

NOTICE OF MEETING



WATER, WASTE AND SEWER ADVISORY COMMITTEE MEETING

A Water, Waste and Sewer Advisory Committee Meeting of Byron Shire Council will be held as follows:

Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 18 February 2021
Time	9.00am

Phillip Holloway
Director Infrastructure Services

I2021/233
Distributed 11/02/21

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
BUSINESS OF MEETING

1. APOLOGIES

2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

- 3.1 Adoption of Minutes of Previous Meeting held on 29 October 2020 5

4. STAFF REPORTS

Infrastructure Services

- 4.1 Byron STP Condition 9 Additional Load - Quarterly Report 12
4.2 Inflow and Infiltration - Sewer Asset Management..... 15
4.3 Myocum Quarry status and rehabilitation update..... 21

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 Adoption of Minutes of Previous Meeting held on 29 October 2020

5 **Directorate:** Infrastructure Services
Report Author: Dominika Tomanek, Executive Assistant Infrastructure Services
File No: I2021/177

10

RECOMMENDATION:

That the minutes of the Water, Waste and Sewer Advisory Committee Meeting held on 29 October 2020 be confirmed.

15

Attachments:

1 Minutes 29/10/2020 Water, Waste and Sewer Advisory Committee, I2020/1237 , page 8 [↓](#)

20

Report

The attachment to this report provides the minutes of the Water, Waste and Sewer Advisory Committee Meeting of 29 October 2020 .

5

Report to Council

The minutes were reported to Council on 26 November 2020.

10 Comments

In accordance with the Committee Recommendations, Council resolved the following:

20-640 Resolved that Council adopt the following Committee Recommendation:

Report No. 4.1 Byron STP Condition 9. Additional Load - Quarterly Report

Committee Recommendation 4.1.1

That Council note the report.

20-641 Resolved that Council adopt the following Committee Recommendations:

Report No. 4.2 2020 Household Kerbside waste Composition Audit

Committee Recommendation 4.2.1

That Council:

1. Note the report.
2. Hold a forum with the recycling/upcycling/reusing groups.
3. Investigate the possibility of auditing registered short term holiday letting dwellings.

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1

4. Share the findings and promote good recycling practices in our community, schools and businesses.

20-642 Resolved that Council adopt the following Committee Recommendations:

Report No. 4.3 Framework for guiding the strategic direction of (recycled) water management

Committee Recommendation 4.3.1

That Council:

1. Note the report.
2. Further develop the proposed framework and assess the requirements for its practical implementation.

20-643 Resolved that Council adopt the following Committee Recommendation:

Report No. 4.4 Inflow and Infiltration - quarterly update

Committee Recommendation 4.4.1

That Council note the report.

20-644 Resolved that Council adopt the following Committee Recommendation:

Report No. 4.5 Commercial and domestic water resourcing

Committee Recommendation 4.5.1

That Council receive a report on a possible LEP amendment to introduce a clause to limit water extraction for commercial purposes.

MINUTES OF MEETING



**WATER, WASTE AND SEWER ADVISORY
COMMITTEE MEETING**

Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 29 October 2020
Time	11.30am

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

WATER, WASTE AND SEWER ADVISORY COMMITTEE MEETING MINUTES 29 OCTOBER 2020

Minutes of the Water, Waste and Sewer Advisory Committee Meeting held on Thursday, 29 October 2020

File No: I2020/1237

PRESENT: Cr Richardson, Cr C Coorey, Cr M Lyon and Cr S Ndiaye

Staff: Phil Holloway (Director Infrastructure Services)
Cameron Clark (Manager Utilities)
Michael Matthews (Manager Open Space & Resource Recovery)
Danielle Hanigan (Team Leader Resource Recovery)
Dean Baulch (Principal Engineer Systems Planning)
Pablo Orams (Integrated Water Management Officer)
Chris Larkin (Manager Sustainable Development)
Shannon Burt (Director Sustainable Environment and Economy)
Julian Vivoli (Consultant, Utilities)
Dominika Tomanek (Minute Taker)

Community: David Fligelman (30min late), Madeleine Green, Duncan Dey, and Ben Fawcett (online)

Cr Ndiaye (Chair) opened the meeting at 11:35 am and acknowledged that the meeting was being held on Bundjalung Country.

APOLOGIES:

Col Draper – absent
Mary Gardner

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

Madeline Green declared a non-pecuniary interest. The nature of the interest being that she resides 1 km away from Resource Recovery Centre.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 Adoption of Minutes from 30 July 2020 Meeting
File No: I2020/1181

Committee Recommendation:

That the minutes of the Water, Waste and Sewer Advisory Committee Meeting held on 30 July 2020 be confirmed.

(Green/Coorey)

The recommendation was put to the vote and declared carried.

Note: The minutes of the meeting held on 30 July 2020 were noted, and the Committee and Management Recommendations adopted by Council, at the Ordinary Meeting held on 27 August 2020.

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

WATER, WASTE AND SEWER ADVISORY COMMITTEE MEETING MINUTES 29 OCTOBER 2020

BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

CHANGE ORDER OF BUSINESS

That Committee changed the order of business to deal with Reports 4.2, 4.1, 4.3, 4.5 and 4.4 next on the Agenda.

STAFF REPORTS - INFRASTRUCTURE SERVICES

Report No. 4.1 **Byron STP Condition 9. Additional Load - Quarterly Report**
File No: I2020/1125

Committee Recommendation:

That Council note the report.

(Dey/Lyon)

The recommendation was put to the vote and declared carried.

Report No. 4.2 **2020 Household Kerbside waste Composition Audit**
File No: I2020/1524

Committee Recommendation:

That Council:

1. note the report.
2. hold a forum with the recycling/upcycling/reusing groups.
3. investigate the possibility of auditing registered short term holiday letting dwellings.
4. share the findings and promote good recycling practices in our community, schools and businesses.

(Ndiaye/Lyon)

The recommendation was put to the vote and declared carried.

Report No. 4.3 **Framework for guiding the strategic direction of (recycled) water management**
File No: I2020/1573

Committee Recommendation:

That Council:

1. note the report.
2. further develop the proposed framework and assess the requirements for its practical

BYRON SHIRE COUNCIL

BYRON SHIRE COUNCIL

WATER, WASTE AND SEWER ADVISORY COMMITTEE MEETING MINUTES 29 OCTOBER 2020

implementation.

(Dey/Green)

The recommendation was put to the vote and declared carried.

Report No. 4.4 Inflow and Infiltration - quarterly update
File No: 12020/1583

Committee Recommendation:

That Council note the report.

(Dey/Lyon)

The recommendation was put to the vote and declared carried.

Report No. 4.5 Commercial and domestic water resourcing
File No: 12020/1584

Committee Recommendation:

That Council receive a report on a possible LEP amendment to introduce a clause to limit water extraction for commercial purposes.

(Dey/Green)

The recommendation was put to the vote and declared carried.

There being no further business the meeting concluded at 1:53 pm.

STAFF REPORTS - INFRASTRUCTURE SERVICES

**Report No. 4.1 Byron STP Condition 9 Additional Load -
Quarterly Report**

5 **Directorate:** Infrastructure Services

Report Author: Vivianne Lins, Environmental Planner
 Dean Baulch, Principal Engineer, Systems Planning

File No: I2021/161

10 **Summary:**

This report is for the Committee’s information and reviews compliance with the Byron Bay Sewerage Augmentation Scheme - Conditions of Approval (2002).

15 Condition 9(iii) requires that sufficient reuse (recycled water) capacity be available before the acceptance of any additional load at the treatment plant.

20 In the years since the approval was granted (2002 to date), 2,738 Equivalent Tenements (ET) have been approved, resulting in an additional load of 1.62 ML/day at the treatment plant. The current day operating capacity of the reuse system equates to 2.02ML/day or 3,427ET. Therefore the reuse system provides sufficient capacity to accommodate the additional load as defined in the Conditions of Approval.

25

RECOMMENDATION:

That the report is noted.

REPORT

30 The relevant section from Condition 9 of the Approval is Condition 9(iii), which states, “Additional load at West Byron STP will not be accepted until: availability of sufficient reuse capacity to accommodate 100% of the volume of treated effluent generated by the additional load”.

“Additional Load” is defined in the report as “any sewage load resulting from development consents after the date of this approval”. Date of Approval is 9 December 2002.

35 From December 2002 through to the end of December 2020, 2,738 additional sewer Equivalent Tenements (ET) have been approved by Council through development consents. This additional load (including approvals for secondary dwellings) was also adjusted (reduced) based on development applications that have been withdrawn or refused during the same period. Figure 1 shows the annual approved additional ET load from 2002 to 2020.

BYRON SHIRE COUNCIL

STAFF REPORTS - INFRASTRUCTURE SERVICES

4.1

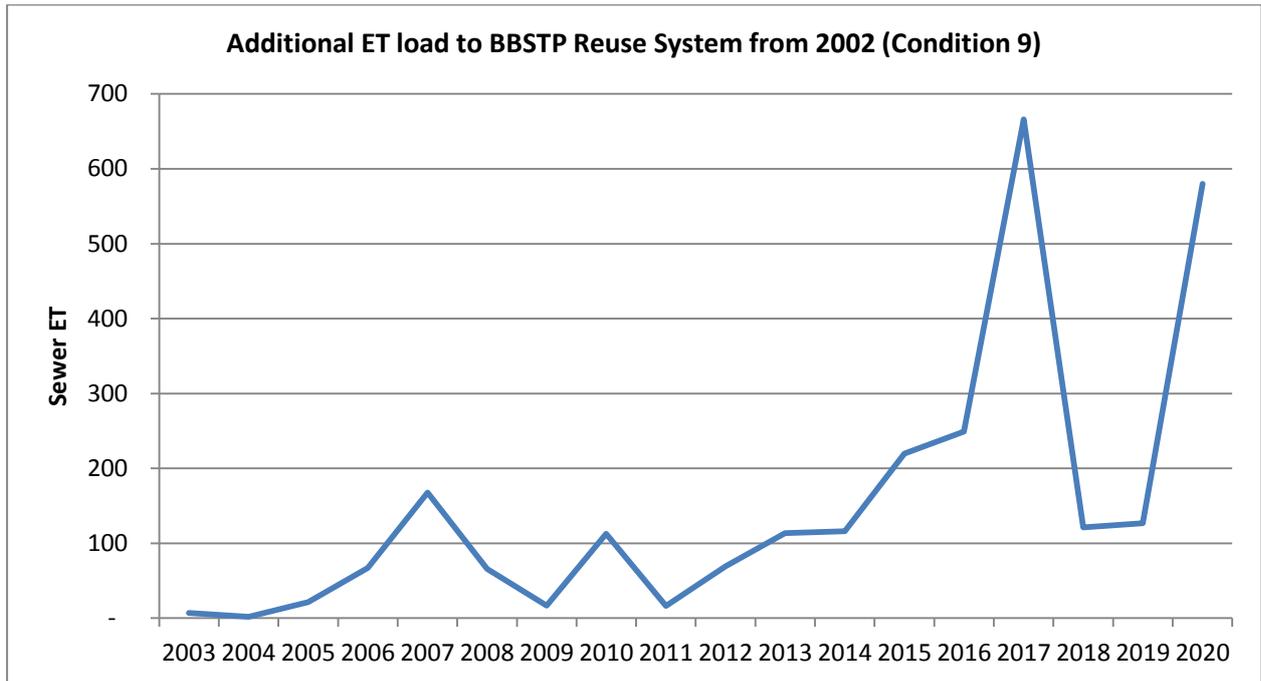


Figure 1 - Equivalent Tenements approved by Council from 2002-2020

The current day operating capacity of the reuse system to produce treated effluent is 26 Litres per second or 2.25ML/day less 10% of water for filter backwash purposes equates to 2.02ML/day or 3,427ET.

5

	Current Approved ET	Available Capacity (ET)
Condition 9(iii) Additional Load Calculation	2,738	-
Current effluent reuse system capacity 2020	3,427	689

Therefore, the existing reuse system provides sufficient capacity to accommodate the additional load as defined in the Conditions of Approval.

Committee Report Tracking Summary: Condition 9. Additional Load at Byron STP	Current Approved ET	Difference (ET)
30 January 2020	2,408	-
30 July 2020	2,478	70
29 October 2020	2,508	30
18 February 2021	2,738	230

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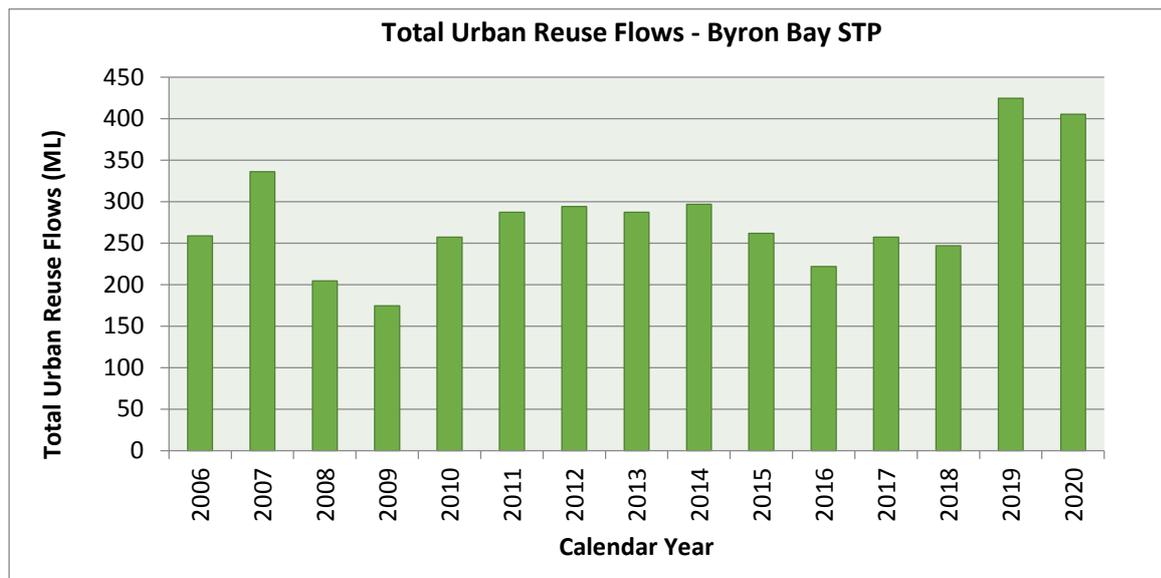
BYRON SHIRE COUNCIL

STAFF REPORTS - INFRASTRUCTURE SERVICES

4.1

In terms of the actual reuse volumes for Byron Bay since the system was commissioned the following annual figures are provided:

Calendar Year	Total Urban Reuse Flows (ML)
2006	258.8
2007	336.1
2008	204.4
2009	174.5
2010	257.2
2011	287.4
2012	294.0
2013	287.2
2014	296.9
2015	261.9
2016	221.8
2017	257.3
2018	246.7
2019	424.7
2020	405.2



5

Report No. 4.2 Inflow and Infiltration - Sewer Asset Management

Directorate: Infrastructure Services

Report Author: Jason Stanley, Inflow & Infiltration Project Manager

5 **File No:** I2021/175

Summary:

10 The Byron Shire Council Inflow and Infiltration (I&I) project involves two separate projects, being condition assessments and rectification works. This project has been in motion since 2019 and has resulted in the identification and subsequent prioritisation and rectification of various gravity pipes throughout the Byron Shire.

15 Various catchments throughout the shire have now been assessed and subsequently had the highest risk assets as determined by the Utilities department rectified by suitable contractors. This is a prudent and efficient way of managing the ongoing risks associated with the ownership of a gravity sewer network.

RECOMMENDATION:

- 20 1. **That the Committee note the report**
2. **That reporting of Inflow and Infiltration be amended to annual reporting**

1. **Introduction**

5 This report will provide an update on the current status of the Inflow and Infiltration project including condition assessments, rectification works, and outstanding works for catchments 3002 and 3005 in Byron Bay, 4001, 4002, 4003 and 4004 in Mullumbimby, and 5009 and 5012 in Ocean Shores.

2. **Outstanding Works**

10 Interflow were awarded the rectification scope for the first catchment to be assessed which was 4001 in Mullumbimby. They have completed 90% of the package but were delayed with the completion of the package due to COVID interstate border closures as well as a breakdown on a critical component of their relining rig that had to be replaced from the US. Interflow have now confirmed that this outstanding works will be completed in March 2021.

15 3. **Condition Assessment**

Gravity mains

20 Condition assessments for catchments 3005 in Byron Bay, 4002, 4003, 4004 in Mullumbimby, and 5009 in Ocean Shores are now well underway by successful contractor Pipehawk. Pipehawk commenced these assessments in November 2020 and have completed approximately 80% (20km) of the 25km scope. There were additional mains added to this scope that were necessary to undertake as they were on the 30 year capital renewal plan. These mains have since been assessed and any assets that are identified to require rectification works will be added to the gravity sewer rectification package that will be completed this FY20/21.

25 It should be noted that the assessment reporting has been progressing in line with the CCTV footage that is being provided on a monthly basis, however it is too early to anticipate the amount and/or cost of rectification works that will be required for these 5 sewer catchments at this stage.

30 **Maintenance Holes**

35 The first pass of the maintenance hole assessments that was undertaken by engineering consultancy Willow and Sparrow has identified approximately \$375k worth of rectification works for the FY21/22 package that are required in order to maintain the required levels of service of the gravity sewer network throughout these 5 catchments. It should be noted however that approximately 170 maintenance holes could not be assessed due to difficulties associated with locating them, private property build overs, etc. These 170 maintenance holes are being followed up by internal maintenance crews and will be reassessed by Willow and Sparrow once located. The total package consisted of approximately 442 maintenance holes.

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Figure 1 – Byron Bay 3005 Sewer Catchment, CCTV Works



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Figure 2 – Mullumbimby 4002 Sewer Catchment, CCTV Works

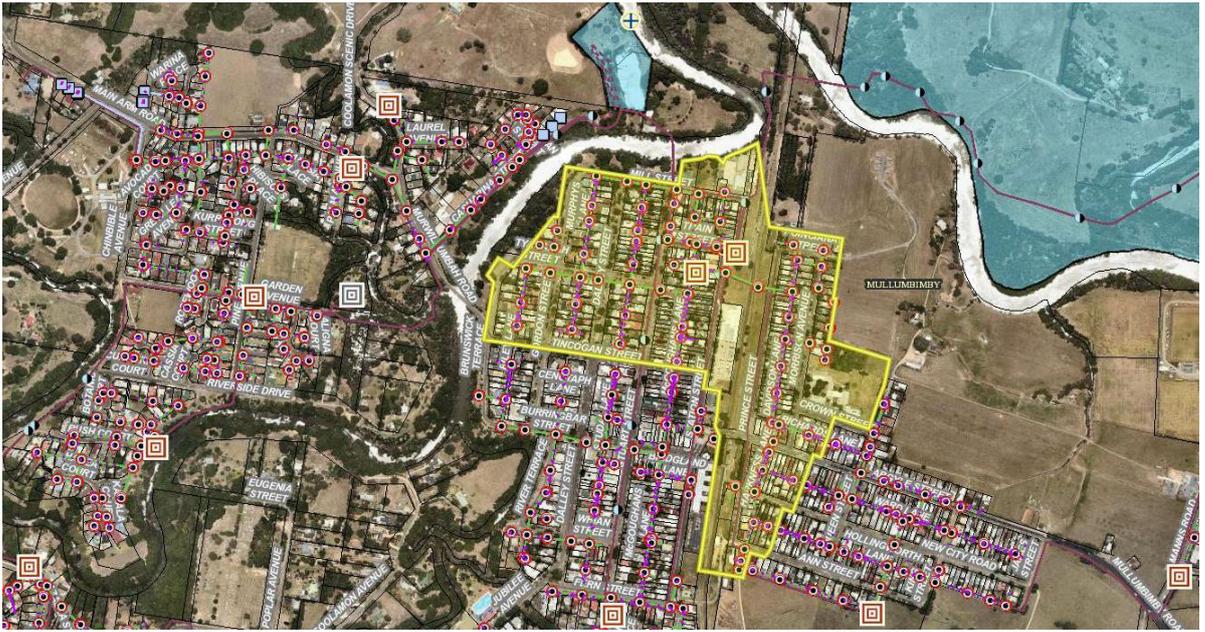


Figure 3 – Mullumbimby 4003 Sewer Catchment, CCTV Works



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Figure 4 – Mullumbimby 4004 Sewer Catchment, CCTV Works

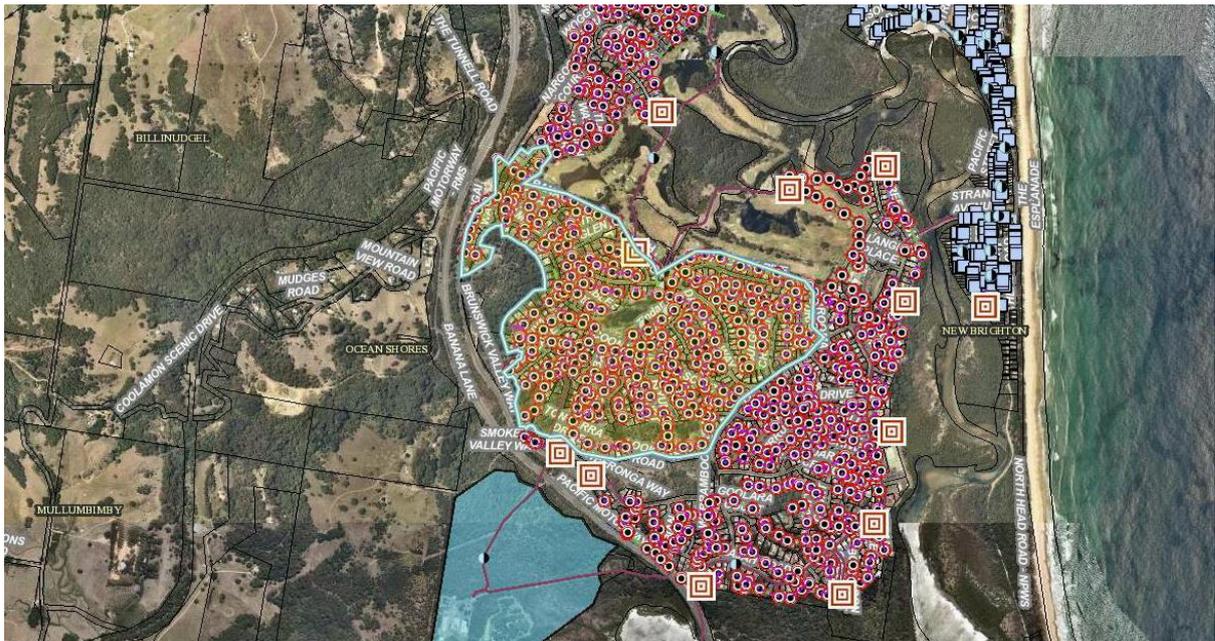


Figure 5 – Ocean Shores 5009 Sewer Catchment, CCTV Works

5 **4. Proposed works FY20/21**

4.1 Rectification

The rectification works included as part of the scope for FY20/21 include high risk assets in catchments in Byron Bay (3002), and Ocean Shores (5012). Furthermore, 9 gravity sewer mains in the original I&I catchment in Mullumbimby (4001) have been included for structural relining upon reassessment. The works range from raising buried maintenance holes, relining maintenance holes, installing junction patch liners on private connections to gravity sewer mains, structurally relining gravity sewer mains, etc. The scope of works comprises approximately 330 independent assets across the three catchments. The total estimated cost of these rectification works is in the order of \$810,000 (±20%). It should be noted that this does not account for any rectification works on assets that have been assessed in FY20/21 that formed part of the scope due to being noted on the 30 year renewal plan.

5. Conclusion

It is clear that this ongoing Inflow and Infiltration project is highlighting various issues throughout the gravity sewer network that are presenting risks such as pipe collapses, overflows due to blockages and inflow and infiltration points, access issues due to buried maintenance holes, etc. These issues cannot be rectified without first having been identified. This project is providing Council with insight into the condition of the network and affording the Utilities Section with the opportunity to prioritise the risks and act accordingly to maintain the safe, reliable, and cost effective transportation of sewer throughout the shire.

BYRON SHIRE COUNCIL

STAFF REPORTS - INFRASTRUCTURE SERVICES

4.2

Report No. 4.3 Myocum Quarry status and rehabilitation update

Directorate: Infrastructure Services

Report Author: Evan Elford, Manager Works

5 **File No:** I2021/226

Summary:

10 The purpose of this agenda item is for staff to provide an update on the status of the Myocum Quarry, outline rehabilitation and ongoing maintenance and management obligations and to open the discussion in relation to the strategic direction for planned and any possible alternative uses for this site including the potential for storage and re-use of alternative resource materials for road base products such as glass sand supply from recycled glass

15

RECOMMENDATION:

That the committee note Council's obligations in respect of the management and rehabilitation of Myocum Quarry