

Byron Shire Council - Memorandum

MEMO TO: James Brickley
COPY TO: Fees & Charges
MEMO FROM: Shannon Burt
SUBJECT: Submission to the Draft Operational Plan - Fees and Charges 2019/20
DATE: 4 June 2019
RECORD NO: E2019/36226

This submission is made to the Draft Operational Plan currently on exhibition. Two proposed fees need to be reviewed as follows:

Air Space Usage Charges

The current charges for commercial air space usage were initially adopted by Council in the 2017/18 Operational Plan. They were set at the same rate as Footpath Dining. During 2017/18 and 2018/19 Council has not received any applications for approval of commercial air space usage.

Footpath dining, Airspace usage and display of goods and chattels

Bungalow	\$255.00 per m ² annually	N	R
Brunswick Heads	\$216.00 per m ² annually	N	R
<i>Brunswick Terrace, Fingal, Park and Mullumbimbi Streets square</i>			
Byron Bay – Precinct 1 and 2	\$580.00 per m ² annually	N	R
<i>Jonson Street from Lawson Street to Bay Street, Bay Street from Jonson Street to Middleton Street, Fletcher Street from Bay Lane to Bay Street, Lawson Street from railway line to Middleton Street, Byron Street from Jonson Street to Fletcher Street, Jonson Street from Marvell Street to Lawson Street, Fletcher Street from Byron Street to Bay Lane, Middleton Street from Lawson Street to Bay Street</i>			
Byron Bay – remaining properties	\$363.00 per m ² annually	N	R
Mullumbimby	\$174.00 per m ² annually	N	R
Remainder of Shire	\$174.00 per m ² annually	N	R

Figure 1 Proposed 2019/20 Air Space Usage rates

At the Planning meeting on 16 May 2019 Council considered an application to modify a [development application](#) at the Mercato Shopping Centre by removing the requirement for payment of air space usage charges. That aspect of the modification was refused. However, during debate it was raised by Council that the current rates were considered too high, and that charges should be reduced by 50% of the rate. It was resolved:

Resolution 19-211 (2)

The current Draft 2019/2020 Fees and Charges for road airspace usage (commercial occupation) be reviewed as part of the annual Fees and Charges process.

It is therefore recommended that the current rate for Air Space usage be amended to the following for 2019/20:

Bangalow	\$127.50 per m ² annually
Brunswick Heads <i>Brunswick Terrace, Fingal, Park and Mullumbimbi Streets</i>	\$108.00 per m ² annually
Byron Bay – Precinct 1 and 2	\$240 .00 per m ² annually
Byron Bay – Remaining properties	\$181.50 per m ² annually
Mullumbimby	\$87 per m ² annually
Remainder of Shire	\$87 per m ² annually

Review of Temporary Food Business fees

1. Operation approval - Removal of three year approval fee

A fee was introduced that allowed a 3 year approval to be granted (at a reduced rate). It was thought that a 3 year approval would help alleviate the administrative burden associated with the processing of applications that were previously renewed annually.

However, changes are being proposed to integrate template letters and approvals within Authority and have their assembly automated, thereby reducing the manual work normally associated with the administration of yearly applications.

Furthermore there have been unintended consequences with the 3 year approval, namely when a change in contact details has occurred and Council has not been notified, affecting the serving of notices and compliance action. Reverting back to an annual renewal period will facilitate adherence to food safety requirements, assist environmental health officers with their inspections and handling of complaints, and ensure food proprietors are meeting their notification requirements.

2. New fee for low risk temporary food stall applications [\$80.50]

Processing of low risk applications do not require as much time compared with medium or high risk applications. The fee is half the full fee is proposed (full fee for medium/high risk applications is \$161.00).

3. New fee to accelerate temporary food stall applications [\$50.00 within 3 working days]

Officers frequently receive requests to fast track applications for upcoming events or festivals with only 24 or 48hrs notice.

Urgent requests for processing should take into consideration other priority applications, therefore it is proposed that a “within 3 working day” turnover be established to facilitate urgent requests within a reasonable timeframe. (normal turn around is within 10 working days)

Drainage Diagram Urgency Fee [\$10]

Introduction of an urgency fee to process Drainage Diagram applications. These are usually applied for as a requirement of sale, along with a Planning Certificate.

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Shannon Burt