

NOTICE OF MEETING



BYRON SHIRE FLOODPLAIN RISK MANAGEMENT COMMITTEE MEETING

A Byron Shire Floodplain Risk Management Committee Meeting of Byron Shire Council
will be held as follows:

| | |
|-------|--------------------------|
| Venue | Zoom |
| Date | Thursday, 20 August 2020 |
| Time | 9.00am |

A handwritten signature in black ink, appearing to read 'Phillip Holloway', is located above the printed name.

Phillip Holloway
Director Infrastructure Services

I2020/1203
Distributed 13/08/20

CONFLICT OF INTERESTS

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

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

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

Remoteness – a person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in the Code of Conduct for Councillors.

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

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

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

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

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse;
- (b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

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

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

Disclosure and participation in meetings

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

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

Non-pecuniary Interests - Must be disclosed in meetings.

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

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

RECORDING OF VOTING ON PLANNING MATTERS

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

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

BYRON SHIRE COUNCIL
BYRON SHIRE FLOODPLAIN RISK MANAGEMENT COMMITTEE MEETING

BUSINESS OF MEETING

1. APOLOGIES

2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

- 3.1 Minutes of Byron Shire Flooplain Risk Management Advisory Committee Meeting of
24 March 20204

4. STAFF REPORTS

Infrastructure Services

- 4.1 North Byron Flood Risk Management Study and Plan Public Exhibition 10

STAFF REPORTS - INFRASTRUCTURE SERVICES

Report No. 3.1 Minutes of Byron Shire Floodplain Risk Management Advisory Committee Meeting of 24 March 2020

Directorate: Infrastructure Services
Report Author: Dominika Tomanek, Executive Assistant Infrastructure Services
File No: I2020/1199

Summary:

The previous minutes of Byron Shire Floodplain Risk Management Committee Meeting of 24 March 2020 are attached to this report.

ADOPTION OF MINUTES FROM PREVIOUS MEETING:

1. That the minutes of the Byron Shire Floodplain Risk Management Committee Meeting held on 24 March 2020 be confirmed.
2. The minutes of the meeting held on 24 March 2020 were noted, and the Committee Recommendations adopted by Council, at the Ordinary Meeting held on 23 April 2020 without changes.

Attachments:

- 1 Minutes 24/03/2020 Byron Shire Floodplain Risk Management Committee, I2020/437 , page 6  

REPORT

The previous minutes of the committee were reported to the 23 April 2020 Council Meeting which resulted in resolutions 20-183, 20-184 and 20-185.

20-183 Resolved that Council adopts the following Committee Recommendations:

Report No. 4.2 Draft North Byron Floodplain Risk Management Study and Plan
File No: I2020/418

Committee Recommendation 4.2.1

1. That Council support the public exhibition of both the Draft North Byron Floodplain Risk Management Study and Plan documents from 27 April to 25 May 2020. Attachments 2 to 7 of this report.
2. That the community should be thanked for the interest and time they have taken to review and comment on the first exhibition stage of this project.
3. That Council continue to have a Floodplain Risk Management Committee to receive reports and help drive all floodplain related actions within Council's Floodplain Management Plans, beyond the current process.

20-184 Resolved that Council adopts the following Committee Recommendations:

Report No. 4.3 Discussion of item requested by committee member Duncan Dey regarding filling in no-fill zone of Marshalls Creek floodplain
File No: I2020/427

Committee Recommendation 4.3.1

That Council note the report.

20-185 Resolved that Council adopts the following Committee Recommendations:

Report No. 4.4 Discussion of item requested by Cr Lyon
File No: I2020/429

Committee Recommendation 4.4.1

That Council note the report.

The report related to the resolutions 20-183 was included in the Agenda of Byron Shire Floodplain Risk Management Committee of 20 August 2020.

Legal/Statutory/Policy Considerations

N/A

Financial Considerations

N/A

Consultation and Engagement

N/A

MINUTES OF MEETING

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BYRON SHIRE FLOODPLAIN RISK MANAGEMENT COMMITTEE MEETING

15

| | |
|-------|--|
| Venue | Conference Room, Station Street, Mullumbimby |
| Date | Tuesday, 24 March 2020 |
| Time | 2.00pm |

20

Minutes of the Byron Shire Floodplain Risk Management Committee Meeting held on Tuesday, 24 March 2020

PRESENT: Cr A Hunter and Cr Hackett (online), Cr Lyon (online for the last item)

Staff: James Flockton (Flood and Drainage Engineer) – Minute taker

Invited Members: Peter Mair (SES) – online, and Martin Rose (DPIE) – online,
Andrew Page (Cape Byron Marine Park) - online

Community: Rebecca Brewin, Karl Allen, Duncan Dey (online)

Consultants (online): Ella Harrison (WMA Water) - online, Katrina Smith (WMA Water)
– online

Cr Hunter (Chair) opened the meeting at 2.05 pm and acknowledged that the meeting was being held on Bundjalung Country.

APOLOGIES:

Matthew Lambourne
Robyn Bolden
Susan Skyvington
Steve Keefe

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 Byron Shire Floodplain Risk Management Committee Meeting held on 26 November 2019 be confirmed.

(Brewin/Hackett)

The recommendation was put to the vote and declared carried.

Note: The minutes of the meeting held on 26 November 2019 were noted, and the Committee Recommendations adopted by Council, at the Ordinary Meeting held on 12 December 2019 without changes.

BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

STAFF REPORTS - INFRASTRUCTURE SERVICES

Report No. 4.1 **Minutes of previous Byron Shire Floodplain Risk Management Committee Meeting**

File No: I2020/431

Committee Recommendation:

That Council note the report.

(Brewin/Hackett)

The recommendation was put to the vote and declared carried.

Report No. 4.2 **Draft North Byron Floodplain Risk Management Study and Plan**

File No: I2020/418

Committee Recommendation:

1. That Council support the public exhibition of both the Draft North Byron Floodplain Risk Management Study and Plan documents from 27 April to 25 May 2020.
2. That the community should be thanked for the interest and time they have taken to review and comment on the first exhibition stage of this project.
3. That Council continue to have a Floodplain Risk Management Committee to receive reports and help drive all floodplain related actions within Council's Floodplain Management Plans, beyond the current process.

(Dey/Brewin)

The recommendation was put to the vote and declared carried.

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Report No. 4.3 **Discussion of item requested by committee member Duncan Dey regarding filling in no-fill zone of Marshalls Creek floodplain**

File No: I2020/427

Committee Recommendation:

That Council note the report.

(Hackett/Dey)

The recommendation was put to the vote and declared carried.

Report No. 4.4 **Discussion of item requested by Cr Lyon**

File No: I2020/429

Committee Recommendation:

That Council note the report.

(Lyon/Dey)

The recommendation was put to the vote and declared carried.

10 *There being no further business the meeting concluded at 3:40 pm.*

Report No. 4.1 **North Byron Flood Risk Management Study and Plan Public Exhibition**
Directorate: Infrastructure Services
Report Author: Scott Moffett, Drainage & Flood Engineer, IS - Works - Infrastructure Planning
File No: I2020/1154

Summary:

Byron Shire Council undertook a six week public exhibition of the North Byron Floodplain Risk Management Study and Plan in June and July 2020.

This included three (3) public information sessions held at Mullumbimby, Billinudgel and South Golden Beach in addition to hosting a "Have Your Say" page on Councils website.





The results of this process are provided in this report.

RECOMMENDATION:

That Council:-

1. **Support the preparation of a further stand alone technical memorandum to support the North Byron Floodplain Risk Management Study and Plan, detailing:-**
 - a. **four dune opening scenarios;**
 - b. **rock wall modification scenarios;**
 - c. **training wall removal scenario;**
 - d. **dredging scenarios; and**
 - e. **bund modifications.**
2. **Support the addition of the technical memorandum to the North Byron Floodplain Risk Management Study and Plan document prior to adoption.**
3. **Endorse the amendment of the North Byron Floodplain Risk Management Study and Plan to include all recommended modifications as detailed in attachment 2 prior to adoption.**
4. **Adopt the North Byron Floodplain Risk Management Study and Plan following completion of the amendments within points 1 to 3.**
5. **Create a new Operational Plan action to commence development of internal maintenance plans for Council's drainage network within Councils maintenance management software Reflect.**
6. **Create a new Operational Plan action to commence development of waterway maintenance policies for waterways with relevant state agencies and the Byron Shire Floodplain Risk Management Committee.**

Attachments:

- 1 "Have Your Say" Visitor Summary, E2020/59117 , page 13  
- 2 Submission Summary, E2020/59119 , page 18  

REPORT

At Council's meeting of 23 April 2020, the following was resolved.

5 *Res 20-183*

*Resolved that Council adopts the following Committee Recommendations:
Report No. 4.2 Draft North Byron Floodplain Risk Management Study and Plan
File No: I2020/418*

10 *Committee Recommendation 4.2.1*
1. *That Council support the public exhibition of both the Draft North Byron Floodplain Risk
Management Study and Plan documents from 27 April to 25 May 2020. Attachments 2
to 7 of this report.*

15 The North Byron Floodplain Risk Management Study and Plan went on public exhibition for six
weeks in June and July 2020 in accordance with the above Council resolution:

20 The public exhibition included three public information sessions held at Mullumbimby, Billinudgel
and South Golden Beach in addition to hosting a "Have Your Say" page on Councils website.

25 The "Have Your Say" webpage and public information sessions were well attended and Council
received over 30 responses. These were made up of survey responses and formal submissions
including external and internal responses.

30 The "Have Your Say" data results and detail on the responses received is provided at attachment 1
and 2. Along with the recommended actions following these responses.

Key issues

35 There were two major themes evident from the responses. These were:-

1. That Council needs to improve on general waterway maintenance
2. That dune openings, dredging and removal of rock walls be further detailed and assessed

40 Recommendations

It is recommended that we undertake a further stand alone technical memo further detailing the
four dune opening scenarios, rock wall modification scenarios, training wall removal scenario,
dredging scenarios and bund modifications to further support the North Byron Floodplain Risk
Management Study and Plan. This memo should be added to the document prior to it being
recommended to Council for adoption.

45 Further develop of internal maintenance plans within Councils reflect software is recommended;
including developing waterway maintenance policies for waterways with relevant state agencies
and the Byron Shire Floodplain Risk Management Committee.

Next steps

- 50 1 Undertake a further stand alone technical memo further detailing the four dune opening
scenarios, rock wall modification scenarios, training wall removal scenario, dredging
scenarios and bund modifications to further support the North Byron Floodplain Risk
Management Study and Plan.
- 55 2 Add the above memo to the North Byron Floodplain Risk Management Study and Plan.
- 3 Complete all recommended modifications within attachment 2.

- 4 Seek Council adoption of the updated North Byron Floodplain Risk Management Study and Plan
- 5 Develop internal maintenance plans within Councils reflect software.
- 5 6 Develop waterway maintenance policies for waterways with relevant state agencies and the Byron Shire Floodplain Risk Management Committee.

Legal/Statutory/Policy Considerations

- 10 As per the Reports listed within the North Byron Coastal Creeks Flood Risk Management Committee Meeting of 28 October 2015 .

15 Floodplain Management Plans must be prepared in accordance with State Government Policy. The NSW Floodplain Development Manual 2005 is the current policy used by State Government for the preparation of such documents.

Department of Planning, Industry and Environment (DPIE) is the State Government Department responsible for ensuring all flood related documents are prepared in accordance with the manual.

- 20 DPIE staff are a member of the Byron Shire Floodplain Risk Management Committee and have been part of the process to develop this document.

25 The DRAFT North Byron Flood Study has been prepared in accordance with the NSW Floodplain Development Manual 2005 and fulfils part of the process towards a Floodplain Management Plan.

Financial Considerations

The additional standalone technical memo can be completed at a cost of \$5,000. The current approved budget has capacity to undertake these additional works.

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BYRON SHIRE COUNCIL

STAFF REPORTS - INFRASTRUCTURE SERVICES

4.2 - ATTACHMENT 1

North Byron FRMS&P - Public Exhibition Comments

| Comment | Comment Theme | Action (response, note, edit) | Responsibility | WMA Comment / Response | Open/Closed | Byron Shire Council Comment |
|---|--------------------------------|-------------------------------|----------------|---|-------------|--|
| 2/24 Rush Court Mullumbimby - flooded in 2017 - As the only preventative provision for residents in this area, with significant evidence for debris blockage of Federation Bridge being the cause of the damage to our homes, this debris control device needs to be designated high priority. - Moreover, council needs to manage debris in the waterways and better police dumping of logs adjacent to the river. I recently sent photographs of fallen and cut trees blocking 3/4 of the river nearby but nothing has been done | Option priority | Edit | WMA | MCA updated, FDC now high priority action. Report to be amended | Open | Byron has responded to resident noting we will be updating FDC to high priority. |
| - Develop a sediment transport model to investigate modification to the rock walls, as part of the <i>Coastal Management Program for the Brunswick Estuary</i> . Scoping Study for Cape Byron to South Golden Beach - If the intention is to understand the impact (pros and cons and contribution to increased siltation) of removal/retaining the training walls within Marshalls Creek, then this would be investigated through the development of a Coastal Management Program for the Brunswick Estuary (noting that developing a plan for the Bruns is the lowest priority on the list and is unfunded – likely to wait for 3 years....). - The Coastal Management Program for Cape Byron to South Golden Beach only looks at the entrance to the Brunswick River (it excludes Marshalls/Simpsons and the main arm of the Bruns), specifically the Training Walls/Breakwaters (Crown Land) with the main action for progression being 'A study on the impact of climate change projections (SLR) on the performance of the Brunswick Entrance Breakwaters' | Wording | Edit | WMA | Report wording to change as suggested. | Open | Council to note current status of actions from coastal study |
| - refers to Section 8.1.2.2 'This assessment determined that due to the flood exposure of these sites, significant fill and some channel works would be required' - now superseded by findings on page 36 of MLRA: ".....with regards to regional flood impacts: - The sites all have a portion of area which is deemed developable when considering the impact to the regional flood levels and the development controls with regards to flooding on new land release areas; - A cut to fill balance may be achievable however its viability is dependent on the soil quality onsite, which is currently unknown; - Some channel works may be required to achieve the development footprint proposed – these have not been considered in the costing; and, - Some local drainage corridors servicing existing areas may be impacted by the development. Future assessments should ensure that the proposed development does not cause local drainage issues or regional flooding impacts." | Mullumbimby land release | Edit | WMA | Report wording to be updated to reflect latest status of Lot 22 | Open | |
| - concern over substantial flooding in Billinudgel - 'No maintenance of basic infrastructure and drain cleaning in the area has occurred for years and appears to be the biggest factor in creating increasing flooding in the area. The increase of flooding appears to be in direct correlation and proportion to the neglect and lack of maintenance of drains and floodways.' - would like to see funding for clearing and repair to drains, floodways in Billinudgel | Drainage maintenance | Note | Council | no action for report | Closed | |
| - areas near Ocean Shores shopping centre flood regularly. Previously contacted council. - inadequate drainage along Rajah Road and at the end of Aldinga Court. - experienced frequent inundation. | Insufficient drainage capacity | Note | Council | no action for report | Closed | |
| Gray's lane housing cut-off by flood for days - 'I am wondering why Grays Lane hasn't been included as a hotspot.' | Isolation | Check | WMA | check flood behaviour of grays lane | Open | |
| Concerned about the Mullumbimby showground ground level being raised causing it to runoff into an open gutter on Chinbible avenue. Gutter is under capacity and causes flooding at respondents property at 8 Chinbible Avenue. Has sent Council a letter and awaiting response. | Insufficient drainage capacity | Note | Council | no action for report | Closed | |
| Respondents property at 8 Wilfred St Billinudgel floods badly once a year. Would like to see something done to release flood waters to the ocean quicker. When will Civil works start and complete? | Billinudgel flooding | Note | Council | no action for report | Closed | |
| I'm interested in the role of the ocean shores golf course and possible future developments and the impacts it would have on the flood plain. | Future Development | Note | | no action for report | Closed | |
| Not filled in | N/A | N/A | N/a | no action for report | Closed | |
| Why isn't the financial support available to everyone at risk? | Financial support | Note | Council | no action for report | Closed | Are there any community grants available? |

North Byron FRMS&P - Public Exhibition Comments

| Comment | Comment Theme | Action (response, note, edit) | Responsibility | WMA Comment / Response | Open/Closed | Byron Shire Council Comment |
|---|---|-------------------------------|----------------|---|-------------|--|
| <p><i>This is an appalling plan, especially for floodplain management. Building hundreds of dwellings on floodplain is to completely ignore weather, geology, ecology, hydrology, etc. all sorts of sciences that show us how the nature prod works.</i></p> <p><i>And the idea that digging a few ditches and raising some land areas will mitigate the flooding is ludicrous. The water must move somewhere - all your silly earthworks will do is move the water courses unnaturally, and force the flooding on to someone else - someone who currently doesn't suffer from that impact, but who will once you dick around with it. Can residents sue you for that, by the way? When they get flooded because you were being short sighted and created shifting flood spaces? Can we sue you?</i></p> <p><i>Hate it. Short sighted and completely based on an approach of 'man conquers nature', rather than working sensibly and sensitively with it.</i></p> | Development in floodplain | Note | | no action for report | closed | |
| <p>South Mullumbimby precinct is deemed flood prone</p> <p><i>the SES I understand is not in favour of the area being developed for obvious reasons</i></p> <p><i>If this area is filled it most certainly would have a bearing on existing residents</i></p> | Future Development | Note | | no action for report | closed | |
| <p><i>No maintenance of basic infrastructure; of drains and floodway cleaning in the area has occurred for years and appears to be the biggest factor in creating increasing flooding in the area.</i></p> <p><i>When we started to develop the units in Billinudgel, floodways were slashed and kept free of shrubs and trees. Now these flood ways are heavily overgrown with foliage and clogged with debris. We are hopeful funding to clear and repair the drains and floodway can be fast tracked to reduce any more unnecessary economic and social pain for the residents and businesses of Billinudgel.</i></p> | Drainage and floodways | drainage maintenance | Council | no action for report | closed | |
| <p>- CDM should be a higher priority than low. Reconsider scores for legislative compliance - suggests action improves compliance.</p> <p>- strategic objectives action contributes to: community strategic plan (vision, strategies 1.1 and 1.2, strategy 4.5), DCP - settlement strategies, asset management plans and policy, policy - climate change strategic planning, business and industrial lands strategy</p> <p>- why wasn't CDM undertaken as part of the flood study?</p> <p>- SGB not protected from localised flooding behind the levee - SGB experiences frequent flooding</p> <p>- maintenance of drainage easement in SGB required - remove excess trees and vegetation</p> <p>- PM03 - changes to land use zoning should be higher priority. CC impacts accelerating. This action would have significant impact on future development. Criteria should take into account impact on future development. climate change adaptability should not be neutral in mca.</p> <p>- RM06 - concerned this action will palm off responsibility for education programs to community organisations that are not appropriate trained. Would prefer action be developed by SES, Council, DPIE or flooding consultants.</p> <p>- would like Appendix Q revisited. Was the scoring undertaken by a panel of experts.</p> <p>- Diagram 21 of FRMS - additional levee in SGB - located along northern side of Gloria Street properties to east of Beach Avenue.</p> <p>- would like to see a copy of the SGB levee audit.</p> <p>- Respondent is a Coastal Environmental Scientist with flooding knowledge. Would like to be on the FMC in the future.</p> | Option priority | Note Check / edit | Council / WMA | review scoring of CDM and PM03 in MCA, and amend as necessary | open | Council to provide levee audit report, Council to advise on FMC membership process |
| <p><i>I feel strongly the funding grants for flood prevention strategies ought be open to any household and should not have a bias</i></p> <p>Second response from respondent.</p> | Financial support | Note | Council | no action for report | closed | Are there any community grants available? |
| <p>New Brighton not prioritised about flooding and Engineering solutions are needed to help alleviate flood issues - flood pumps are needed.</p> <p>Comments:</p> <p><i>*Raising River Street will only caused the flood waters to go somewhere else thereby flooding others. This would cost a lot of money that could otherwise be spent on ways to help alleviate flooding rather than change flooding from one place to another.</i></p> <p><i>*Marshals Creek is silting up (to the point of being able to walk across it on low tide or not being able to get paddle through areas at all). Despite being told at the community meeting ,dredging would have little impact , dredging will have an impact towards lowering flood issues and if nothing is done the flood issues will get worse</i></p> <p><i>* Removing Readings wall would also impact on sedimentation and would allow the river to flow better</i></p> <p><i>* Building a Levi to protect South Golden Beach made flooding worse for New Brighton as all the water must pass New Brighton on the outgoing tide</i></p> <p><i>* Drains need to be made to get the water away from New Brighton ...no such drains exist or are inadequate with the solution being put in the 'too hard basket'</i></p> <p><i>* simple explanations were given re why dredging Marshall Creek wouldn't help flooding based on the creeks tidal flowthis explanation is perhaps relevant but only to the lower section of the creek strongly influenced by the tide ...the rest of the creek seems to be simply ignored</i></p> <p>Concerned about health and safety impacts of flooding - i.e. stagnant water leading to mosquitos breeding.</p> | New Brighton flooding / Drainage / Marshalls creek / Readings Bay | Note | | no action for report | Closed | |

BYRON SHIRE COUNCIL

STAFF REPORTS - INFRASTRUCTURE SERVICES

4.2 - ATTACHMENT 1

North Byron FRMS&P - Public Exhibition Comments

| Comment | Comment Theme | Action (response, note, edit) | Responsibility | WMA Comment / Response | Open/Closed | Byron Shire Council Comment |
|---|---|-------------------------------|----------------|---|-------------|--|
| <p>Nothing about protecting New Brighton from inundation.</p> <p>The maintenance of drainage infrastructure and debris control should be a high priority.</p> <p>Respondent feels that the level of development and landfill in Billinudgel, North Ocean Shores and South Golden Beach has worsened the flooding problem for New Brighton.</p> <p>Raising of River Street cause flooding to worsen by increasing the water level on the oval side.</p> | New Brighton drainage capacity, drainage maintenance | check /edit | WMA | review scoring for drainage maintenace/capacity and amend if required | open | |
| <p>Maintenance should be included as a major factor that intensifies the impact of flooding.</p> <p>Issues that impact the respondent's property during flood include:</p> <ul style="list-style-type: none"> - blocked council drains, -tree roots lifting council drains, -poor storm water management from other properties (collapsed retaining walls, corroded guttering and open gutters not maintained) <p>-Respondent wants study to recommend all council drains in 100 year flood zones to be completely cleared by council twice a year perhaps at the beginning of Spring and the end of Summer.</p> | drainage maintenance | note | council | no action for report | closed | |
| <ul style="list-style-type: none"> - Cleaning of drains regularly - drains in western end of Fingal street are never cleanec | Drainage maintenance | note | council | no action for report | closed | |
| <ul style="list-style-type: none"> - supports CDM - would like to see this translated into action. - Sediment Transport model for rock walls - support but would like to see as a high priority action. Would also like to see it incorporated into creek flow study - <i>creek flow cannot be separated from siltation study, when siltation has had a major impact on the creek flow.</i> - River Street - this will not improve flooding. this will increase flood to neighbourhood areas. - would like to see structural options for New Brighton. New Brighton community has previously suggested some: - drainage maintenance and improved effectiveness - Marshall's Creek rock walls potential environmental impact on increasing siltation - environmental and flood mitigation benefits from dune openings - dredging of Marshalls Creek - Marshalls Creek rock walls (determination cannot be made without consideration of siltation) - strongly urge removal of Readings rock wall as flood mitigation measure. - if ocean outlets cannot be opened than investigate pumps. <i>Currently, water flows from the creek to the west of New Brighton and ponds between the village and South Golden Beach (SGB). Historically, it used to flow either into the swamp at SGB or out to the ocean through well-defined channels. These channels have been filled in. If the study ocean outfall modelling used today's terrain, there would have been little impact on the water getting to the ocean (hence the results...)</i> - dredging of Marshalls Creek will remove siltation. would like creek to be dredged to natural profile. | New Brighton flooding / Marshalls Creek / Readings Bay / Ocean Outlets / Drainage | check/edit | WMA, Council | review scoring for CDM, sediment modelling and amend if rec | open | council to note: new request for pumps |
| <ul style="list-style-type: none"> - does not agree that ocean outlets would only have a minor impact of flood levels - without previous channels that have filled in ocean outlets would not have an impact on flooding - Scm lower would provide financial benefits to residents - acknowledges that ocean outlets and the SGB levee won't be reversed and requests structural solutions be investigated to remove floodwaters - flood pumps to the north of the village should be modelled - acknowledges Marshall creek floodwaters determined by tide rather than channel floor - logically obstructions (rock walls etc.) would restrict capacity - did modelling consider varying tide heights when calculations were made? | New Brighton flooding / structural mitigation Brighton | note | council | additional detailed memo may help | closed | council to note: new request for pumps |
| <p>MONA LANE, BRUNSWICK HEADS</p> <p>Property owner of No 5 Mona Lane argues for years that the council's records showing No 5 is flood affected is erroneous which has been ignored by insurance companies and continue to impose to levy premiums.</p> <p>Any flood strategy adopted by Council needs to clearly state and identify that the riverfront lots adjacent to the Brunswick River are flood free.</p> | Council Flood mapping | note | council | no action for report | closed | riverside properties |
| <ul style="list-style-type: none"> - in support of plan - would like to see action taken. - BM12.1.2 - requests John Holland to remove the railway bridge at their own expense. Thus it would be a higher priority at a lower cost as it's their asset causing flooding and debris collection. - Why has the scope changed from the original diagram depicting Option BM -Billinudgel Infrastructure Improvements (Diagram 35) to the current Diagram 40 as in the current one the culverts are omitted. - Preferred with the culverts, as it was originally assessed, advised and intended (as per Diagram 35). | Railway / culverts | edit | WMA | clarify in the report the change from culverts to widening so it is clear | open | |

North Byron FRMS&P - Public Exhibition Comments

| Comment | Comment Theme | Action (response, note, edit) | Responsibility | WMA Comment / Response | Open/Closed | Byron Shire Council Comment |
|---|---|-------------------------------|----------------|--|-------------|---|
| <p>- feels Ocean Shores has been ignored in plan.</p> <p>- Ocean Shores is flood prone caused by human interference.</p> <p>- Ocean Shores community requested:</p> <ol style="list-style-type: none"> 1. The unblocking of the local creeks which cannot flow out naturally to the ocean because of the sandmining road. 2. Reopening of the Capricornia Canal outlet to the ocean 3. Removal of the Readings Bay inner wall blocking the Marshall's Creek (North Arm) convergence with the Brunswick River (Main Arm). OSCA did not ask for the removal of the walls at the Heads or the main Readings Bay training wall. 4. Cleaning out of the town's drains and removal of sedimentation from the town's lakes which are designed to be flood storage in the original town masterplan. <p>- Recommended Measures - ranking, the plan mentions a "whole of catchment" model. But there are three different catchments.</p> <p>-Floodwaters and general flows of Marshall's Creek and associated creeks, and Yelgun and Wooyung Creeks are trapped in a flood bowl artificially created by human interference. These catchments are not related to the Brunswick River and the Mullumbimby catchment.</p> <p>- Despite many years of Marshall's Creek flood strategies going back to the 1980's and the expenditure of millions of dollars the resultant flood plans have failed to initiate or even recommend actions that could alleviate and mitigate flooding. Money has been wasted on projects that have not solved the flooding problems but caused more problems.</p> <p>- OSCA will be applying for membership of the newly formed flood committee</p> <p>- Ranking 12 in the Flood Plan is "develop a sediment transport model to investigate modification to the rock walls." This could possibly be a reference to the requests of Ocean Shores for computer modelling that removes the sixty year build up of sediment at the Readings Bay wall? OSCA states clearly that the community has only asked for the inner Readings Bay wall to be removed. The council has added inaccurately that the requests were for the removal of the North and South Heads walls and the main Readings training wall. OSCA asks that Council reveals the sources of these requests? The report seems to imply OSCA wants all the walls to be taken down. Not so, this has come from somewhere else and is not supported by OSCA.</p> <p>- At a meeting earlier this year with the General Manager, Director and flood engineer, these figures were promised to OSCA. They have</p> | Ocean Shores not fairly represented / Drainage / Readings bay / Ocean Outlets | check, note | WMA, Council | check report, we made a clarification in the previous version that this wasn't from community. Make sure it is there | Open | FMC membership, repeated requested for reissue of appendix figures which show the modelling (new memo may supersede this and provide more detail) |
| <p>- Respondent is owner of 2 Riverside Crescent Brunswick Heads since 2017 and objects to Riverside Crescent being classified as a hotspot for reasons such as Emergency Services are unable to access during a Flood Event.</p> <p>- In 2017, during Cyclone Debbie rain event, residents attest to having ample warning time to prepare. The predicted flood water coincided with the high tide, which was also predictable, and access through the caravan park was safe. The Emergency access route is provided by the Caravan Park as part of their Plan of Management.</p> <p>-P46 of the "Byron Floodplain Risk Management Study and Draft Plan ", suggests other factors also be considered in determining the " True" Hazard. This includes " warning time " as criteria in mitigating and managing flood risk. In table 9, also on P46, it states that Brunswick Heads is " located downstream and therefore provides opportunity to ensure effective warning can be provided</p> <p>-P141 of the North Byron Floodplain Risk Management Study and Draft Plan warns that "over- restrictive zoning can discourage redevelopment that is more flood compatible, causing areas to degenerate overtime ".</p> <p>-Council should be working with SES to develop better flood warning systems using technology in an effort to support development, not restricting appropriate development because of outmoded practices.</p> <p>-I would like to see Council working with both the caravan park and adjoining residents to enhance the safety and possibilities for the development of both communities and to find solutions to concerns not simply limitations</p> | Riverside Crescent / Caravan Park safety | note | council | no action for report | Closed | riverside properties |
| <p>- refers to previously submitted 2016 submission - Marshalls Creek siltation, Readings Bay rock wall, ocean outlet.</p> <p>- drainage maintenance / debris build up</p> <p>- south arm of brunswick river - impacted by siltation</p> <p>- refer to large submission with photos previously provided to council</p> | Ocean Outlets / Drainage maintenace / Readings Bay | note | council | no action for report | Closed | |
| <p>- lots 7,8,9 and 10 on riverside crescent flood to varying levels (council documents report as flood free)</p> <p>- poor maintenance of drains on the southern side of Riverside Crescent</p> <p>- historically emergency exit for the 12 dwellings' occupants was along Riverside Crescent. Rely on warnings from upstream and SES warnings.</p> <p>- Plans of Management for Ferry Park - evacuation route plans. Alternative option at a higher level to proposed route.</p> <p>- 3 Mona Lane - disagrees with council records that 3 Mona Lane is flood affected.</p> | Riverside Crescent / | note | council | no action for report | Closed | |

BYRON SHIRE COUNCIL

STAFF REPORTS - INFRASTRUCTURE SERVICES

4.2 - ATTACHMENT 1

North Byron FRMS&P - Public Exhibition Comments

| Comment | Comment Theme | Action (response, note, edit) | Responsibility | WMA Comment / Response | Open/Closed | Byron Shire Council Comment |
|--|--------------------|-------------------------------|----------------|---|-------------|---|
| <ul style="list-style-type: none"> - studies and plans should be integrated - council should address all principles of Floodplain development manual 2005 - should consider broader catchment issues and how the south mullumbimby precinct relates to prep of FRMS - comments on MLRA - requests an integrated document of the MLRA and the FRMS - all figures should be accessible on council's website when study and plan has been adopted - requests council create a policy decision that the needs of existing residents and their properties be given priority in planning decisions - inclusion of Preliminary investigation areas (PIA) from Draft Residential Strategy in assessment does not include new connection roads - these would have a large impact on flooding - 1660-1634 Coolamon Scenic Drive, Mullumbimby. Lot 23 DP1089627, Lots 1&2 DP748729 and 156 Stuart St, Mullumbimby. Lot 22 DP1073165 should be included as no fill areas - RM07 should be a high priority action - Saltwater Creek upgrade should also be a high priority action - increased fill will reduce benefits seen from this action - does not want to see new developments where residents are isolated - education campagin on correct disposal of trees - if no fill policy implemented, an education campaign needs to also be undertaken - acid sulphate soils for saltwater creek option needs to be addressed - Additional roads to be included in automatic warning signs and depth indicators: - Mullumbimby access from the South including Myocum Rd, Coolamon Scenic Drive and Wilsons Creek Rd. Mullumbimby from the East, Gulgan Rd or Mullumbimby Rd. (First area flooded between the Mullumbimby urban area to the Byron Central Hospital). Left Bank Rd near the Tallowood Estate turnoff. - FRMS should consider upgrading / relocating Federation Bridge gauge - Appendix T - Orchid Place spelt wrong - Orchid Place fill levels labelled as 4.2mAHD - incorrect built from 4.2mAHD to 4.6mAHD - Appendix A has not included a no fill definition - additional acronyms to include: FRMS, PIA, DRS, PMF, OEH, WMA | Future Development | Edit, note | WMA / Council | <p>Some editorial responses</p> <p>look at RM07 and Saltwater Creek priorities</p> <p>additions to community education campaign (disposal of treets, debris, cuttings etc. no fill policy)Add additional roads for inclusion in automatic warning signs and depth indicators.</p> | Open | <p>Council note suggestion of new gauge</p> <p>Council to consider extending no fill areas to include 1660-1634 Coolamon Scenic Drive, Mullumbimby. Lot 23 DP1089627, Lots 1&2 DP748729 and 156 Stuart St, Mullumbimby. Lot 22 DP1073165.</p> |
| update TOC / section numbering (duplicates in section 8.1) | formatting | edit | WMA | now done | closed | |

Project Report

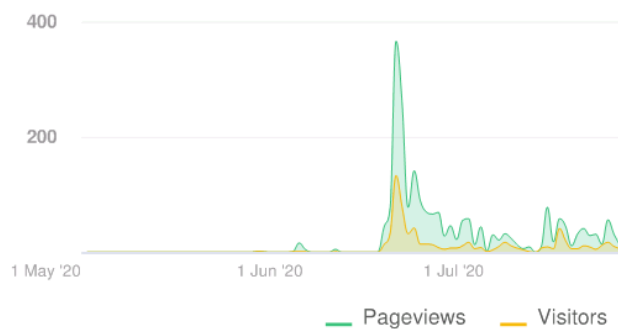
03 October 2011 - 26 July 2020

Your Say Byron Shire

North Byron Floodplain Risk Management Study & Plan



Visitors Summary



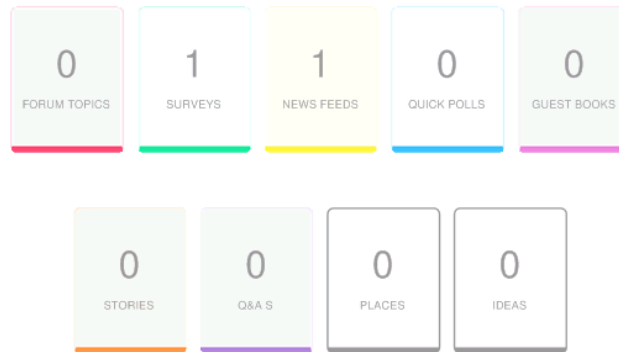
Highlights

| | | | |
|-------------------|-----|----------------------|-----|
| TOTAL VISITS | 780 | MAX VISITORS PER DAY | 133 |
| NEW REGISTRATIONS | 0 | | |
| ENGAGED VISITORS | 20 | INFORMED VISITORS | 255 |
| | | AWARE VISITORS | 542 |

| | | | |
|---------------------------------|--------------|-----------------------------|---------------------------------------|
| Aware Participants | 542 | Engaged Participants | 20 |
| Aware Actions Performed | Participants | Engaged Actions Performed | Registered Unverified Anonymous |
| Visited a Project or Tool Page | 542 | | |
| Informed Participants | 255 | Contributed on Forums | 0 0 0 |
| Informed Actions Performed | Participants | Participated in Surveys | 1 0 19 |
| Viewed a video | 0 | Contributed to Newsfeeds | 0 0 0 |
| Viewed a photo | 0 | Participated in Quick Polls | 0 0 0 |
| Downloaded a document | 195 | Posted on Guestbooks | 0 0 0 |
| Visited the Key Dates page | 37 | Contributed to Stories | 0 0 0 |
| Visited an FAQ list Page | 13 | Asked Questions | 0 0 0 |
| Visited Instagram Page | 0 | Placed Pins on Places | 0 0 0 |
| Visited Multiple Project Pages | 226 | Contributed to Ideas | 0 0 0 |
| Contributed to a tool (engaged) | 20 | | |

Your Say Byron Shire : Summary Report for 03 October 2011 to 26 July 2020

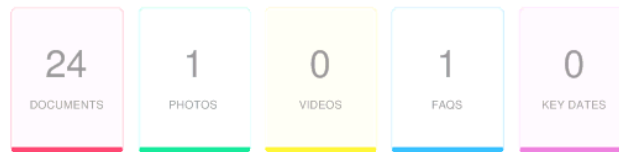
ENGAGEMENT TOOLS SUMMARY



| Tool Type | Engagement Tool Name | Tool Status | Visitors | Contributors | | |
|-------------|--|-------------|----------|--------------|------------|-----------|
| | | | | Registered | Unverified | Anonymous |
| Newsfeed | Background to the project | Published | 1 | 0 | 0 | 0 |
| Survey Tool | Draft North Byron Floodplain Management Plan | Published | 81 | 1 | 0 | 19 |

Your Say Byron Shire : Summary Report for 03 October 2011 to 26 July 2020

INFORMATION WIDGET SUMMARY



| Widget Type | Engagement Tool Name | Visitors | Views/Downloads |
|-------------|--|----------|-----------------|
| Document | Summary - Floodplain Risk Management Study and Plan | 149 | 179 |
| Document | Draft North Byron Floodplain Risk Management Plan.pdf | 94 | 138 |
| Document | North Byron Floodplain Risk Management Study and Plan.pdf | 85 | 112 |
| Document | FAQs - North Byron Shire Floodplain Risk Management Study and Plan | 7 | 7 |
| Document | North Byron Floodplain Risk Management Study_Figures01_to_11.pdf | 6 | 10 |
| Document | North Byron Floodplain Risk Management Study_Figures100_to_110.pdf | 5 | 5 |
| Document | North Byron Floodplain Risk Management Study - Appendix C1 to C3.pdf | 5 | 6 |
| Document | North Byron Floodplain Risk Management Study - Appendix C to J.pdf | 5 | 6 |
| Document | North Byron Floodplain Risk Management Study_Figures12_to_33.pdf | 4 | 6 |
| Document | North Byron Floodplain Risk Management Study - Appendix T.pdf | 4 | 6 |
| Document | North Byron Floodplain Risk Management Study - Appendix K to N.pdf | 4 | 4 |
| Document | North Byron Floodplain Risk Management Study_Figures78_to_99.pdf | 3 | 3 |
| Document | North Byron Floodplain Risk Management Study_Figures67_to_77.pdf | 3 | 3 |
| Document | North Byron Floodplain Risk Management Study_Figures45_to_55.pdf | 3 | 3 |
| Document | North Byron Floodplain Risk Management Study_Figure44.pdf | 3 | 3 |
| Document | North Byron Floodplain Risk Management Study_Figure43.pdf | 3 | 3 |
| Document | LARGE FILE: North Byron Floodplain Risk Management Study - Appendix... | 3 | 4 |
| Document | LARGE FILE: North Byron Floodplain Risk Management Study - Appendix... | 3 | 3 |

Your Say Byron Shire : Summary Report for 03 October 2011 to 26 July 2020

INFORMATION WIDGET SUMMARY

| Widget Type | Engagement Tool Name | Visitors | Views/Downloads |
|-------------|--|----------|-----------------|
| Document | LARGE FILE: North Byron Floodplain Risk Management Study - Appendix... | 3 | 3 |
| Document | North Byron Floodplain Risk Management Study - Appendix S.pdf | 3 | 4 |
| Document | North Byron Floodplain Risk Management Study - Appendix O to R.pdf | 3 | 3 |
| Document | North Byron Floodplain Risk Management Study_Figures56_to_66.pdf | 2 | 2 |
| Document | North Byron Floodplain Risk Management Study_Figures39_to_42.pdf | 2 | 3 |
| Document | North Byron Floodplain Risk Management Study - Appendix C5 to C6.pdf | 2 | 2 |
| Document | North Byron Floodplain Risk Management Study_Figures34_to_38.pdf | 1 | 1 |
| Key Dates | Key Date | 37 | 43 |
| Faqs | faqs | 13 | 18 |
| Photo | Floodplain study image YourSay homepage.jpg | 0 | 0 |

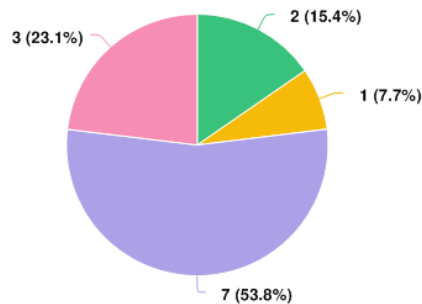
Your Say Byron Shire : Summary Report for 03 October 2011 to 26 July 2020

ENGAGEMENT TOOL: SURVEY TOOL

Draft North Byron Floodplain Management Plan

| | | | | | |
|----------|----|--------------|----|---------------|----|
| Visitors | 81 | Contributors | 20 | CONTRIBUTIONS | 21 |
|----------|----|--------------|----|---------------|----|

Have you provided earlier feedback and information as part of this project?



Question options

- Flood survey (June - July 2018)
- Exhibition of Draft North Byron Flood Risk Management Study (February 2020)
- All the above
- Other (please specify)

Optional question (13 response(s), 8 skipped)

Question type: Dropdown Question