



Report on a Public Hearing into
proposed amendments to the Plan of
Management Community Land
Cavanbah Centre Prepared for Byron
Shire Council

PLANNERS NORTH, May 2017

COMPLIANCE AND USAGE STATEMENT

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Preparation

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In respect of: A Public Hearing into proposed amendments to the Plan of Management
Community Land Cavanbah Centre, prepared for Byron Shire Council

Certificate

I certify that I have prepared the content of this report and it is true in all material particulars and does not, by its presentation or omission of information, materially mislead.

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Cavanbah Centre Draft PoM Public Hearing Report

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1. INTRODUCTION

PLANNERS NORTH has been engaged by Byron Shire Council as an independent chair for a Public Hearing into proposed amendments to the Plan of Management Community Land Cavanbah Centre. The proposed amendment seeks to change the categorisation of a major portion of the land from sportsground to general community use. The proposed change will enable a wider range of land uses to be undertaken on the site.

The Public Hearing was held on 26 May 2017 at the Cavanbah Centre, Byron Bay. No written or verbal submissions were made at the Public Hearing.

Notwithstanding the above, this report provides a summary of the submissions made to Council to the amended Plan of Management during and post exhibition.

The Draft Plan of Management material publicly exhibited by Council and written submissions received in relation to public exhibition have been reviewed. A site inspection has also been undertaken.

1.1 THE PUBLIC HEARING PROCESS

The Draft Plan of Management seeks to change the categorisation of the majority of the site from a sportsground to general community use in accordance with Section 36(4) of the Local Government Act 1993 (LGA 1993).

Section 40A of the LGA 1993 requires a Public Hearing to be held in relation to a plan of management, including a plan of management that amends another plan of management, as follows:

40A Public hearing in relation to proposed plans of management

(1) The council must hold a public hearing in respect of a proposed plan of management (including a plan of management that amends another plan of management) if the proposed plan would have the effect of categorising, or altering the categorisation of, community land under section 36 (4).

(2) However, a public hearing is not required if the proposed plan would merely have the effect of altering the categorisation of the land under section 36 (5).

(3) A council must hold a further public hearing in respect of the proposed plan of management if:

(a) the council decides to amend the proposed plan after a public hearing has been held in accordance with this section, and

(b) the amendment of the plan would have the effect of altering the categorisation of community land under section 36 (4) from the categorisation of that land in the proposed plan that was considered at the previous public hearing.

This Public Hearing was chaired by Kate Singleton of PLANNERS NORTH.

2. SUBMISSIONS T DRAFT PLAN OF MANAGEMENT

The proposed amendment to the Draft Plan of Management for the Cavanbah Centre Byron Bay was publicly exhibited for 28 days, with submissions closing on 20 April 2017. The proposed amendment seeks to change the categorisation of a major portion of the land from sportsground to general community use. The proposed change will enable a wider range of land uses to be undertaken on the site. The proposed amendment would enable uses such as primitive camping, training camps, aquatic centre, skate park, markets and indoor / outdoor entertainment to be undertaken on the site.

Three (3) submissions were received, two (2) during the exhibition period and one (1) after the closing date. The submissions received are addressed below.

2.1 SUBMISSIONS

Submissions were received from Byron Bay AFL Junior Magpies and Byron Bay AFL Senior Magpies. These submissions comprised requests for improved or additional facilities at the Cavanbah Centre, as follows:

- Club rooms
- Shelter for timekeeper
- More covered areas beside grounds (trees, shade sail, covered stands etc)
- Picket or mesh fencing of main oval
- Coaches boxes on second oval
- Power supply to coach's boxes
- Relocate scoreboards
- Ground PA System
- Additional seating for both ovals
- Covered BBQ area with picnic tables
- Additional storage space
- Power to storage sheds
- Nets behind goals on second oval
- Filters on drinking fountains around grounds

A submission was also received from the Byron Bay Cycle Club requesting that Council finish the criterion track that the club commenced with \$100,000 of grant funding in 2013.

It is considered that the issues raised in the submissions relate to requests for improvements and additions to facilities rather than the proposed amendments to the Plan of Management.

3. PUBLIC HEARING

The Public Hearing was held on 26 May 2017 at the Cavanbah Centre, Byron. The Public Hearing commenced at 3pm with the Chair, Kate Singleton of PLANNERS NORTH, and Byron Shire Council's Open Spaces Facilities Coordinator, Darren McAllister in attendance.

There were no other attendees at the Public Hearing and no written or verbal submissions were made.

3.1 DISCUSSION AND RECOMMENDATION

As noted above, there were no verbal or written submissions made to the Public Hearing. The submissions made in relation to the exhibition of the proposed amendment to the Plan of Management related to improvements to facilities and additional facilities rather than the provisions of the amended Plan of Management.

On the basis of the above, the following is recommended:

1. That Council proceed with the adoption of the amended Plan of Management for the Cavanbah Centre as exhibited.



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