

### Byron Youth Service feedback on Sandhills Skate Park development

- BYS would like to acknowledge the significant lack of parking already and the additional strain the park will create. BYS will continue to work with Council to find solutions to this problem. of parking at the Parking
- BYS support a road on the south side of the YAC from Tennyson to Gilmore
- Boardwalks and natural gentrification and protection of woodland to the South of the YAC.
- It is imperative for the skate park site to provide serviced toilets.
- BYS is interested in contributing to public arts projects and activities
- BYS supports phone charging points and ipod points
- BYS acknowledge signage to direct accident and injury to call ambulance however it is important to acknowledge that BYS will be the closest and most obvious choice for those seeking help after an accident. BYS will continue to work with Council around this issue
- BYS support the resourcing of activities and events and welcome the opportunity of developing funded partnerships to facilitate this
- BYS acknowledge Council will do the maintenance of the park, including glass removal from surfaces and cleaning of park area and rubbish etc. It is envisaged that broken glass will be a significant problem
- BYS is exploring the option of a kiosk and repair shed on the YAC site that could service the skate park
- BYS has some concern over bins and recycling and will continue to work with Council to ensure adequate provision is made for this.
- BYS would like to see the inclusion of water features and bubblers
- BYS would like to see BBQ's and picnic spots
- BYS suggests provision of adequate shade

Byron Council

Att: Daniel Strzina and Rachel Derbyshire  
PO Box 219  
MULLUMBIMBY NSW 2482

Ref D21/340613

Date: 5<sup>th</sup> March 2021

### **Byron Bay Skate and Activity Space Project – Concerns from Courthouse Perspective**

Dear Daniel

Thank you for taking the time to meet with Mark Bromhead and myself on Friday 26/2/21 to discuss our concerns with the Byron Bay Skate and Activity Space project.

As discussed on Friday we have two main concerns from a Court perspective being security and noise, security for the Judicial Officers/staff that attend and noise interfering with Court proceedings. Also a concern to a lesser degree is dust during construction.

Security being the main issue is a real concern as the staff have experienced issues regarding their safety in the past and we believe by building the skate park in close proximity to the Courthouse will only exacerbate the problem by giving the building a more visual presence.

On Friday when we walked next door and looked back into the Court premises it was clear that something needs to be done to block out the view of the rear carpark behind the building so that Judicial Officers, their motor vehicles and staff cannot be sighted and identified as they enter and exit the building. At the very least the boundary fence covering this area would need to be replaced with a more secure fence and plantings to offer a sight barrier.

We also noticed for the first time on Friday that in Stage 2 of the project a pathway is proposed to the southern side of the Courthouse. This will mean the Courthouse will then be totally surrounded by pathways increasing the security risks. People will be able to look into the building from every direction with the Court becoming an island surrounded by pathways giving easy pedestrian access to walk around the perimeter looking in, raising security concerns even more.

There have been vandalism problems in the past on this side of the building and the proposed pathway will give easy access to the external wall of the building for graffiti and for other forms of vandalism ie rocks thrown through windows. Air-conditioning units are also placed along this wall and although they are currently not very accessible to the public due to the overgrown nature of the reserve they would become easily accessible once the pathway is put in place. We have already had one issue with one AC unit being damaged and set alight.

We expect that outdoor areas of the premises will be accessed more than ever out of hours by skateboarders and the homeless. We already have issues with the homeless setting up camp and having to be moved along in the mornings and noise created by non-clients accessing the outside waiting areas of the building.

With the proposed toilet block being in close proximity to the Courthouse driveway we have concerns people will be using the driveway to park while using the toilets blocking access to the Courthouse carpark. This happens presently but will happen more regularly with the construction of the toilet block in that once residents/visitors become aware of its existence, and because of the severe parking issues in Byron Bay, we will have increased issues with people parking up our driveway and blocking access.

Our second concern is noise. The court operates in a silent environment and any noise causes interference with Court proceedings and the sound recording of those proceedings. We avoid having tradesmen and technicians attend on Court days to undertake work for this reason.

During construction of the skate park and the toilet block noise will be unavoidable and we are very concerned this will disrupt court proceedings. After construction the ongoing noise of the skate park could also be disruptive. We appreciate your explanation that the skate park is designed to keep noise levels to a minimum but I don't know how much noise will be suppressed.

Although the majority of the soil in the proposed construction zone would be of a sandy nature we would appreciate the dust to be kept to a minimum.

We would also like to request that Council arrange for a Dilapidation report to be carried out to capture the existing condition of the property assets before and after construction just in case of building disruption caused by construction works.

Thank you for listening to our concerns and I hope you will take all this into consideration before proceeding with this project.

Yours sincerely



**Ross Jensen**

**Maintenance Coordinator**

Hunter - Northern

Infrastructure and Assets

Department of Communities and Justice

P 02 6623 4902 | M 0408 444 956

A 4 Zadoc St Lismore NSW 2480

E [ross.jensen@dcj.nsw.gov.au](mailto:ross.jensen@dcj.nsw.gov.au)

[www.dcj.nsw.gov.au](http://www.dcj.nsw.gov.au)



**Communities  
& Justice**



**From:** [Brenda Anderson](#)  
**To:** [Strzina, Daniel](#)  
**Cc:** [Stafford, Deborah](#); [Derbyshire, Rachel](#); [Stacey Shepherd](#)  
**Subject:** Sandhills skate park design  
**Date:** Wednesday, 24 February 2021 12:24:54 PM

---

Hi Daniel,

Thank you for making the time to speak with Stacey and myself yesterday.

Issues discussed :

- Toilets- toilets in the library are heavily used by the general public who access the toilets only as public toilets not library toilets. We have had many issues with the heavy use resulting in regular plumbing callouts. Would like as many toilets as possible, including baby change table facilities. We support the option of hand washing on the outside of the cubicles, and ask for as many toilets as possible. We also discussed showering options which will be available at the beach? (We have issues in the library with people using the toilet facilities as their bathroom -washing and shaving in the basins)
- Parking- our free library carpark will be a very attractive option as a close carpark to the skatepark. Lack of sufficient parking for library users is a constant problem for patrons and staff.
- CCTV in the park, is it available and who monitors? Currently some external cameras on library building, does this need to be upgraded or will there be additional CCTV.
- Wifi- will this be available in the park?
- Bins- location of garbage bins.
- Water fountain - suggest a system that includes a dog water station at the bottom and ability to fill up water bottles as well as drinking from the water station. We have many queries from patrons to the library for this option.
- Seating- what options are available for people using the park, watching kids skate or just using the park. Options for library to use the space for outdoor storytelling (yarning circle?)
- Memorial- there is a memorial to one of our staff who passed away and a tree planted in her memory. Checked to ensure this wouldn't be damaged.
- Lighting- will there be lighting in the area, and will the space be available at night? Lighting along the pathway.
- Construction phase- impact on the library and users. Noise and dust, any others? Planned to commence in July, complete in September. Parking for construction vehicles elsewhere.
- Ongoing maintenance- what are the plans for ongoing maintenance issues. Who is responsible? (Many issues come to the library regarding other council problems- eg. EV station in the carpark, library gardens etc) Signage for who to contact would be good so the issues don't come to the library staff.

If you have further feedback on these issues it would be much appreciated, so we can inform the staff that these issues are being considered.

Regards,

**Brenda Anderson** | Byron Area Librarian | **Richmond Tweed Regional Library**

Cnr Lawson & Middleton Street, Byron Bay, NSW, 2481 | T 02 6685 7594 or 6685 8540 | [www.rtrl.nsw.gov.au](http://www.rtrl.nsw.gov.au)

Richmond Tweed Regional Library acknowledge the people of the Bundjalung Nation, traditional custodians of the land on which we work.

This email and any files transmitted with it are confidential and intended solely for the use

---

The General Manager  
Byron Shire Council  
PO Box 219  
Mullumbimby NSW 2482

Attention: Claire McGarry

**RE: Submission in relation to Proposed Skate Park and Recreation Hub  
1 Gilmore Crescent, Byron Bay**

I refer to our recent meeting on site on 24 February 2021 to discuss the detailed design of the proposed skate park and recreation hub adjacent to our motel at 30 Lawson Street, Byron Bay. I thank you for taking the time to hear our concerns and to discuss the following Council Resolution:

**STAFF REPORTS - GENERAL MANAGER**

**Report No. 13.2**      **Sandhills Skate Park and Recreation Hub**  
**File No:**            **I2020/187**

**Resolved:**

1. That Council endorse the concept plans identified for Sandhills Estate Skate Park and Recreation Hub (Attachment 1 – E2020/10834) ensuring noise attenuation, light spillage mitigation and crime prevention through environmental design principles are included in the designs.
2. That Council proceed to detailed design for Stage 1 works with a further report at design completion and prior to construction and continue to consult the immediate neighbours and other stakeholders during this process.  
(Spooner/Richardson)

*The motion was put to the vote and declared carried.*

As discussed during the meeting, we would like you to present the following items to the project reference group with specific attention to Item 1 of the above resolution, which requires that noise attenuation, light spillage mitigation and crime prevention through environmental design principles (CPTED) are included in the designs. We understand that these requirements were included in the resolution following our submission to Byron Shire Council dated 19 March 2020

1. Noise Attenuation – it is not an unreasonable request that we are provided with assurance that the activities occurring within the proposed skate park will not result in adverse noise impacts on our motel operation. Our paying guests rightfully expect to be provided with accommodation that is not the subject of excessive noise. We ask whether any acoustic assessment has been completed for the proposed skate park and whether any recommendations were made within such report to reduce noise impacts on adjacent properties?

As with other projects within the urban areas of Byron Bay, it is suggested that noise attenuation measures such as acoustic fencing and double glazing of the accommodation rooms be considered as part of the detailed design going forward. Our rudimentary assessment indicates that an acoustic fence with a height of at least 4 metres (located on the northern side of the skate park) would be required to intercept a line of sight from the raised skate park structures and our second storey motel rooms.

We feel that the noise impacts associated with the skate park use require detailed consideration as part of the ongoing skate park design. We would expect that such consideration should be through the use of a qualified and experienced acoustic consultant who can recommend and verify the effectiveness of attenuation measures (such as an acoustic fence) as appropriate to the specifics of this site.

2. Light Spillage – As discussed on site, we are concerned that the use of lighting could impact on the guests of our motel accommodation. We expect that the detailed design provides a comprehensive light spill assessment to ensure that the amenity of our property is maintained. Again, this assessment should be carried out by an appropriately qualified and experienced
3. CPTED Principles Surveillance/Access Control/Territorial Reinforcement/Space Management – Our suggestion above for the inclusion of an acoustic fence between the skate park and our motel could also double as a security fence. To this end, the fence should be non-climbable to prevent the public entering our property from the public reserve. Our review of multiple skate park designs across Australia indicates that visibility by the public is a key factor in reducing crime. The location of the proposed skate park has very limited visibility from public places. We suggest vegetation removal works in order to improve visibility from Middleton Street, Gilmore Street and from the carparking area adjacent to the Byron Bay library.

We would welcome further discussions in relation to our above comments. We also request that Byron Shire Council enter into further discussions with other adjoining landowners to ensure their requirements are also considered.

Yours Sincerely

3<sup>rd</sup> March 2021

The General Manager  
Byron Shire Council  
PO Box 219  
Mullumbimby NSW 2482

Attention: Claire McGarry

**RE: Submission in relation to Review of Environmental Factors  
Proposed Skate Park and Recreation Hub  
1 Gilmore Crescent, Byron Bay**

I refer to email correspondence received from Council Officers Daniel Strzina (8 March 2021) and Claire McGarry (17 March 2021) wherein confirmation is provided that:

"Noise, light and security will all be further taken into consideration as detailed design progresses and formally assessed as part of the REF process."

Could you please ensure that the consultants/staff who are undertaking the Review of Environmental Factors (REF) are provided with a copy of Council Resolution 20-131, which is reproduced below:

**Report No. 13.2 Sandhills Skate Park and Recreation Hub  
20-131 Resolved:**

1. That Council endorse the concept plans identified for Sandhills Estate Skate Park and Recreation Hub (Attachment 1 – E2020/10834) ensuring noise attenuation, light spillage mitigation and crime prevention through environmental design principles are included in the designs.
2. That Council proceed to detailed design for Stage 1 works with a further report at design completion and prior to construction and continue to consult the immediate neighbours and other stakeholders during this process.

(Spooner/Richardson)

In addition, I would like the consultants/staff who are preparing the REF to be provided with the previous correspondence that we have provided to Council, as well as the submission I made to Byron Shire Council's Community Engagement web page last month.

I am advised that the REF process is governed by Part 5 of the Environmental Planning and Assessment Act 1979, where Section 5.5 specifically states (emphasis added):



## 5.5 Duty to consider environmental impact

- (1) For the purpose of attaining the objects of this Act relating to the protection and enhancement of the environment, a determining authority in its consideration of an activity shall, notwithstanding any other provisions of this Act or the provisions of any other Act or of any instrument made under this or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.

Based on the above legislation, I would expect the REF documentation to (at a minimum) include:

1. A comprehensive acoustic report prepared by a qualified and experienced professional which specifically considers the impacts of the proposed skate park construction and use (including general use and any competitions/large crowds) on our adjacent motel operation. In this regard, I expect that the acoustic report includes appropriate noise monitoring of the current situation and evaluates the genuine noise generation from all future skate park activities. The acoustic assessment should also determine all appropriate measures to protect the occupants of our motel from noise impacts. I expect that acoustic fencing and double glazing of the accommodation rooms be specifically addressed within the acoustic assessment.
2. A comprehensive light spillage assessment prepared by a qualified and experienced professional which specifically considers the impacts of the proposed lighting on our motel. We require complete assurance that the amenity of our guests will be maintained.
3. A comprehensive CPTED assessment prepared by a qualified and experienced professional which specifically considers the impacts of the proposed skate park use on our motel (and other nearby properties). It is expected that this assessment includes recommendations on including measures that achieve the CPTED Principles of Surveillance, Access Control, Territorial Reinforcement and Space Management. This would include security fencing/acoustic fencing and other measures to protect adjacent private properties. Improvements in the visibility of the site from adjacent public land is also extremely important for this site given its history of anti-social behaviour.

As always, I welcome direct engagement with staff/consultants who are handling this process. Our ongoing concerns regarding the impact of the skate park development have not been resolved. In accordance with Council Resolution 20-131, I reinforce to staff/consultants that it is an essential requirement for noise attenuation, light spillage mitigation and crime prevention through environmental design principles to be included in the design.

Yours Sincerely

25 March 2021

24 March 2021

General Manager, Byron Shire Council  
c/o Dan Strzina, Project Manager Assets & Major Projects  
[majorprojects@byron.nsw.gov.au](mailto:majorprojects@byron.nsw.gov.au) (email only)



Dear Dan,

### **Byron Bay Skatepark and Recreation Precinct - submission**

The Northern NSW Local Health District ("NNSW LHD") Health Promotion Unit welcomes the opportunity to comment on the Byron Bay Skatepark and Recreation Precinct final concept design ("the skatepark plan").

We strongly support the skatepark design and commend the designers and Council for incorporating many aspect of best-practice urban design. Our submission suggests some minor amendments to the design, chiefly to address shade provision and older persons.

### **Health context**

By way of background, evidence shows that Northern NSW residents have high overweight and obesity rates (approx. 57% adults, 24% children are overweight or obese<sup>1</sup>) and poor rates for physical activity (approx. 35% of Northern NSW adults<sup>2</sup> and 62% of Northern NSW children<sup>3</sup> have inadequate physical activity levels). As health professionals, we recognise the importance of the built environment in directly affecting people's health and the central role that planners play in providing environments which support healthy behaviour.<sup>4</sup>

### **Shade & tree canopy**

Good urban design includes shade provision, particularly to reduce the incidence of skin cancers.<sup>5</sup> Northern NSW has higher than the state average incidents of melanoma and has been identified as a melanoma hotspot by the Cancer Institute NSW.<sup>6</sup> The design should include elements which reduce thermal mass through increased shade provision and lighter toned pavement/surface textures where possible.

We strongly support the skatepark's plan to include shade provision and note the extensive vegetation indicated in the design and provision of two fixed shade structures shown in the concept plans. However, we note the artists' impression shown on pages 2 and 4 of the concept plan document do not seem to have been translated into the 'initial sketch layout plan' and digital representations shown on pages 6-13. Community feedback summarised on p 2 indicates the importance of shade, and this should be followed through in the skatepark design. This is particularly important in terms of providing shade to skaters and active park users themselves, not just people using the vicinity for passive recreation. As skateparks are predominantly thermal masses known for retaining heat, not shading them will limit use of

<sup>1</sup> <http://www.healthstats.nsw.gov.au/>

<sup>2</sup> [http://www.healthstats.nsw.gov.au/Indicator/beh\\_phys\\_age/beh\\_phys\\_lhn\\_snap?&topic=Physical%20activity&topic1=topic\\_phys&code=beh\\_phys%20physstud](http://www.healthstats.nsw.gov.au/Indicator/beh_phys_age/beh_phys_lhn_snap?&topic=Physical%20activity&topic1=topic_phys&code=beh_phys%20physstud)

<sup>3</sup> [http://www.healthstats.nsw.gov.au/Indicator/beh\\_physkid\\_age/beh\\_physkid\\_lhn\\_snap?&topic=Physical%20activity&topic1=topic\\_phys&code=beh\\_phys%20physstud](http://www.healthstats.nsw.gov.au/Indicator/beh_physkid_age/beh_physkid_lhn_snap?&topic=Physical%20activity&topic1=topic_phys&code=beh_phys%20physstud)

<sup>4</sup> Thompson S, McCue P. The CHESS Principles for Health Environments: A holistic and strategic game plan for inter-sectoral policy and action. Sydney: NSW Premier's Council on Active Living; 2008 [http://www.pcal.nsw.gov.au/\\_data/assets/file/0003/27651/chess.pdf](http://www.pcal.nsw.gov.au/_data/assets/file/0003/27651/chess.pdf) in

<http://www.health.nsw.gov.au/urbanhealth/Publications/healthy-urban-dev-check.pdf>, p 8 [hardcopy page numbers]

<sup>5</sup> See: <https://www.cancer.nsw.gov.au/shade-and-uv>

<sup>6</sup> <https://www.cancer.nsw.gov.au/how-we-help/cancer-prevention/skin-cancer-prevention/melanoma-hotspots-nsw>

**HEALTH PROMOTION**

31 Uralba Street PO Box 498 Lismore NSW 2480 Telephone 02 6620 7500 Fax 02 6622 2151  
<http://nswlhd.health.nsw.gov.au/health-promotion/>

## Older persons

We look forward to this projection coming to fruition.

Adam Guire

# Healthy Environments

Page 2 of 2