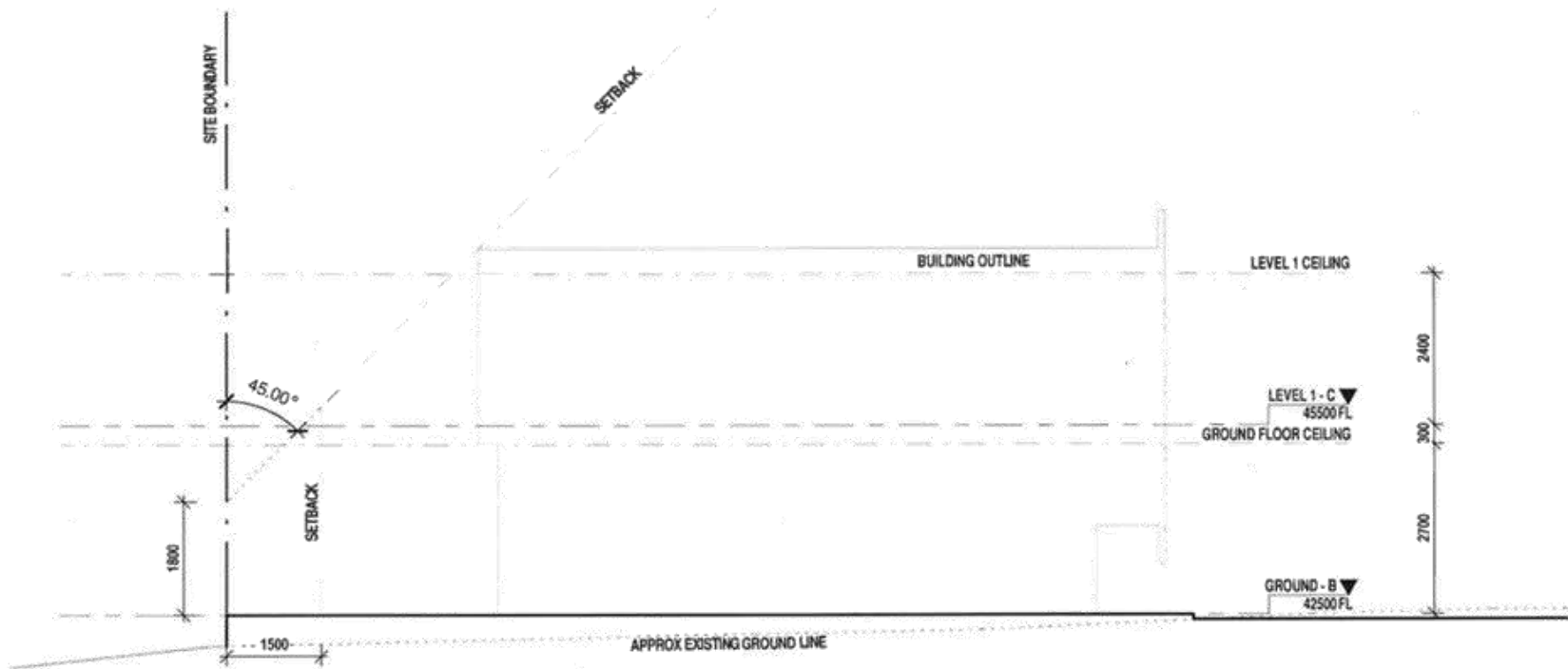
Preliminary
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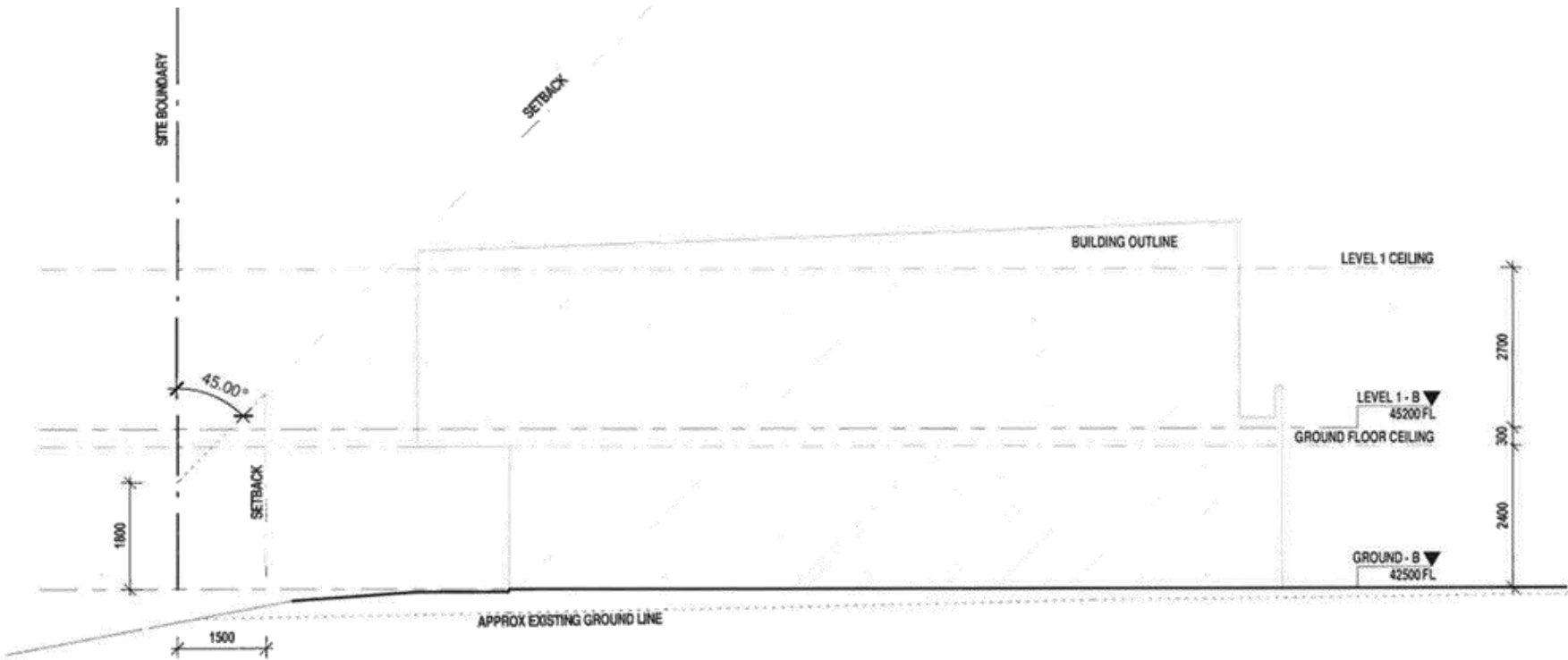
Client
Owner
Project

Drawing title
ELEVATIONS
Scale @ A3

Date Project No. Sheet No. Issue



1 SECTION
HOUSE 1 SETBACK
DIAGRAM1
1 : 100



3 SECTION
HOUSE 2 SETBACK
DIAGRAM
1 : 100

PO Box 5581
West End Qld 4101
07 3444 0860
mail@marcandco.com.au

MARC
and
co

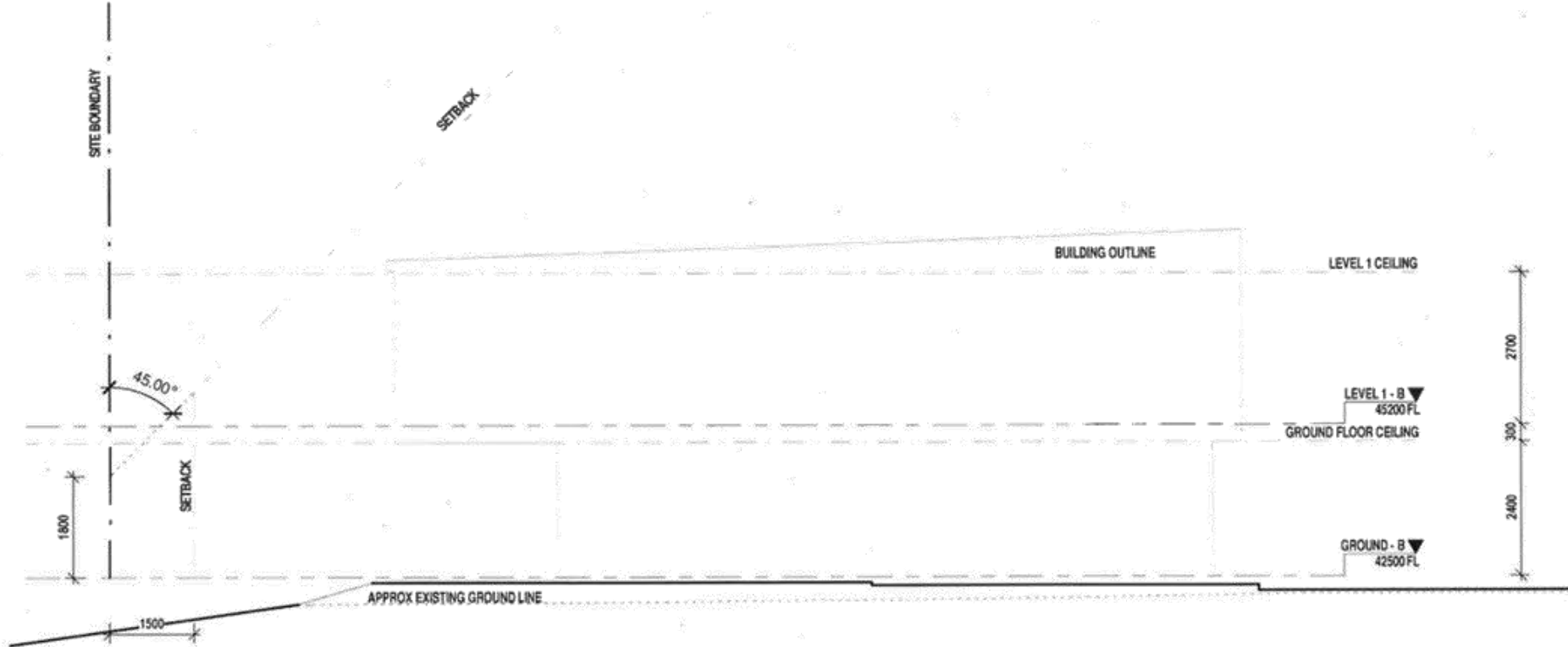
Preliminary
For information only

Check all dimensions on site before fabrication or setout.
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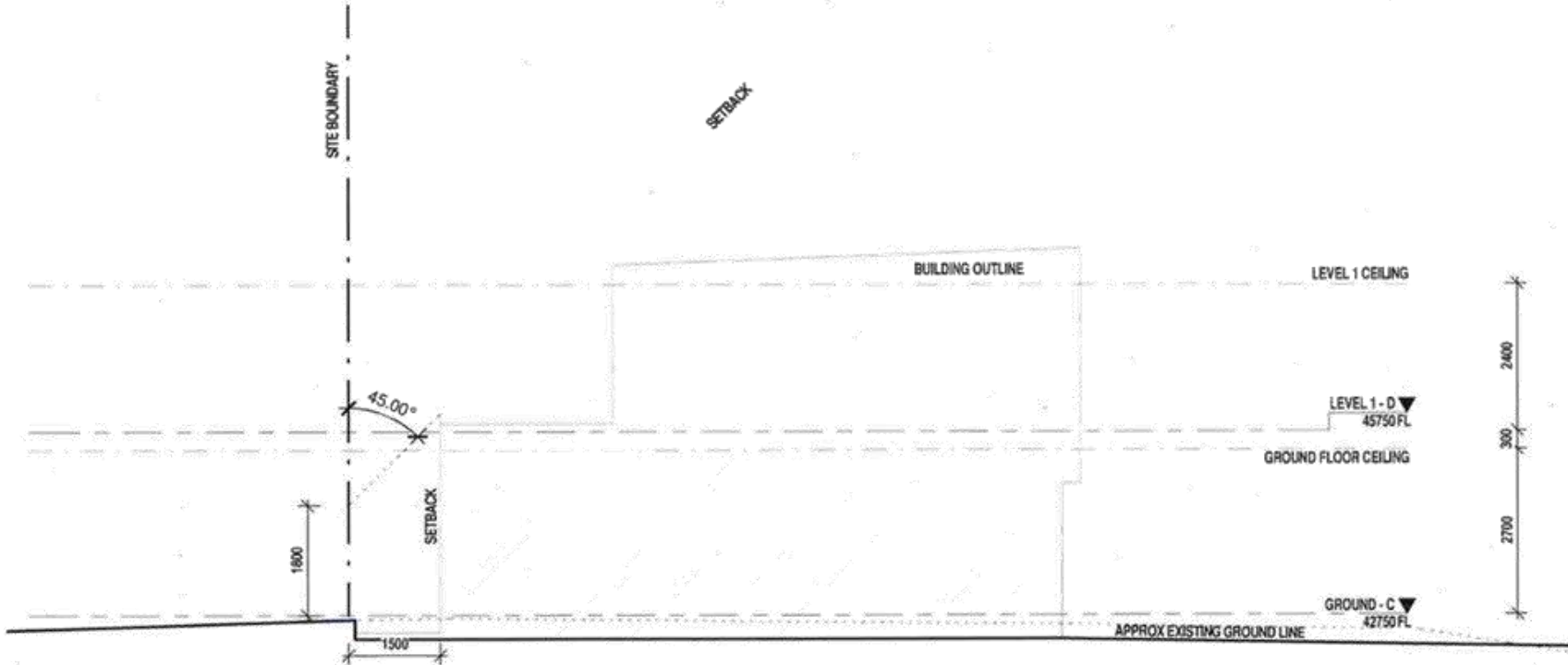
Client
Owner
Project

Drawing title
SECTIONS - SETBACK DIAGRAMS
Scale @ A3

Date Project No. Sheet No. Issue



1 SECTION
HOUSE 3 SETBACK
DIAGRAM
1:100



2 SECTION
HOUSE 8 SETBACK
DIAGRAM
1:100

PO Box 5561
West End Qld 4101
07 3644 0880
mail@marcoandco.com.au

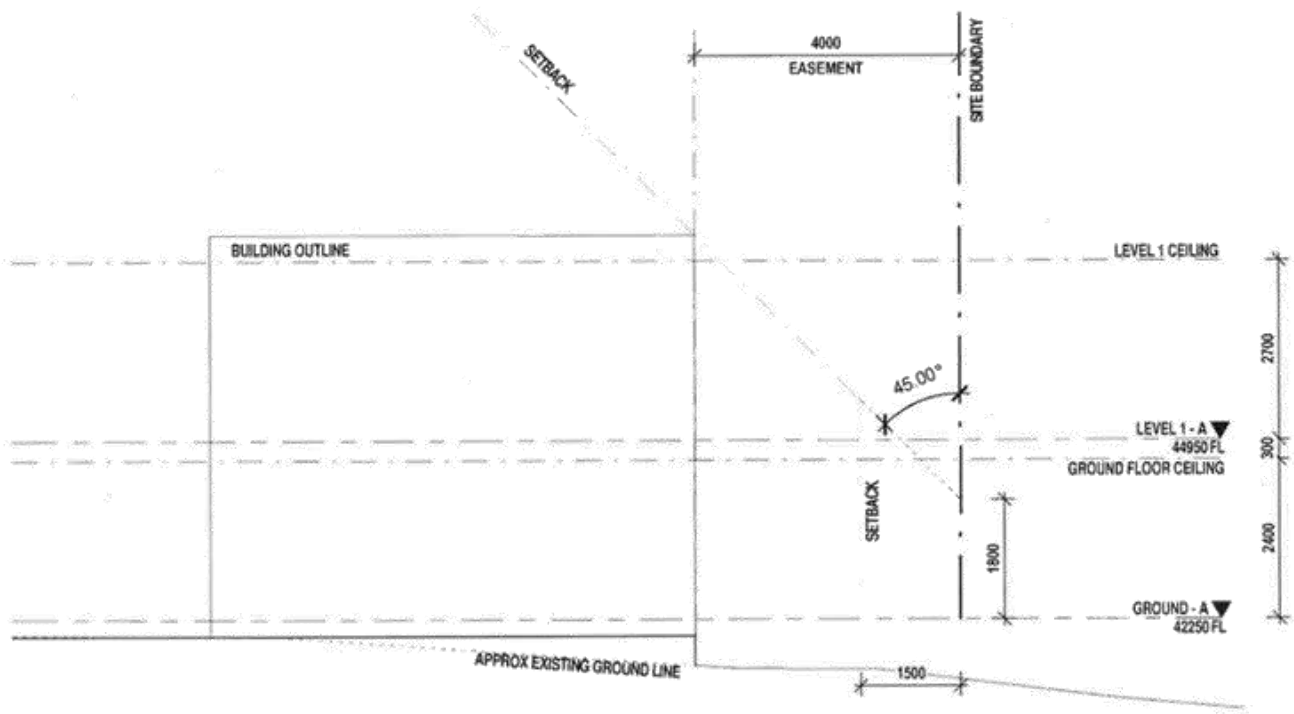
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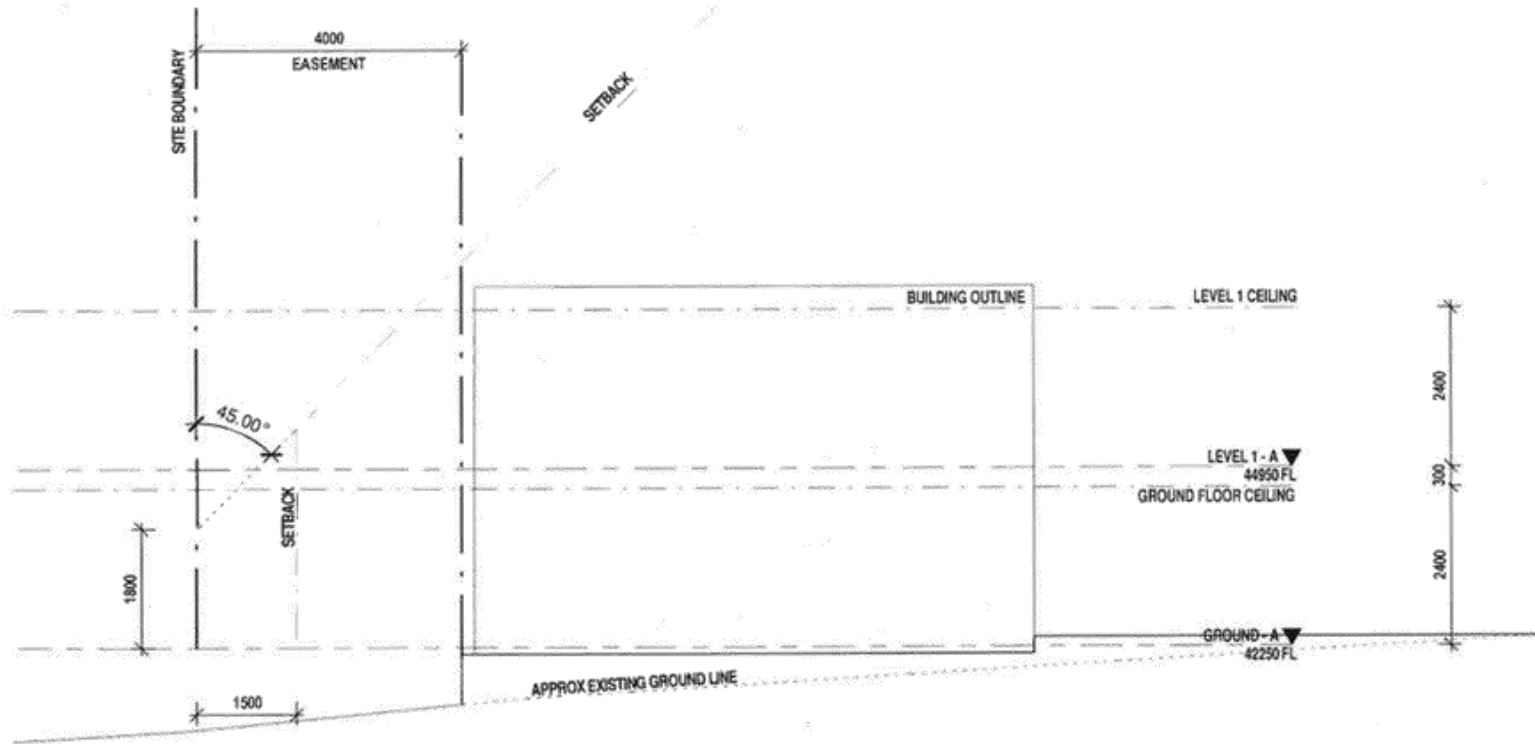
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Project

Drawing title
SECTIONS - SETBACK DIAGRAMS
Scale @ A3 Date Project No. Sheet No. Issue



1 SECTION
HOUSE 4 SETBACK
DIAGRAM
1 : 100



2 SECTION
HOUSE 5 SETBACK
DIAGRAM
1 : 100

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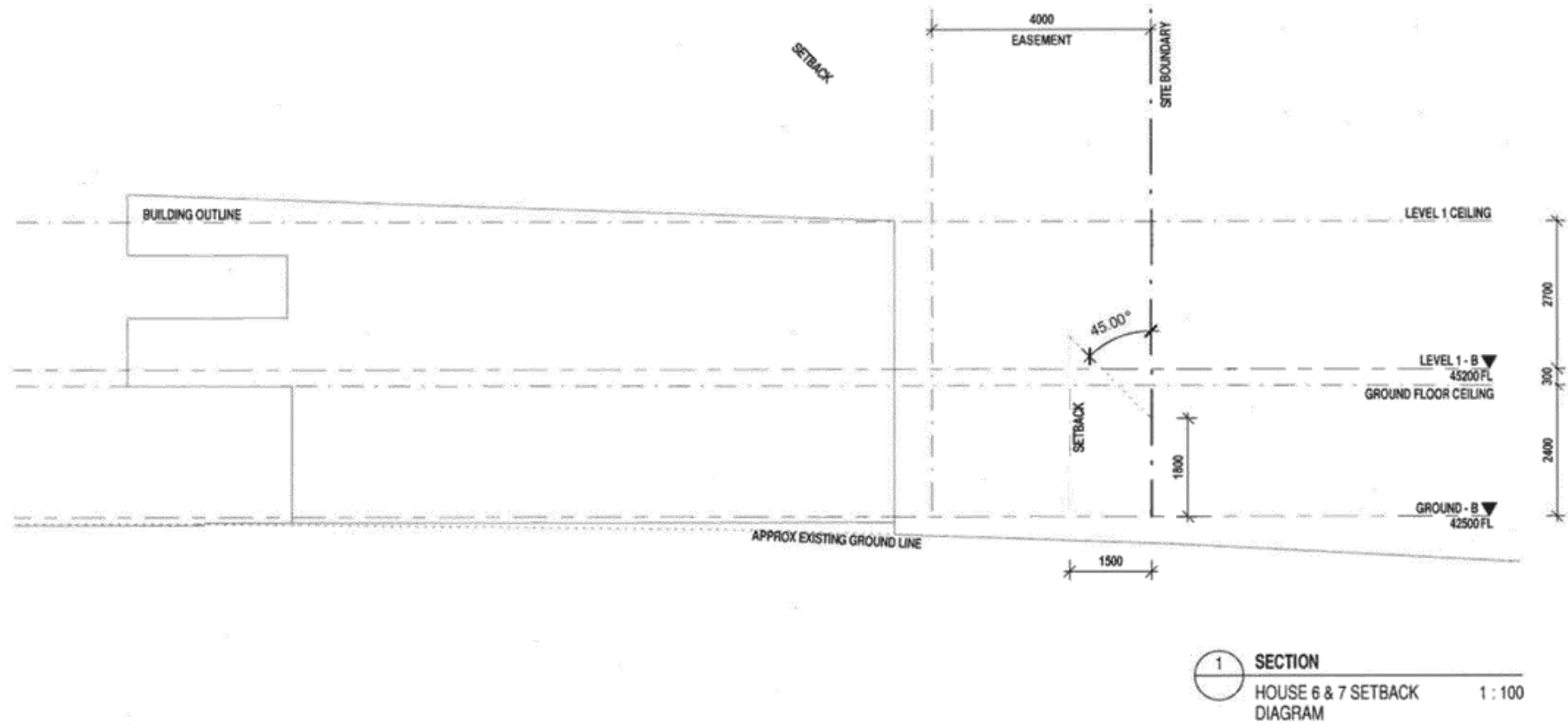
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Scale @ A3

Date Project No. Sheet No. Issue



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Project

Drawing title
SECTION - SETBACK DIAGRAMS
Scale @ A3

Date

Project No.

Sheet No.

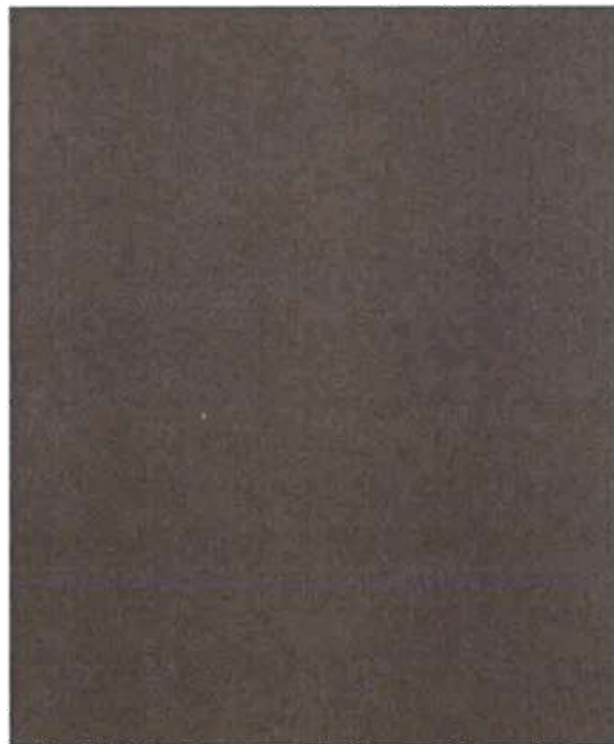
Issue



ROUNDHOUSE PLACE OCEAN SHORES

PREPARED BY PLANIT CONSULTING
DECEMBER 2016

REVISION B



STATEMENT | 
OF LANDSCAPE INTENT | CONSULTING



ROUNDHOUSE PLACE OCEAN SHORES

OVERALL LANDSCAPE PLAN



- 01 Larger feature trees such as *Pandanus tectorius* to delineate entry points and compliment architectural elements.
- 02 Dense planting areas along lot boundaries to provide privacy and screening from and to neighbouring lots. Species to include *Syzygium pinnacle* to the fence for height and screening with accents of *Cycas revoluta*, *Strelitzia reginae* and *Agapanthus praecox* to give the development character.
- 03 Common driveway with exposed aggregate finish.
- 04 2.4m high fence - lapped and capped fence for screening purposes - proposed for the eastern boundary. *Syzygium pinnacle* to the front for further screening purposes.
- 05 Deep soil zones to entry garden beds that will feature mass planted lush ground cover including *Dianellas* and *Lomandras*, to soften the property boundary. The entry garden area also includes 2m x 2m sight triangles with low planting for safe entry and exit of the development.
- 06 Grade A couch turf to front and rear private open space.
- 07 Above ground rainwater tanks to rear of each dwelling.
- 08 Tiled terrace area to match architectural elements
- 09 Letterbox area. Screened by a wall with low/ground cover plants such as *Lomandra* to the wall to assist in blending.

ROUNDHOUSE PLACE OCEAN SHORES

LANDSCAPE PLANTING PALETTE AND DESIGN ELEMENTS

GROUND COVER AND ACCENT SPECIES



Lomandra confertifolia



Dianella 'Silver Streak'



Agave attenuata



Agapanthus praecox



Pennisetum alopecuroides



Diets grandiflora



Lomandra longifolia



Philodendron xanadu



Strelitzia reginae



Cycas revoluta

TREES AND SHRUBS



Pandanus tectorius



Plumeria Rubra



Archontophoenix cunninghamiana

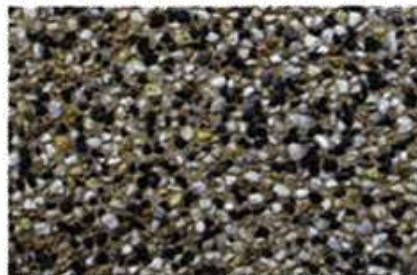


Cupaniopsis anacardioides



Syzygium pinnacle

DESIGN ELEMENTS



'Salt and Pepper' aggregate



Paving to match architectural elements



Concrete edging



Modern wood fencing

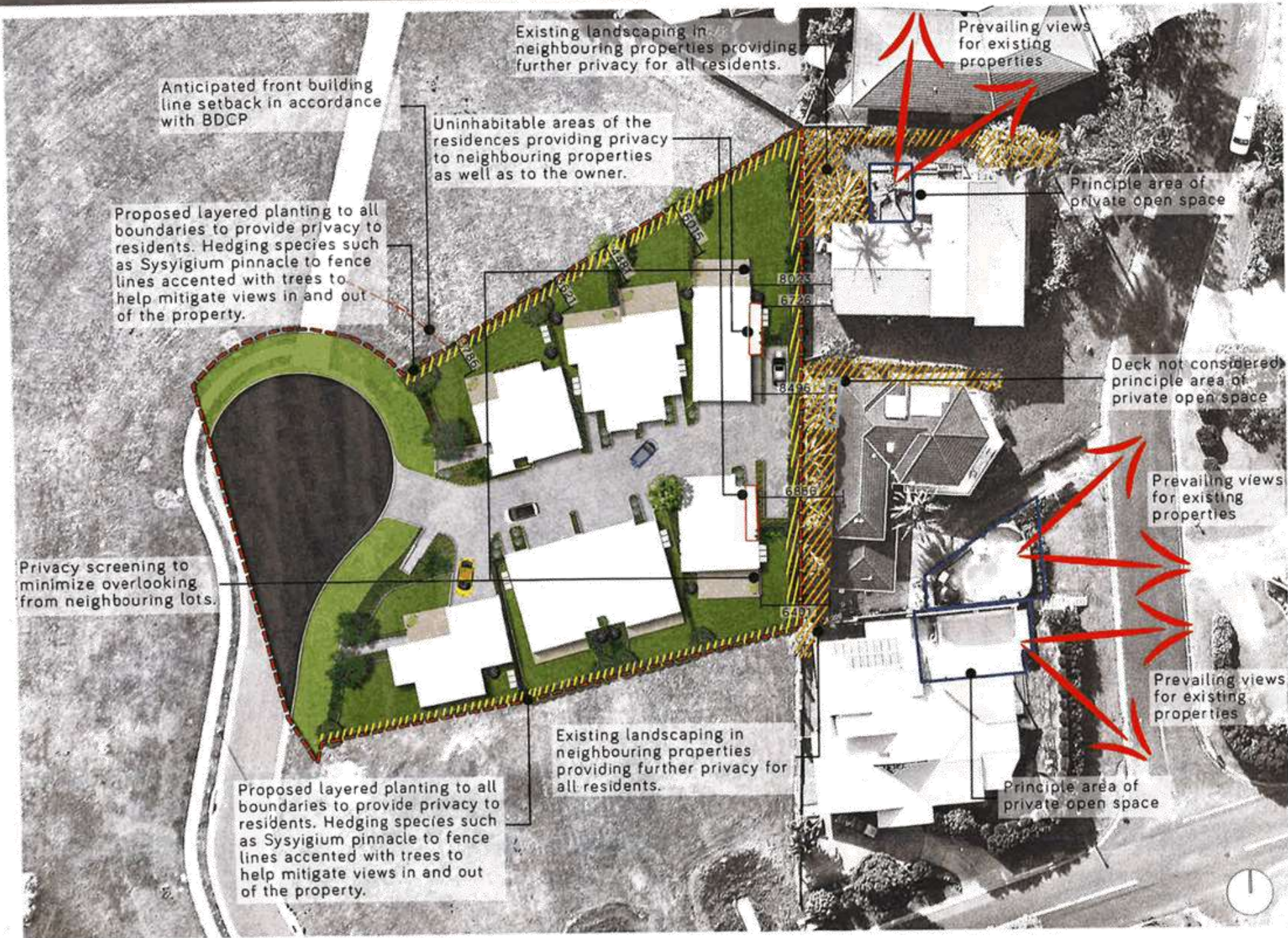


Letterbox wall to match architectural elements

Note: Species have been chosen to reflect the 'Native Species Planting Guide for Tweed and Byron Shires'. Final species numbers to be confirmed in OPW phase.

ROUNDHOUSE PLACE OCEAN SHORES

NEIGHBOURING CONTEXT PLAN





Mr K Gainger
General Manager
Byron Shire Council
PO Box 219
Mullumbimby NSW 2482

Our ref: PP_2015_BYRON_003_00 (15/11543)

Dear Mr Gainger

Planning Proposal PP_2015_BYRON_003_00 – Alteration of Gateway Determination

I refer to your correspondence of 5 December 2016 in relation to revisions to Planning Proposal PP_2015_BYRON_003_00 for the introduction of short term rental accommodation provisions into Byron LEP 2014.

I have reviewed the amended planning proposal and note the removal of the exempt development provisions for short term rental accommodation.

On 19 October 2016 the Legislative Assembly Committee on Environment and Planning (the 'Committee') released its report on the adequacy of the regulation of short-term holiday letting in NSW. This report included recommendations that some forms of short-term holiday letting be enabled as exempt development. The NSW Government is currently considering its response to the Committee's recommendations.

As Council's revised planning proposal is not consistent with the recommendations of the Committee, and pending the Government's response to the report, I have determined as the delegate of the Minister, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* (the 'Act') not to alter the Gateway determination dated 31 August 2015 for PP_2015_BYRON_003_00 (as altered).

Council can still proceed with the original proposal. Should Council not wish to proceed with the original proposal at this time, it can take this opportunity to review the proposed exempt provisions and await the Government's response to the Committee's recommendations to ensure consistency. To facilitate this, I have determined as the delegate of the Minister, in accordance with section 56(7) of the Act, to alter the Gateway determination dated 31 August 2015 for PP_2015_BYRON_003_00, to extend the time frame for completion of the proposal. The Alteration of Gateway Determination is enclosed.

As the Committee has recommended the State Government should introduce provisions for the regulation of short-term holiday letting into the NSW planning system, it is appropriate that the current planning proposal is consistent with a State wide approach.

Consequently I have also determined to revoke the written authorisation of delegation to Council dated 2 October 2015, allowing Council to exercise the functions of the Minister for Planning under section 59 of the Act in relation to planning proposal PP_2015_BYRON_003_00. This has the effect that any decision by Council to proceed or not proceed with the matter will need to be referred to the Department for finalisation.

If you have any questions in relation to this matter, I have arranged for Mr Craig Diss, Acting Director Regions, Northern to assist you. Mr Diss can be contacted on (02) 6641 6600.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

06/02/2017

Encl:
Alteration to Gateway Determination



Planning &
Environment

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2015_BYRON_003_00)

I, the Deputy Secretary, Planning Services at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 31 August 2015 for the proposed amendment to the Byron Local Environmental Plan 2014 as follows:

1. Delete condition 5 and insert:
 5. The LEP is to be completed by 7 December 2017.

Dated 6th day of February 2017

A handwritten signature in blue ink, appearing to read 'Marcus Ray'.

**Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment**

Delegate of the Minister for Planning

Byron PP_2015_BYRON_003_00 (15/11543)

Report No. 1. Proposed Closure – Part Bay Street, Byron Bay**Director:** Asset Management Services**File No:** ENG65500 #850106**Principal Activity:** Roads, Open Space and Recreation**Summary:** Parts of the Byron Bay Swimming Pool at Bay Street Byron Bay have been constructed on public road reserve.

This report proposes that Council apply to the Minister to close part of Bay Street to enable Council to control the land.

RECOMMENDATION:

1. That, in respect of that part of the road reserve being part of Bay Street identified in Attachment 1 in orange and blue (“the land”):
 - a) Council make applications to the Minister for Lands for the closure under s34(1)(b) of the Roads Act 1993 of that part of the road reserve identified as A and B on Figure 1;
 - b) Council confirm, pursuant to s43 of the Roads Act 1993, that the land, if vested in Council on closure, be classified as ‘operational land’ for the purposes of the Local Government Act 1993.

Attachments:

Locality Plan

Report

On 1 December 2008, the Department of Lands (DoL) advised Council of a list of parcels of land that the DoL would prepare a draft request for valuation of lands affected by the proposed "Land Bank" arrangements between the DoL and Council.

Included in the request for valuation were areas of land at Main Beach, Byron Bay at the Main Beach Swimming Pool Complex as shown in Attachment 1.

The DoL further advised that the value of the land affected by the closures would be assessed by an independent Land Valuer and upon completion of the proposed road closure, if the land vests in Council, its value would be irrelevant as Council would be the owner of the lots. If the land, however, vested in DoL on closure, its value would be including the "land bank" currently being negotiated between the DoL and Council.

Council's involvement in this matter arises under s38 of the Roads Act 1993, which would appear to vest this particular portion of closed road in Council ownership unless "no construction" has ever taken place on this road reserve area.

At this stage, staff are of the opinion that the land would vest with Council upon closure, as the site is the location of the pool complex.

The land in question is approximately 707m² (Orange Area) and 1,781m² (Blue Area) of public road being part of Bay Street, Byron Bay (Total 2,488 m²).

It is proposed that Council make two road closure applications, one of which is a necessary step in rectifying the land tenure issues at the Pool, the other of which is a necessary step in rationalising the use of land associated with the First Sun Caravan Park. The closure proposals by Management can be described as:

- i. closure of a total of approximately 2,488m² Bay Street road reserve via two applications
- ii. classification of the land arising from the closures by Council as 'operational land'
- iii. vesting of the closed road portions in Council

DoL have not at this stage raised any concerns about Management's position that the land arising from the road closures should vest in Council pursuant to s38 of the Roads Act.

Financial Implications

There will be ongoing human resources which will have to be dedicated to road closure applications.

Council would continue to be responsible, as it is now, for all costs associated with the maintenance of the land arising from the road closures should the land vest in Council.

Statutory and Policy Compliance Implications**Road Closure**

Pursuant to s34 of the Roads Act 1993, the Minister may propose, or the Council may make application to the Minister and propose, the closure of a public road. It is recommended that Council make two applications, one for each of the areas identified in blue and orange on Attachment 1. Based on the information available at the moment, upon closure of the relevant part of the road it appears the land would vest in Council pursuant to s38 of the Roads Act 1993. Pursuant to s43 of the Roads Act, once vested in Council unless otherwise resolved the land will be operational land

Classification of Land

The Local Government Act provides that all land acquired by Council, save for some limited exceptions that do not apply in this case, needs to be classified and that there are two classifications: 'operational' and 'community'.

Land that consists of former road reserve that vests in a Council is automatically classified as 'operational land' by operation of s43 of the Roads Act 1993, unless Council expressly resolves otherwise. Given that one of the areas of proposed closed road forms part of the pool facility and the other is proposed to be used in conjunction with the commercial operations of the First Sun Caravan Park, an operational classifications would be appropriate.

13.17 - ATTACHMENT 1

DRAFT SKETCH PLAN FOR DISCUSSION PURPOSES ONLY

MAIN BEACH CARPARK

FIRST SUN CARAVAN PARK

PAVILLION

SWIMMING POOL

BAY STREET

JONSON STREET

PROPOSED LEASE AREAS

- CROWN RESERVE 855.1m²
- COUNCIL PROPERTIES 136.9m²

PROPOSED ROAD CLOSURES

- FOR SWIMMING POOL 170m²
- FOR CARAVAN PARK 170m²

SCALE

0 10 20 30 METRES

BYRON SHIRE COUNCIL		1792/1 amended JULY 2008	
PROPOSED ROAD CLOSURES & LEASE AREAS BYRON BAY SWIMMING POOL COMPLEX BAY & JONSON STREETS - BYRON BAY			
CONFORMANCE & COMMUNITY SERVICES		PLAN No.	
DATE	APPROVED DIRECTOR		
DATE	UPDATE: Caravan Park lease areas 1/07/2008		
DATE	PTB DESIGNED		
DATE	PTB CHECKED		
DATE	PTB APPROVED		

Savage, Deanna

From: Kevin Cameron <kevin.cameron@crowland.nsw.gov.au>
Sent: Monday, 12 December 2016 5:57 PM
Subject: Re: Teleconference - 1 December 2016 - Rationalisation of the Land Tenure - Byron Bay Memorial Swimming Pool

Mark,

See below extract from Roads Business Unit email regarding the additional photography evidence.

"The information appears sufficient for the pink outlined area to vest in Council per the Roads Act 1993.
 The image shows clear road construction within part of the road reserve, albeit only over a small proportion"

The North Coast area supports vesting of the proposed closed road in Council, given section 38 of the Roads Act, 1993, (see below extract from Roads Act) hinges on construction having taken place for the road to vest in Council. The outstanding matter re evidence showing construction has now been settled.

38 Effect of notice of closure

- (1) On publication of the notice closing the public road concerned:
 - (a) the road ceases to be a public road, and
 - (b) the rights of passage and access that previously existed in relation to the road are extinguished.
- (2) The land comprising a former road:
 - (a) in the case of a freeway, remains vested in the RTA, and
 - (b) in the case of a public road that was previously vested in a council (other than a public road in respect of which no construction has ever taken place), remains vested in the council, and
 - (c) in any other case, becomes (or, if previously vested in the Crown, remains) vested in the Crown as Crown land.

Regards
 Kevin.

Kevin Cameron | Area Manager North Coast
NSW Department Industry – Lands
 Level 3, 49-51 Victoria Street, Grafton NSW 2460
 PO Box 2185, Dangar NSW 2309
T : 02 66429217 **M** : 0427004560
E: kevin.cameron@crowland.nsw.gov.au
W: www.dpi.nsw.gov.au | www.crowland.nsw.gov.au



On 12 December 2016 at 17:40, Arnold, Mark <Mark.Arnold@byron.nsw.gov.au> wrote:

Kevin,

I refer to your attached email and thank you for the information provided. I will distribute the attachments to the responsible staff in Council to consider and action.

In relation to the advice provided on the road closing and the vesting of the road, it is understood that the road **may** vest in Council. It is understood that this advice is provided based on the additional investigations completed by your staff and the historical aerial photograph identified as part of these investigations.

Can confirm whether the Crown Lands will support the vesting of the road when closed to Council and if there are any issues or concerns remaining that Council needs to address. Council was hoping that the advice would be "will vest" rather than "may vest".

Your advice clarifying any remaining issues would be greatly appreciated.

Regards

Mark Arnold

Byron Shire Council | P: 02 6626 7155 | Mbl: 0439 607 246

From: Kevin Cameron [mailto:kevin.cameron@crowland.nsw.gov.au]

Sent: Monday, 12 December 2016 3:01 PM

To: Arnold, Mark

Cc: Telford, Paula; Phil Fogarty -; Libby Welldon

Subject: Re: Teleconference - 1 December 2016 - Rationalisation of the Land Tenure - Byron Bay Memorial Swimming Pool

Mark,

In response to your email dated 5 December the following information is provided:-

Proposed Road Closing

- Further to Council's letter and evidence which was insufficient in establishing that the subject road had previously been constructed. The department has undertaken further investigation and identified clear evidence from historical aerial photography that part of the subject road had been constructed.
- I can advise that the Departments Roads Business Centre has confirmed that that upon closure the subject road may vest in Council.

To progress the Road closing, Road closing application forms and information on the administrative process can be found at the following link:-

http://www.crownland.nsw.gov.au/crown_land/roads/information_for_councils

To assist Council, Carolyn Connell has been assigned as contact officer to process the application, Carolyn's contact details:-

Carolyn Connell | Senior Business Centre Officer

NSW Department of Industry - Lands

Level 3 | 437 Hunter Street | Newcastle | NSW 2300
PO Box 2185 | Dangar NSW 2309

T: 02 4925 4179 | F: 02 4925 3517 | E: carolyn.connell@crownland.nsw.gov.au

Request for Proposal / EOI information

Attached are the following documents for your information and consideration:-

- Request for proposal (RFP) information parts A,B,D are attached C is not provided the lease document will be the agreement. In regard to the RFP process and documentation these documents are for the Trust to review and consider. the below extract from chapter 20 of the Reserve Trust Handbook

NSW Procurement Policy Framework

Reserve trust manager's procurement practices are to comply with the NSW Government Procurement Policy Framework and the Goods and Services Guidelines.

Local councils that are reserve trust managers should also refer to the Tendering Guidelines for NSW Local Government (October 2009), published by the Division of Local Government, which can be found at:

www.dlg.nsw.gov.au/dlg/dlghome/dlg_DocumentsIndex.asp?sectionid=1&documenttype=10&mi=31

- Template Agreement to Lease
- Template Trust Lease under section 102
- Template Trust Lease - not adopted, this may help inform construction of the Trust Lease.
- Template Negotiation protocol - fyi.

Departmental contacts in relation to the RFP & leasing are:-

Phil Fogarty for any information on the RFP process and documentation and **Libby Welldon** for information in relation to the 102 administrative processes, contact details listed below:-

Phil Fogarty

Project Manager Regional Projects,

Department of Industry – Lands

| 36 Marina Dv | Coffs Harbour NSW 2450
T: 02 6691 9611 | **M:** 0413 852 544

E: phil.fogarty@crowland.nsw.gov.au Phil Fogarty

Libby Welldon | Property Management Project Officer

NSW Department of Industry - Lands

Level 3, 49-51 Victoria Street, Grafton NSW 2460

PO Box 2185, Dangar NSW 2309

T: 1300 886 235 **Direct :** 02 6642 9224 **F:** 02 6642 5375

E: libby.welldon@crowland.nsw.gov.au

In regard to our discussion regarding a Departmental officer being included on the evaluation panel, our preference is to make an officer (Phil) available to assist on a PCG to prepare & evaluate docs, process etc.

If you have questions or require clarification please don't hesitate to contact me.

Regards

Kevin.

Kevin Cameron | Area Manager North Coast

NSW Department Industry – Lands

Level 3, 49-51 Victoria Street, Grafton NSW 2460

PO Box 2185, Dangar NSW 2309

T : 02 66429217 **M :** 0427004560

E: kevin.cameron@crowland.nsw.gov.au

W: www.dpi.nsw.gov.au | www.crowland.nsw.gov.au



On 5 December 2016 at 17:56, Arnold, Mark <Mark.Arnold@byron.nsw.gov.au> wrote:

Ken,

Thank you to you and Libby for your time last Thursday to discuss the next steps in the process for the rationalisation of the Land Tenure at the Byron Bay Memorial Swimming Pool.

Listed below is a summary of the agreed actions for you and myself from the meeting notes that Council prepared.

Summary of deliverables.

Kevin to provide

1. Confirmation that Crown agrees to road closure and that the land would vest to Council
2. Example Request for proposal to lease
3. Template Lease under s102 Crown Land Act or a copy of a s102 lease for commercial uses in draft form
4. Copy of agreement to lease template if can find one.
5. Officer of Crown to be on evaluation panel

Mark to provide

1. Any documentation held by Council on demonstrate the historical use of land (including any public works on the land) within the pool complex.

In addition to the above deliverable, Council also agreed to review the draft MoU, and amend it to reflect your advice when received on the Road Closure and the land vesting.

In relation to the above if you can review and advise if there are any additions, deletions or amendments. Your advice as to due dates for each would be appreciated.

In relation to the Council deliverable I will review the information held by Council and send through this week.

Thanking you again for your time and assistance.

Regards

Mark Arnold | Director Corporate and Community Services | **BYRON SHIRE COUNCIL**

P: 02 6626 7155 | M: 0439 607 246 | F: 02 6684 3018 | E: mark.arnold@byron.nsw.gov.au

PO Box 219, Mullumbimby NSW 2482 | www.byron.nsw.gov.au

Find us on Facebook www.facebook.com/byronshire.council

Byron Shire Council wants your input on a proposed Special Rate Variation. Find out more at <http://www.byron.nsw.gov.au/funding-our-future>

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BYRON SHIRE COUNCIL

STAFF REPORTS - INFRASTRUCTURE SERVICES

13.17 - ATTACHMENT 2

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Live or pay rates in Byron Shire and need to renew your pay parking E-permit exemption? Find out how at <http://www.byron.nsw.gov.au/byron-bay-pay-parking>

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6 NEWS

Byron Shire Council Notices

COUNCIL CONTACT DETAILS
Council administration centre 6626 7000
Opening hours: Front counter 8.30am-4.30pm
Switchboard: 8.30am to 4.30pm
Email council@byron.nsw.gov.au
Web www.byron.nsw.gov.au
Emergency after hours 6622 7022
Works Depot 6685 9300
Sportfield information line 6626 7111
SES controller 6684 3444
Rural Fire Service 6671 5500
Byron Resource Recovery Centre 6684 1870
Cavanbah Centre 6685 5911

Community Access Points: Documents on exhibition are available for review at the Council Administration Centre (Mullumbimby), Bangalow Post Office, Chincogan Real Estate Ocean Shores, Suffolk Beachfront Holiday Park and Brunswick Heads Library.

LODGING A SUBMISSION
Written submissions may be made to Byron Shire Council by post addressed to: General Manager, Byron Shire Council, PO Box 219 Mullumbimby NSW 2482 or sent by email to submissions@byron.nsw.gov.au. Submissions emailed to this address only will be acknowledged. Submissions will be made public in accordance with Schedule 1 Part 3 Clause 1(a) (v) of the GIPA 2009 Regulations as applicable including both the substance of the submission and the identity of the author. For assistance with this please call Council's Records Coordinator on 02 6626 7113.

NOTICE OF INTENTION TO GRANT LEASE
For area of Road Reserve adjoining Lot 1 DP 8461 42, 2-10 Bay Street Byron Bay
In accordance with Section 154 of the Roads Act 1993 (NSW), Council wishes to give notice of its intention to grant a lease over an area of Road Reserve adjoining the property located at 2-10 Bay Street Byron Bay NSW 2481.
Any person who wishes to make a submission in relation to this notice may do so between 15 December 2016 and 13 January 2017.
Submissions close: 15 December 2016
Submissions close: 13 January 2017
Enquiries: Paula Telford 02 6626 7300
For information on lodging a submission, and where to address it, refer to the "Lodging a submission" section within Council's advertising.

CALL FOR NOMINATIONS
Public Art Panel
Byron Shire Council is calling for nominations for 3 community representatives with experience and/or expertise from the areas listed below, for the new Public Art Panel. The role of the Panel is to provide appropriate specialist advice and recommendations to Council on public art matters. The lifespan of the Public Art Panel is for the term of Council 2016-2020.
Members will be selected because they have a broad base of experience and/or expertise in one or more of the following areas of public art:

- Public art curation and/or practice
- Landscape architecture
- Architecture
- Urban planning/ design
- Interior design
- Placemaking activities
- Public art sector development
- Public art policy

Nomination forms and further information is available at Council's administration centre or on Council's website at www.byron.nsw.gov.au/ expressions-of-interest

Submissions close: 4.00pm Friday 20 January 2017
Enquiries: Joanne McMurtry, Community Projects Officer 02 6626 7316 or by email joanne.mcmurtry@byron.nsw.gov.au

PROPOSED PLANNING AGREEMENT
In association with Development Consent for Alterations and Additions to Commercial Premises at 14 Johnson Street Byron Bay
Council approved development application 10/2016.217.1 under delegation for Alterations and Additions to Commercial Premises subject to a condition of consent that the applicant enter into a planning agreement to pay Council for the provision of public car parking.
Pursuant to section 91(4)(1) of the NSW Environmental Planning and Assessment Act 1979, the Planning Agreement for the developer to pay Council \$40,902.51 for the provision of public car parking is on public exhibition at Council's Mullumbimby offices from 15 December 2016 to 19 January 2017
Submissions close: 4.00pm 19 January 2017
Enquiries: Ms Warren Scott 02 6626 7082
For information on lodging a submission, and where to address it, refer to the "Lodging a submission" section within Council's advertising.

PROPOSED CLOSURE OF PUBLIC ROAD
Adjoining Crown Reserve 882000 Lot 10 DP 1049827 and Lots 4 & 5 DP 827049
Under Section 35 of the Roads Act 1993, notice is given that the Minister for Lands and Water will consider the closing of a road in connection with a road closing application proposed by Council. Council (acting on behalf of the Minister) will receive submissions regarding the proposal. All submissions received will be referred to the Minister's delegate for a decision regarding the proposed road closing.
The road under consideration comprises Council public road adjoining Crown Reserve 882000 Lot 10 DP 1049827 and Lots 4 & 5 DP 827049. Upon closure of the road Council intends to retain the closed road as operational land for the purpose of amalgamating this lot with adjoining lots to create one land parcel for the purpose of rationalising the land on which the Byron Bay Memorial Swimming Pool is located under one tenure.
All interested persons are invited to make submissions concerning the proposal to the General Manager, within twenty-eight (28) days of the date of this advertisement.
Regarding the provisions of the Government Information (Public Access) Act, information contained in such submissions may, at the discretion of Byron Shire Council and NSW Department of Primary Industries - Lands, be referred to the person(s) who initiated the proposal for appropriate consideration.
Enquiries: Mark Arnold 6626 7122
For information on lodging a submission, and where to address it, refer to the "Lodging a submission" section within Council's advertising.

DEVELOPMENT APPLICATIONS DETERMINED
Section 107 EPA Act 1979 and Clause 124 EPA Regulations 2000
The following development consents, together with any conditions imposed may be inspected free of charge at Council's administration centre during ordinary office hours. The validity of these consents cannot be questioned in any legal proceeding except those commenced in the Land & Environment Court by any person within 3 months of this notice.
(Continued on page 7)



GOLD: Festival goers celebrate the new year at Falls Festival Byron Bay.
PHOTOS: NICHE PICTURES - LYNN MCCARTHY



ICON: Grandmaster Flash on stage at Falls Festival Byron Bay.



HEADLINER: American artist Childish Gambino performing at Falls Festival.



FUN: Crowds welcome 2017 at North Byron Parklands during Falls Festival.



MEMORIES: Crowds arrive at the festival site.



Welcome To The Falls

byronnews.com.au Thursday, January 5, 2017

Attachments

23 March 2017

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Our Ref: RM:FD:244404 (Crown Roads)
Your Ref: #E2016/109774 Deanna Savage

9 January 2017

By email: deanna.savage@byron.nsw.gov.au

The General Manager
Byron Shire Council
PO Box 219
MURWILLUMBAH



Dear Sir,

Proposed Road Closing adjoining Byron Bay Memorial Swimming Pool

We refer to the above matter and to your letter of 21 December 2016.

Essential Energy has no objections to the proposal, however, powerlines are located within the section of road to be closed, as indicated on the attached diagram (adjoining Lot 4 in DP820749). Essential Energy requests that an easement for underground powerlines is created as part of the road closure process.

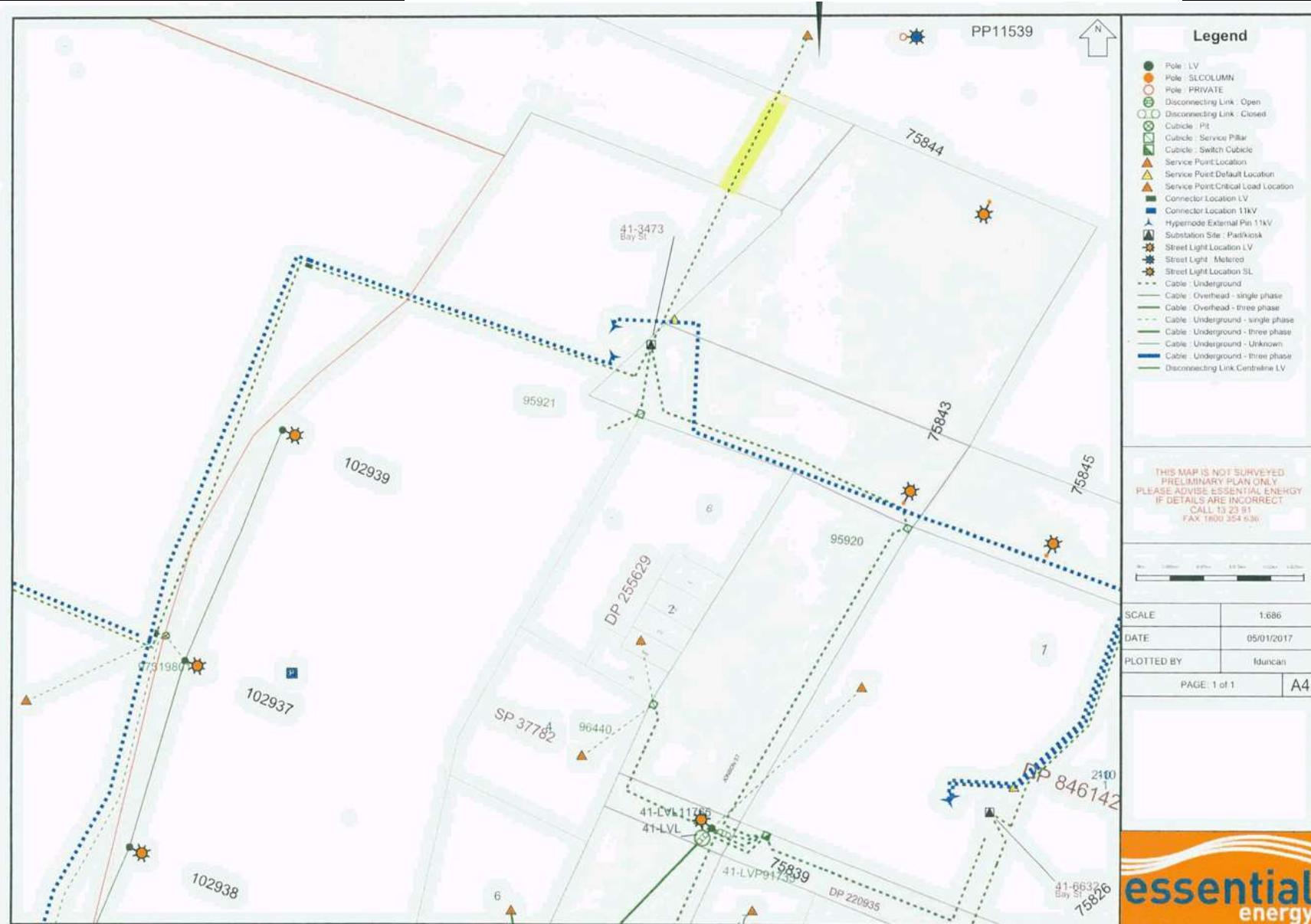
The easement is to be created using Essential Energy's standard easement terms current at the time of registration. An easement width of 1 metre is required. Currently, reference should be made to Part B of Memorandum AG189384.

We look forward to receiving draft documentation for our approval.

Should you require any further information, please contact Fiona Duncan on (02) 6589 8773 or at roadclosures@essentialenergy.com.au.

Yours sincerely

Raelene Myers
Conveyancing Team Leader



M I N U T E S O F M E E T I N G



TRANSPORT AND INFRASTRUCTURE ADVISORY COMMITTEE MEETING

Venue	Meeting Room 2, Station Street, Mullumbimby
Date	Thursday, 16 February 2017
Time	9.00am

Minutes of the Transport and Infrastructure Advisory Committee Meeting held on Thursday, 16 February 2017

File No: Error! Unknown document property name.

PRESENT: Cr S Richardson (Mayor), Cr B Cameron, Cr J Martin

Staff: Phil Holloway (Director Infrastructure Services)
Tony Nash (Manager Works)
Phil Warner (Manager Assets and Major Projects)
Blyth Short (Coordinator Asset Management)
Craig Purdy (Asset Engineer)
Helen Waldron (Minute Taker)

Community Representatives: Sapoty Brook, Andi Maclean, Chris Sanderson,
Stephen Stewart

Cr Cameron (Chair) opened the meeting at 9.05 am and acknowledged that the meeting was being held on Bundjalung Country.

APOLOGIES:

Alex Lewers (Transport Development Officer, Social Futures) (Non-Voting Representative)
Philip Theaker

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Committee Recommendation:

That the minutes of the Transport and Infrastructure Advisory Committee Meeting held on 1 December 2016 be confirmed.

(Richardson/Martin)

The recommendation was put to the vote and declared carried.

BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

STAFF REPORTS - INFRASTRUCTURE SERVICES

Report No. 4.1 Causeways and Culverts Inspections Status
File No: I2017/100

Committee Recommendation:

1. That Council notes the Transport and Infrastructure Advisory Committee supports the ongoing expenditure in the draft Long Term Financial Plan to address the high risk causeway and box culvert / pipe culvert assets.
2. That the Transport and Infrastructure Advisory Committee receive a report at its next meeting identifying:
 - a. a list of high risk causeway upgrades
 - b. maintenance priorities, including weighting criteria for causeways and culverts
 - c. identification of proposed budget for 2017/18 for maintenance and upgrades for causeways and culverts

(Cameron/Sanderson)

The recommendation was put to the vote and declared carried.

Report No. 4.2 Capital Works Progress
File No: I2017/105

Committee Recommendation:

That Council notes the actions taken to implement the 2016/17 Local Roads Capital Works Program.

(Cameron/Sanderson)

The recommendation was put to the vote and declared carried.

Action:

1. Report to be presented to next meeting re Draft 2017/18 Program
2. Email link to SRV video to Committee members

There being no further business the meeting concluded at 10.55 am.
