
Byron Shire Council

*Section 94 Development Contributions
Plan
Accompanying Report*

#298615

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Connell Wagner

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1. Executive Summary

1.1 Introduction

The Section 94 Review has been initiated by Byron Shire Council to update several Section 94 Contributions Plans (CPs) for the Shire. Byron Shire Council has the following CPs in place:

- Community Facilities
- Open Space
- Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads and Street Tree Planting
- Council Offices

These CPs were prepared in 1993/97 and are at the end of their effective life. The population growth identified in the CPs has occurred and Council has completed a range of the works contained within these CPs.

The new CP includes any works that have not been completed in the previous CP's which have been brought forward into the work program. These works have been escalated by CPI (for works involving construction) or by the increase in land values (where land acquisition is proposed). The CP also brings forward funds that been collected under the existing CPs to ensure that full reconciliation of funds and works occurs. This will ensure that Council is not charging any resident or developer twice for the works and, conversely, that funds for identified works are collected.

The strategies described in this report are intended as a statement of policy with regards to the demand for public services and public facilities identified by the Council in response to development within the LGA. While the Council has the intention to accomplish these strategies, conditions or assumptions may vary beyond that envisaged by the Council. The Council reserves the right to amend these strategies in response to future changes. This may require the amendment of the CP which will occur in accordance with the provisions of the EP & A Act.

1.2 Section 94 and Guidelines for Implementation

Section 94 (S 94) of the *Environmental Planning and Assessment Act, 1979* (EPA Act) allows Council to recoup costs associated with development in the local government area. This is a contribution paid to cover the costs of infrastructure and facilities provided by Council to meet the demands of future development (such as community facilities, open space, roads, drainage).

Importantly, Section 94 cannot be used to make up for past deficiencies or to be used for maintenance of facilities (except in one limited circumstance). Section 94 funds also cannot be used for purposes other than those for which they were collected.

The Department of Urban Affairs and Planning (DUAP) has prepared a Section 94 manual that provides guidelines for Councils for preparation of CPs. This manual, together with guidance practices issued by DUAP and the requirements of the *Environmental Planning and Assessment Regulation*, has been followed closely in the preparation of the CP.

To arrive at contributions for different types of development and for different types of facilities, the methodology adopted in the Plan is as follows:

- Identify the types of existing development in the Council's area
- Identify the public amenities and public services that serve each type of existing development and assess whether they are adequate
- Identify the expected types of new development
- Assess the demand for public amenities and public services that will be generated by each expected type of new development

- Determine the additional public amenities and public services that the Council proposes to provide
- Where relevant, apportion the demand for those additional public amenities and public services between existing and new development and between local and regional demands.

The most important factors that Council must consider in the preparation of the CP are nexus and reasonableness. Nexus is the identification of the direct relationship between a development and the needs it creates. Reasonableness revolves around concepts of fairness and equity. These important issues are considered in detail throughout this CP.

1.3 Population and Demographic Projections

The population and demographic analysis indicates that Byron Shire has experienced rapid growth over the last two decades across all urban areas as well in rural areas. One of the more striking characteristics of the Shire is the large proportion of the population that live in rural areas and small villages (around 30%). This spatial distribution of population creates unique challenges for the provision of community facilities and services throughout the local government area.

The demographic profile of the population is also quite different from the state average with higher proportions of children (0-14 years) adults (30-40 years), and lower proportions in the young adult and older age categories. When each urban area is examined, these variations become even more pronounced with some areas (eg Bangalow) being characterised by young families while others (eg Brunswick Heads) have fewer families and higher proportions of older people.

These spatial and demographic variations in the population mean that provision of community services and facilities can be over-stretched and it will always be difficult for all the needs of the community to be catered for in every urban area. Consequently, the focus on provision will be to maximise the use of existing facilities while judiciously providing new facilities.

Byron Shire Council has prepared a number of draft settlement strategies for the urban and rural areas of the Shire which have set maximum population numbers. These have formed the basis of the population projections for the life of this CP for the period 2001-2006. This Contributions Plan uses the total population capacity of the local government area as the basis for the overall needs assessment for the incoming population. It then programs works for the population growth that is anticipated to occur in the period 2001-2006.

The following sections provide an outline of the anticipated growth and development in the LGA that will create demand for a range of public amenities and public services. Subsequent sections examine the demand for each of the following types of public amenities and public services:

- Community and cultural facilities and services.
- Open space and leisure facilities and services
- Roads and traffic management facilities and services
- Car parking facilities and services
- Cycleway facilities and services
- Civic and urban improvements
- Shire support facilities
- Administration

1.4 Key Themes from Community Consultations

The current investigations for the review of Byron Shire's Section 94 CP have included a range of community consultation activities aimed at understanding the needs of present and future residents. In

reviewing the issues raised and prioritised by all groups during the consultations, a number of themes and issues recurred:

- *Environment/Beach and Parks:*
 - There is a perceived lack of access to beaches
 - Parks need more equipment
 - Parks need to be properly maintained
 - Recycling centre needs to be established
- *Roads/Bicycle and Pedestrian Paths/Parking:*
 - There is need for an extensive bicycle network
 - Footpaths need to be upgraded
 - Roads need upgrading, especially rural roads
 - Parking availability needs to be improved
- *Cinemas/Shopping facilities:*
 - There is only one cinema within the area
 - Cinema does not show up-to-date films and is poorly maintained
 - Shopping facilities could be upgraded
- *Youth Facilities:*
 - There is a lack of youth recreation facilities
 - Lack of entertainment opportunities for young people at night
 - Skateboarding facilities are needed in some locations
- *Sporting facilities and services:*
 - There is a lack of sporting facilities and services in the area
 - There is a lack of an indoor sporting facility and indoor pool
 - Seating is a problem at some facilities for spectators
 - Current sporting fields and venues are not well maintained
- *Transport:*
 - There is a lack of public transport within the Shire
 - There is a lack of transport within towns to recreation facilities and service
 - The high cost of transport has also been identified as an issue
- *Government Infrastructure:*
 - Disability access within the Shire needs to be improved
 - Accessible public toilets are required
 - There is a need for community space and facilities
 - There is a need for improvements to library services
 - Street lighting needs to be improved
 - There is a need for cultural venues, public art and/ or and Art Gallery

These reinforce some of the issues and priorities identified in the 1995 consultations and provide a working list for Council to approach as part of the implementation of the Social Plan. Given they also represent the perceived needs of the community now and in the future, it also provides a working list for Section 94 planning purposes.

1.5 Strategy Plans for Facilities

In order to meet the nexus requirements of the EPA Act and *Environmental Planning and Assessment Regulation*, it is the purpose of this CP to take a strategic approach to the levying and apportionment of Section 94 contributions for all facilities within the Plan.

This approach is based on the following key criteria:

- Reflecting anticipated demand and preferences.

- Considering the types of facilities already provided including their quality and quantity.
- Matching existing levels of provision.
- Being compatible with Council's corporate and strategic aims.
- Being compatible with current approaches to facility provision.
- Meeting accepted accessibility criteria.

Each of the Strategy Plans outlined below adopts this common approach. Within each Strategy Plan the particular needs of the population and considerations of the existing services and facilities (including any shortfalls) as well as nexus have also been taken into consideration.

Within each Strategy Plan the programmed facilities are to provide for the needs of the population capacities and other types of non-residential development (viz commercial and industrial development) identified in the *Settlement Strategies* prepared by the Council. The *Settlement Strategies* project a population of around 40,000 persons with the main towns of Mullumbimby, Byron Bay, Bangalow, Brunswick Heads and Ocean Shores/New Brighton capturing the majority of population growth and non-residential (commercial/industrial) development. The program of works for the 2001-2006 CP is aimed at satisfying growth and development needs.

1.5.1 Community and Cultural Facilities Strategy Plan

The range of community and cultural facilities required by existing and future populations is diverse. While Byron Shire Council provides relatively limited facilities and services, other government agencies, the private sector and charitable organisations provide many more.

It is not the Council's intention that Section 94 be used to increase the range of these community and cultural facilities that it presently provides. Rather, the key principle adopted in the Community and Cultural Facilities Strategy Plan is that of maintaining the existing levels of provision of community and cultural facilities that are provided by the Council.

The levy will include a contribution for shire wide facilities and a contribution for local facilities that are required as a result of residential and non-residential development (eg tourism).

The contribution will be sought for the following types of development that generates demand for new or enhanced community and cultural facilities:

- Residential development of all types.
- Commercial development that involves the accommodation of persons on a temporary or permanent basis (eg tourist accommodation facilities, cabins, hotels, motels, caravan parks).

The levy will be imposed according to the demand generated by each of the uses. This will be based on the occupancy rates for various dwelling types as established by the Australian Bureau of Statistics 1996 census figures.

It has been established that development that does not impose demands on community and cultural facilities (viz commercial/retail development, industrial development, quarries) will not be subject of a levy for these facilities.

1.5.2 Open Space Strategy Plan

As with the Community and Cultural Facilities Strategy Plan, the key principle adopted in the Open Space Strategy Plan is that of maintaining the existing levels of provision of open space in the Shire. This will ensure that the present population's recreation and open space opportunities are not diminished.

The Open Space Strategy Plan has adopted an approach of having local facilities levied on a local catchment (township) basis with higher order facilities (district and sporting facilities) on a Shire basis. For local open space, there is considerable logic in levying contributions on a local catchment basis since these types of facilities should be within walking distance of a residence. Higher order facilities have a wider catchment and are often accessed by vehicle. As such, proximity (or spatial nexus) is not as important as the ability to use the open space for a variety of recreation needs. Given funding constraints and the distribution of the population, the ability to concentrate efforts into a limited number of facilities will provide quality district and structured open space facilities.

The proposed works program includes the provision of local, district and structured open space facilities. The program is based upon embellishment of existing open space as well as acquisition of new open space. Where necessary, the development of open space facilities is programmed to ensure the incoming population is provided with appropriate facilities in a timely manner.

The contribution will be sought for the following development that generates demand for new or enhanced open space and recreation facilities, and/or acquisition of land for the purposes of open space:

- Residential development of all types.
- Commercial development that involves the accommodation of persons on a temporary or permanent basis (eg tourist accommodation facilities, cabins, hotels, motels, caravan parks).

The levy will be imposed according to the demand generated by each of the uses. This will be based on the occupancy rates for various dwelling types as established by the Australian Bureau of Statistics census figures.

It has been established that development that does not impose demands on open space facilities (viz commercial/retail development, industrial development, quarries) will not be subject of a levy for these facilities.

1.5.3 Roads Strategy Plan

The road network in Byron has generally experienced a variable level of traffic growth over the last 10 years which has largely mirrored the spatial distribution of population. All urban areas have experienced substantial population growth and development of commercial, retail and industrial areas.

Strategy plans have been developed for urban and rural roads based on the projected traffic growth in the overall network. This has been converted into a works program and a levy calculated.

Although there is currently a separate levy for urban roads and rural roads, this is an artificial distinction as around 30% of the population live in rural area. These rural dwellers utilise urban roads as many higher order facilities are located in the main towns (eg retail facilities, community facilities, services). Consequently, it is proposed to levy all new development equally across the shire. To ensure equity in provision works are planned and programmed on a catchment basis.

The contribution will be sought for the following types of development that generates traffic and leads to demand for improvement or upgrading of the road system or the need for new roads including all ancillary road network needs (such as traffic management measures, lighting, pedestrian facilities):

- Residential development of all types.
- Commercial and retail development.

- Industrial development.
- Extractive industries.
- Rural development.

The levy will be imposed according to the demand generated by each of the uses. This will be based on traffic generation figures that are used by the NSW Roads and Traffic Authority for the various land use types outlined in the *Guide for Traffic Generating Developments*.

1.5.4 Car Parking Strategy Plan

Mullumbimby

The demand for structured car parking (ie multi-level) does not exist and the proposed car park behind the police station is yet to be constructed. This is included in future works.

There is also a car park in Station Street that could be improved and the supply increased through line marking. The existing street car parking supply could also be increased through such measures as angle parking in all streets within the town centre.

Byron Bay

There are various options for provision of car parking to meet the existing shortfall and future demand. The design of the car parking will be dependent on the type provided (ground versus multi-level) and the location of the car parking (viz centre, fringe, remote). This will also influence the overall cost of provision.

The major demand for additional car parking in the town centre will be from increased commercial development (or redevelopment that creates higher demand) and growth in tourism including day trippers. Approximately half of the demand for car parking could be met through the options discussed in the report and, for the purposes of the contribution calculation, it is assumed that these (or other similar solutions) are to be constructed.

Bangalow

Car parking areas can be formalised which would assist in maximising the car parking supply. Ground level car parking will conform to standard RTA suggested layout with a sealed surface and lane marking. There are a total of 100 spaces in future car parks which will provide for existing and some future needs.

Brunswick Heads

The existing Section 94 Plan indicates that Council will purchase commercial land behind shops for construction of a car park. However, this purchase has not occurred to date and there are very few funds accumulated to date. It is unlikely that the identified works will proceed given land costs have increased beyond the allocation from Section 94.

To deal with this situation, the preferred strategy is to formalise and increase parking supply along the northern and eastern road of town. This would be achieved by marking existing spaces fronting parks and making the layout more efficient through lane marking and use of log barriers to identify car parking areas.

Basis of Levies

The contribution will be sought for the following types of development that generates demand for car parking facilities in each of the urban areas of the shire including all ancillary car parking needs (such as traffic management measures, lighting, pedestrian facilities).

The levy will be imposed where car parking demand cannot be either partially or fully satisfied on the site within or adjacent to the town centre precincts of each urban area for the following uses:

- Residential development.
- Tourist facilities
- Commercial and retail development
- Industrial development

The levy will be imposed according to the demand generated by each of the uses. This will be based on car parking accumulation rates that are used by the NSW Roads and Traffic Authority for the various land use types noted in the *Guide for Traffic Generating Developments*.

1.5.5 Bikeway and Walkways Strategy Plan

Population growth will increase demands on existing cycleways and walkways. In addition, there will be demand for additional facilities as a result of the population increase.

Council has proposed extensions to existing and future walkways to improve facilities for the existing population and to provide for additional population demands. A range of improvements are proposed in each urban area to cater to demand and to link to existing cycleways. These include works that have not been completed under the existing CP.

The contribution will be sought for the following types of development that leads to demand for improvement or upgrading of the cycleway system or the need for new cycleways including all ancillary cycleway needs (such as lighting, kerbing, road crossovers, line marking, pedestrian separation facilities):

- Residential development of all types.
- Commercial development that involves the accommodation of persons on a temporary or permanent basis (eg tourist accommodation facilities, cabins, hotels, motels, caravan parks).

The levy will be imposed according to the demand generated by each of the uses. This will be based on the occupancy rates for various dwelling types as established by the Australian Bureau of Statistics census figures.

1.5.6 Bushfire Facilities Strategy Plan

Discussions with Councils fire control officer have indicated that there are changes to the manner in which rural fire services are being provided within the local government area.

The *Rural Fires Act 1997* and *Rural Fire Amendment Act 2000* will require the transfer of staff and administrative functions of rural fire services to the State Government. This will also require Service Level Agreements to be established for each local government area. However, Council will still be responsible for the costs of a proportion of the administrative costs that are provided in the Shire as well as the facilities that house these services. Consequently, the provision of these services and facilities will remain a cost to the Council and section 94 contributions can still be levied.

The contribution will be sought for the following types of development that leads to demand for improvement or upgrading of rural fire service facilities:

- Rural development.

The levy will be imposed according to the demand generated by each of the uses. This will be based on the occupancy rates for various dwelling types as established by the Australian Bureau of Statistics census figures.

1.5.7 Surf Lifesaving Facilities

The urban areas of the Shire have large population bases and account for almost 67% of the total population of the Shire. This population is to increase to around 75% of the total population.

As a consequence, there is an increased burden on Councils provision of surf lifesaving facilities as it must provide these services to a number of beaches. The demand for improved facilities and services will also require a higher level of expenditure by Council.

Visitation to the beaches of Byron Bay by residents and tourists alike is high with large crowds during the holiday periods. There is also an increasing use of beaches during non-holiday periods as the area becomes a more popular tourist venue. The increase in beach use has led to an attendant increase in the need for beach supervision and facilities.

Consequently, contributions will be levied to upgrade of these facilities to cater to future needs.

The contribution will be sought for the following types of development that leads to demand for improvement or upgrading of surf lifesaving facilities:

- Residential development of all types.
- Commercial development that involves the accommodation of persons on a temporary or permanent basis (eg tourist accommodation facilities, cabins, hotels, motels, caravan parks).

The levy will be imposed according to the demand generated by each use. This will be based on the occupancy rates for various dwelling types as established by the Australian Bureau of Statistics census figures.

1.6 Future Action Plans

As with any CP, there is a constant need for the latest and most up to date information to provide the basis for the assessment of contributions. For example, the 2001 census figures will become available in early 2002 which will allow Council to check population figures and projections in the CP.

There are a number of areas where additional information or additional studies are required to ensure that there is sufficient Council is in conformity with Section 94 guidelines or where Council may wish to levy for other facilities:

- **Traffic Investigations:** it would be beneficial to have a traffic model prepared for the Shire to facilitate long term planning of roadworks and upgrading needs to meet the needs of the incoming population and commercial development particularly the case in the Byron Bay township. Although the information contained in the CP and Supporting report is sufficient to justify the levies proposed, there is a need for more detailed planning to ensure that best use is made of resources and contributions.
- **Open Space Management:** An open space management plan would allow Council to plan for the sustainable use of all reserves that are under Councils control. The CP adopts the principle of utilisation of existing reserve assets and there is a need to ensure that the environmental values of these reserves are not placed under stress. An open space management plan would be the mechanism to ensure this did not occur.

- **Waste Management Plan:** The ongoing population growth will place additional demands on waste management. While Council does not have a Waste Management CP, it is open for Council to adopt such a plan.
- **Stormwater Management:** Stormwater management is another area where Council does not have a CP. While recent investigations have produced a stormwater management plan additional work is required (including costs) to bring this into a form that can be used for a CP.
- **Cemeteries:** Council can also levy for facilities such as cemeteries (as well as other such functions) if so desired. Again, some work is required to assess demand and the costs of Council to provide such space.

1.7 Summary of Works and Contributions Schedules: 2001/2006

FACILITY	CATCHMENT						
	Byron Bay/Suffolk Park	Mullumbimby	Brunswick Heads	Bangalow	Ocean Shores/ New Brighton / South Golden Beach	Rural North	Rural South
Community and Cultural Facilities	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed – includes upgrade of community centre in vicinity of town centre area Embellish upgraded community centre Byron library improvement / redevelopment Updated pre-school cost 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Upgrade Mullumbimby Civic Hall/Neighbourhood Centre Mullumbimby library improvement (shire-wide) 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Existing community centre to be upgraded Brunswick Heads library improvement 	<ul style="list-style-type: none"> Upgrade A&I Hall for community centre 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Embellishment of community centre facilities 	<ul style="list-style-type: none"> Improvements to halls 	<ul style="list-style-type: none"> Improvements to halls
Open Space: Local	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Local parks Embellish existing parks Land acquisition 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Local parks Embellish existing parks Land acquisition 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Local parks Embellish existing parks Land acquisition 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Local parks Land acquisition 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Local parks Land acquisition 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Embellish existing parks 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Embellish existing parks
District/ Structures	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Structured open space embellishment District park 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Sportsfield District park 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Structured open space embellishment District park 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Structured open space embellishment District park 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Sportsfield District park 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Structured open space embellishment District park embellishment 	<ul style="list-style-type: none"> Remaining funds to be collected/facilities completed Structured open space embellishment District park embellishment

FACILITY	CATCHMENT						
	Byron Bay/Suffolk Park	Mullumbimby	Brunswick Heads	Bangalow	Ocean Shores/ New Brighton / South Golden Beach	Rural North	Rural South
Roads (Traffic, Parking and Movement Systems)	<ul style="list-style-type: none"> Staged construction of bypass Traffic management Roundabouts Upgrades 	<ul style="list-style-type: none"> Traffic management Roundabouts Upgrades 	<ul style="list-style-type: none"> Traffic management Upgrades 	<ul style="list-style-type: none"> Traffic management Upgrades 	<ul style="list-style-type: none"> Traffic management 	<ul style="list-style-type: none"> Upgrades 	<ul style="list-style-type: none"> Upgrades
Car Parking	<ul style="list-style-type: none"> 250 spaces 	<ul style="list-style-type: none"> 50 spaces 	<ul style="list-style-type: none"> 100 spaces 	<ul style="list-style-type: none"> 86 spaces 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> N/A
Cycleways	<ul style="list-style-type: none"> Upgrading/new cycleways 	<ul style="list-style-type: none"> Upgrading/new cycleways 	<ul style="list-style-type: none"> Upgrading/new cycleways 	<ul style="list-style-type: none"> Upgrading/new cycleways 	<ul style="list-style-type: none"> Upgrading/new cycleways 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> N/A
Civic and Urban Improvements	<ul style="list-style-type: none"> Town centre Works: seating, lighting rubbish bins, bike racks, notice boards and signage Jonson Street upgrade Upgrade public toilets 	<ul style="list-style-type: none"> Additional seating, rubbish bins, notice boards and signage Upgrade public toilets Improve walkways and footpaths Landscaping within town centre 	<ul style="list-style-type: none"> Additional seating, rubbish bins and signage within town centre and Beach Road area Improve walkways and footpaths Landscaping within town centre 	<ul style="list-style-type: none"> Additional seating, rubbish bins, notice boards and signage Provide public toilets Improve walkways and footpaths 	<ul style="list-style-type: none"> Improve walkways and footpaths Street landscaping 	<ul style="list-style-type: none"> Walkways and footpaths, street landscaping 	<ul style="list-style-type: none"> Walkways and footpaths, street landscaping
Shire Support Facilities	<ul style="list-style-type: none"> Upgrading bushfire fighting equipment and Additional vehicle <ul style="list-style-type: none"> Additional lifesaving equipment 						
Administration	<ul style="list-style-type: none"> Administrative resources 						

Schedule of Contributions by Area

Catchment	Community Facilities	Open Space	Roads	Car Parking	Cycleways	Civic & Urban Improvements	Shire Support Facilities		Administration
	Per person	Per person	Per trip	Per space	Per person	Per person	Rural Fire Services Per person	Lifesaving Facilities Per person	Per person
Byron Bay/Suffolk Park	\$383.61	\$1,479.46	\$609.32	\$32,731.60	\$194.71	\$417.52	\$0	\$10.77	\$301.36
Mullumbimby	\$449.95	\$1,110.75	\$609.32	\$9,215.52	\$188.13	\$454.55	\$0	\$10.77	\$301.36
Brunswick Heads	\$388.80	\$1,335.41	\$609.32	\$14,969.21	\$104.55	\$443.79	\$0	\$10.77	\$301.36
Bangalow	\$356.82	\$927.71	\$609.32	\$9,592.04	\$88.50	\$462.56	\$0	\$10.77	\$301.36
Ocean Shores/ New Brighton / Sth Golden Bch	\$610.47	\$1,104.75	\$609.32	\$0	\$64.50	\$253.73	\$0	\$10.77	\$301.36
Rural North	\$399.63	\$745.17	\$609.32	\$0	\$0	\$219.78	\$277.15	\$0	\$301.36
Rural South	\$388.83	\$733.86	\$609.32	\$0	\$0	\$219.78	\$277.15	\$0	\$301.36

Schedule of Contribution Rates by Development Type

Contribution Rates	Byron Bay/ Suffolk Park (per SDU ¹)	Mullumbimby (per SDU ¹)	Brunswick Heads (per SDU ¹)	Bangalow (per SDU ¹)	Ocean Shores/New Brighton/SGB (per SDU ¹)	Rural North (per SDU ¹)	Rural South (per SDU ¹)	
Community and Cultural Facilities	\$1,035.75	\$1,214.87	\$1,049.76	\$963.41	\$1,648.27	\$1,079.00	\$1,049.84	
Open Space	\$3,994.54	\$2,999.03	\$3,605.61	\$2,504.82	\$2,982.83	\$2,011.96	\$1,981.42	
Traffic Movement (Roads) ²	\$5,483.88	\$5,483.88	\$5,483.88	\$5,483.88	\$5,483.88	\$6,093.20	\$6,093.20	
Car Parking ³	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Cycleways	\$525.72	\$507.95	\$282.29	\$238.95	\$174.15	\$0.00	\$0.00	
Civic & Urban Improvements	\$1,127.30	\$1,227.29	\$1,198.23	\$1,248.91	\$685.07	\$593.41	\$593.41	
Rural Fire Services	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$748.31	\$748.31	
Surf Lifesaving	\$29.08	\$29.08	\$29.08	\$29.08	\$29.08	\$0.00	\$0.00	
Administration	\$813.67	\$813.67	\$813.67	\$813.67	\$813.67	\$813.67	\$813.67	
TOTAL	\$13,009.94	\$12,275.76	\$12,462.52	\$11,282.72	\$11,816.95	\$11,339.54	\$11,279.85	
<i>Residential Development</i>								
Occupancy rate								
1-bedroom	1.7	\$8,191.44	\$7,729.18	\$7,846.77	\$7,103.94	\$7,440.30	\$7,139.71	\$7,102.12
2-bedroom	2.0	\$9,636.99	\$9,093.15	\$9,231.49	\$8,357.57	\$8,753.29	\$8,399.66	\$8,355.44
3-bedroom	2.7	\$13,009.94	\$12,275.76	\$12,462.52	\$11,282.72	\$11,816.95	\$11,339.54	\$11,279.85
3-bedroom dwelling	2.7	\$13,009.94	\$12,275.76	\$12,462.52	\$11,282.72	\$11,816.95	\$11,339.54	\$11,279.85
>3-bedroom dwelling	0.9/bedroom	\$4,336.64/bedroom	\$4,091.91/bedroom	\$4,154.17/bedroom	\$3,760.90/bedroom	\$3,938.98/bedroom	\$3,779.84/bedroom	\$3,759.94/bedroom
Subdivision	2.7/new lot	\$13,009.94	\$12,275.76	\$12,462.52	\$11,282.72	\$11,816.95	\$11,339.54	\$11,279.85
<i>Tourist Accommodation</i>								
Occupancy rate								
Per single person bed	1.0	\$4,818.50	\$4,546.58	\$4,615.75	\$4,178.79	\$4,376.65	\$4,199.83	\$4,177.72
<i>Commercial, Industrial & Retail⁴</i>								

Notes:

1. An SDU refers to a standard development unit, which equates to a standard dwelling. 1 SDU = 2.7 persons. All rates are per SDU except where indicated in the schedule.
2. Urban dwellings generate 9 trips per SDU; rural dwellings generate 10 trips per SDU
3. Car parking charges may apply if car parking not provided on site and development is located in or near town centres.
4. Commercial, retail and industrial development, other than tourist accommodation, will pay a contribution for roads, car parking, civic and urban improvements, and administration at the rate of 0.37 SDU per employee based on the following employee generation rates: commercial development – 1 employee per 20 m² of gross leasable area (GLA); retail – 1/40 m² GLA; industrial – 1/80 m² GLA.

2. Introduction

2.1 Background

This report documents Byron Shire Council's review of its existing Section 94 Contributions Plans (CPs) for the Shire. This review aims to ensure that the CPs are current, include best practice and reflect the desires and needs of the community. This review also aims to ensure that collected funds are accounted and expended for the purposes identified in the CP.

The following CPs are currently in place in the Shire:

- Community Facilities
- Open Space
- Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads and Street Tree Planting
- Council Offices

These CPs were prepared in 1993/97 and are at the end of their effective life. The population growth identified in the CPs has occurred and Council has completed a range of the works contained within these CPs.

The new CP includes any works that have not been completed in the previous CPs which have been brought forward into the work program. These works have been escalated by CPI (for works involving construction) or by the increase in land values (where land acquisition is proposed). The CP also brings forward funds that have been collected under the existing CPs to ensure that full reconciliation of funds and works occurs. This will ensure that Council is not charging any resident or developer twice for the works and, conversely, that funds for identified works are collected.

2.2 Project Aims

The aims of the project are set out in the brief are:

"To determine the current level of Community Facilities, Open Space, Bikeways, Bushfire Brigade, Car Parking, Road Upgrading Rural Roads and Street Tree Planting in the Byron Local Government area.

To identify any shortfalls in provision of these Community Facilities, Open Space, Bikeways, Bushfire Brigade, Car Parking, Road Upgrading Rural Roads and Street Tree Planting provision in view of existing and future demands arising out of anticipated future development.

To identify opportunities for addressing such shortfalls.

To prepare a new Section 94 Contribution Plan for Community Facilities, Open Space, Bikeways, Bushfire Brigade, Car Parking, Road Upgrading Rural Roads and Street Tree Planting in the Shire of Byron."

The CP and *Accompanying Report* will fulfil Council's obligations regarding the provisions of Section 94.

During the course of the investigations, a number of additional areas were investigated by the study team that were considered by Council officers to be essential to including any future CP. These are:

- Waste management facilities.
- Stormwater control and treatment.
- Cemetery and other similar urban support functions.

These have not been included in the revised CP for 2001-2006. However, population projections and spatial distribution are set out in this report which can be used to determine demand for these facilities and demonstrate nexus.

2.3 Structure of the Review Documents

This review has been undertaken to ultimately provide two reports to Council:

- ***Byron Shire Development Contributions Plan 2001-2006.*** This is the statutory CP adopted by Council under the provisions of Section 94 of the Environmental Planning and Assessment Act.
- ***Byron Shire Section 94 Development Contributions Plan Accompanying Report.*** This provides all the background supporting documents and rationale for the calculation of the contributions.

The 2001-2006 CP contains all relevant statutory information required for applicants, outlines relevant issues such as nexus and apportionment as well as a summary of the formulas and contributions rates to be adopted by Council.

This document, *The Accompanying Report*, includes a detailed assessment of population growth and development, the facilities and works needed by this population, and all current funds, works, formulas and calculations that are required to support the actual contribution rates. It is not intended to form part of the statutory CP itself, rather, it contains all necessary background information to ensure the CP is fully informed.

This format has been devised to allow Council to readily update each document at the end of the CP life (2006). It also allows Council to update the *Accompanying Report* to include, for example, the results of the 2001 census.

2.4 Existing Section 94 Policies and Funds

Council may also accept land dedicated as part or full payment of contributions. Any land dedicated under either CP is held by Council as community land and is zoned for open space purposes.

The original Byron Shire CP was established in the 1980s and levied funds for a variety of community facilities and services including roads, open space, community facilities, car parking, street landscaping, drainage, water and sewerage. However, the CP was not supported by a defined works program and included water and sewerage levies which were removed from the ambit of Section 94 (these are now levied under the *Water Supply Authorities Act*). Consequently, the 1993 CP was prepared to replace this earlier plan. The 1993 CP was based on the 1991 guidelines prepared by the (former) Department of Planning.

The 1993 CP was predicated on a total population of approximately 28,700 which was projected to occur by 1997. The current population of the Shire is approximately 31,053 (2001) which indicates that the 1993 plan has reached the end of its effective life. Appendix G contains the current Section 94 funds as of September 2001.

2.5 Catchment Areas

Council's existing Section 94 CPs established a series of catchment for various facilities and services. Since 1993 the spatial distribution of the population has not altered significantly and these catchments largely remain valid for the future CP. The characteristics of catchments are discussed in each section dealing with the proposed strategy plans for individual facilities and services.

2.6 Reconciliation of Section 94 Works Programs

When reviewing Section 94 CPs it is important that the Council reconcile the funds and works that are complete, those which are partially complete and those which are not commenced. As an example, if Council has provided a facility ahead of demand and has not fully recouped these funds through the original CP, then the remaining costs of this facility need to be transferred into the subsequent CP to allow for their collection. Similarly, if the funds are collected and facility not constructed, the facility will be transferred into the CP works program (but no funds will be collected for this facility). This is termed reconciliation and ensures that contributions are not collected twice.

However, there are a number of areas where Section 94 contributions have been unable to be collected or collections are significantly less than the CP projected. For example, many development approvals in Ocean Shores were obtained before Council adopted a Section 94 Plan and, as a consequence, there is no ability to collect contributions from the developer at the subdivision stage. Nor was there any ability to collect the contribution when a dwelling was constructed as consent was not required for dwellings.

Due to the changes in the *Environmental Planning and Assessment Act*, provisions were introduced that required all dwellings to obtain development consent unless they were classified as 'complying' development. This provides one mechanism for Council to collect contributions where any consent is not subject to a Section 94 levy.

2.7 Key Issues for the Revised CP

There are a number of key issues for consideration in the revised CP for Byron Shire:

- **Statutory requirements for Section 94:** Section 94 of the *Environmental Planning and Assessment Act, 1979*, allows Council to recoup costs associated with development in the local government area. This is a contribution paid to cover the costs of infrastructure and facilities provided by Council to meet the demands of future population growth (such as community facilities, open space, roads, drainage).

There are a number of fundamental principles that Council is required to follow when levying contributions under Section 94:

- Council must establish a *nexus* (or direct relationship) between the need created by a new development and the provision of public services.
- The contributions must relate to or be imposed for a *planning purpose*.
- The contributions must be *reasonable* for the particular development.
- The contributions must be spent within a *reasonable time*
- The funds collected must be *accounted for* in a clearly identifiable manner and in the prescribed form and manner.

In order to require a Section 94 Contribution, Council must have a Contributions Plan (CP) in place which complies with the above principles and sets out in detail the manner in which Council has arrived at and calculated the contribution.

The contributions can be received either as a cash payment, as works in kind or as a material public benefit (these concepts are discussed below). Council can also partly or wholly recoup funds that have been expended if those funds were expended to provide for demand (or a component of that demand).

Clause 27(1) of the *Environmental Planning and Assessment Act Regulation* provides that a contributions plan must include particulars of the following:

- (a) the purpose of the plan;
- (b) the land to which the plan applies,
- (c) the relationship between the expected types of development in the area and the demand for additional public amenities and services to meet that development,
- (d) the formulas to be used for determining the section 94 contributions required for different categories of public amenities and services,
- (e) the contribution rates for different types of development, as specified in a schedule to the plan,
- (f) the Council's policy concerning the timing of the payment of monetary section 94 contributions and the section 94 conditions that allow deferred or periodic payment,
- (g) a works schedule of the specific public amenities and services proposed be provided by the Council, together with an estimate of their cost and staging.

This CP has been prepared in accordance with the Regulation and the Department of Urban Affairs *Section 94 Manual*. It comprises all relevant statutory information required for applicants, outlines relevant issues such as nexus and apportionment as well as a summary of the formulas and contributions rates to be adopted by Council. As such, it fulfils the above principles for the establishment of a CP.

- **Restrictions on Section 94 Contributions and Funds:** Section 94 contributions can only be collected and expended to meet the needs of future population demand. They can only be used to meet the capital costs of this demand and must exclude the costs of maintenance of public amenities or public facilities (except for extractive industries – see Section 7.9). Contributions cannot be used to rectify past shortfalls nor can they be used for purposes other than those for which they were collected.
- **Public Consultation:** Public consultation is important to a CP to ensure that residents and those developing land understand the basis for the imposition of levies. In particular, it is important that the public has an opportunity to provide input to the assessment of the quantity, quality and location of existing provision, where shortfalls may exist and how such shortfalls may be addressed. A series of community meetings and workshops have been held throughout the local government area to ascertain community views and perceptions on future needs as part of the preparation of the updated CP.
- The CP must also be subject to public scrutiny through public exhibition prior to Council adopting the Plan.
- **Basis of Demand Assessment:** A fundamental requirement for any CP is to demonstrate nexus. This has required an assessment of facilities and services in the local government area as well as the results of the community consultation activities undertaken to date.
- **Implementation and Review:** The Plan must be readily and easily implemented. Issues such as growth assumptions, lot production, alternative funding and provision of material public benefits must all be considered.

3. Shire Structure and Demography

3.1 Introduction

This section considers the existing structure of the Byron Shire including the spatial distribution of population and housing development. Within this analysis the retail and commercial structure of each of the major towns in the Shire is considered to provide context for the analysis.

This section also assesses population growth and development over the past few decades as a prelude to the analysis of potential future population growth. The analysis also includes an evaluation of housing characteristics in the local government area (LGA). All relevant sources of information have been analysed for this assessment (refer Section 13).

3.2 Byron Shire Structure

Byron Shire is located on the far North Coast of NSW. It can be described as a medium sized LGA extending some 30 km along the coast from Broken Head in the south to South Golden Beach in the north. The LGA extends some 20 km inland (refer Figure 3.1).

The main urban development in the LGA is concentrated on or along the coastal strip with the towns of Mullumbimby, Bangalow, Byron Bay, Brunswick Heads and the combined areas of Ocean Shores/New Brighton/South Golden Beach. Various smaller villages are dispersed through the rural area including Federal, Main Arm, Wilsons Creek, Eureka, Billinudgel and Goongerry.

The hierarchical function of each of the Shire's main urban centres are shown in Figure 3.1 and described as follows:

- *Mullumbimby*: the areas administrative centre as well as a hinterland service centre. The town provides residential and rural residential living opportunities.
- *Bangalow*: a small, historic town providing residential and rural residential living opportunities.
- *Byron Bay*: an industry and commercial service centre providing residential living opportunities. The town is also a major tourist destination.
- *Suffolk Park*: a small beachside residential area also providing small scale tourism opportunities.
- *Brunswick Heads*: a beachside residential area also providing family based tourism opportunities
- *Ocean Shores/South Golden Beach/New Brighton*: a beachside residential area.

The LGA has experienced sustained and often relatively rapid population growth over the last two decades with the majority of growth attributable to in-migration rather than natural increase. Population growth is discussed in detail below.

3.3 Population Growth and Shire Development

In the period 1986 to 1996 (the last census), the population of Byron Shire experienced a 153% increase in population, which was significantly higher than the state average of 11.8% (refer Table 3.1).

At the last census (1996) Byron Shire Council had a total population of 27565 persons. Byron Bay/Suffolk Park was the largest urban centre with a combined population of 8658 with Ocean Shores (3002), Mullumbimby (2870) and Brunswick Heads (1835) also having relatively large population bases. While rural areas also had large population bases (almost one third of the total population) these are spread through dispersed localities and villages. This is one of the more unusual characteristics of Byron Shire.

Ocean Shores and New Brighton/South Golden Beach have experienced significant population growth while Byron Bay/Suffolk Park has accommodated the greatest population numbers. The chart below illustrates growth patterns in the intercensal periods.

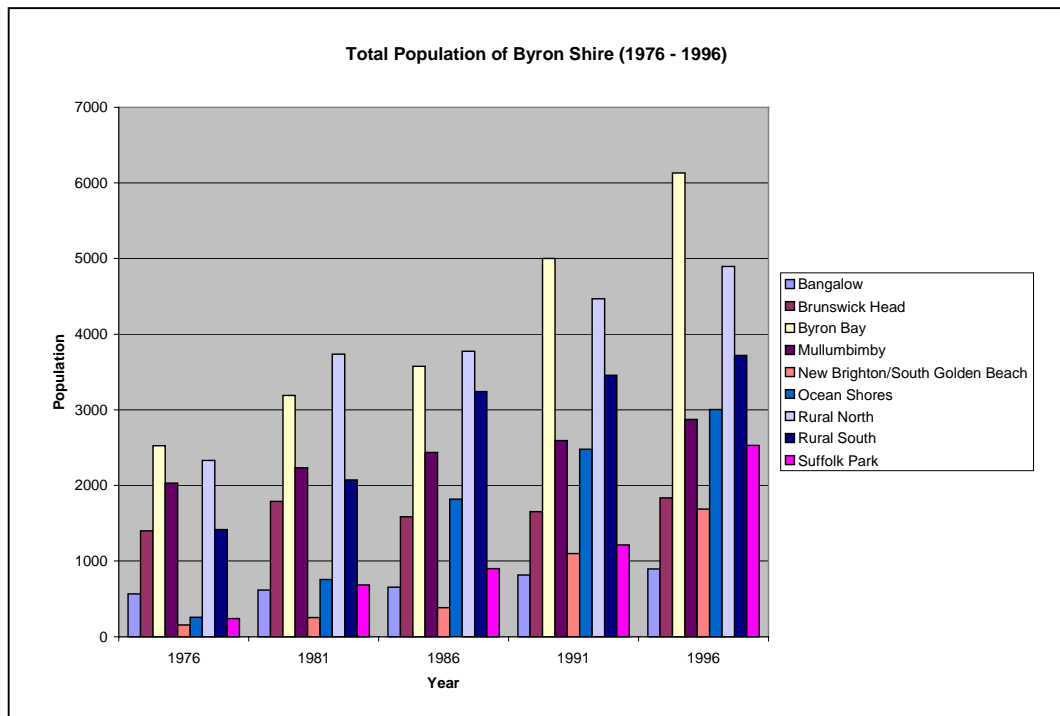
This population growth has been matched by the growth and development of commercial, retail and industrial development. The main areas of commercial and retail development are in the townships of Byron Bay, Mullumbimby, Bangalow and Brunswick Heads. Industrial estates are located at Byron Bay and Mullumbimby.

Table 3.1: Total Population (ABS, 1996)

Area	1976	1981	1986	1991	1996	2001	% Change 1976-1996	% Change 1996-2001
Byron Bay	2525	3187	3573	5001	6130	7125	143	16
Suffolk Park	239	681	899	1212	2528	3148	958	25
Mullumbimby	2029	2234	2434	2592	2870	3450	41	20
Brunswick Heads	1401	1790	1585	1654	1835	1995	31	9
Bangalow	564	617	656	815	896	1006	59	12
Ocean Shores	257	757	1820	2478	3002	3394	1068	13
New Brighton/South Golden Beach	154	250	380	1099	1686	1786	995	6
Rural North	2330	3734	3771	4468	4897	5083	110	4
Rural South	1415	2072	3241	3457	3721	4066	163	9
Byron Shire	10914	15322	18359	22776	27565	31053	153	13

Source: ABS, 1996; Byron Shire Council, 2001

Figure 3.2: Byron Population



3.4 2001 Population

For the purposes of the section 94 Plan, an estimate has been made of the 2001 population in the Shire and within each urban area as the next census is August 2001. This has been based on lot and housing approval figures supplied by Byron Shire Council. The population figures are outlined in Table 3.1. This indicates that the current population (at February 2001) was approximately 31,053 persons.

3.5 Growth Trends

3.5.1 Demographic Trends

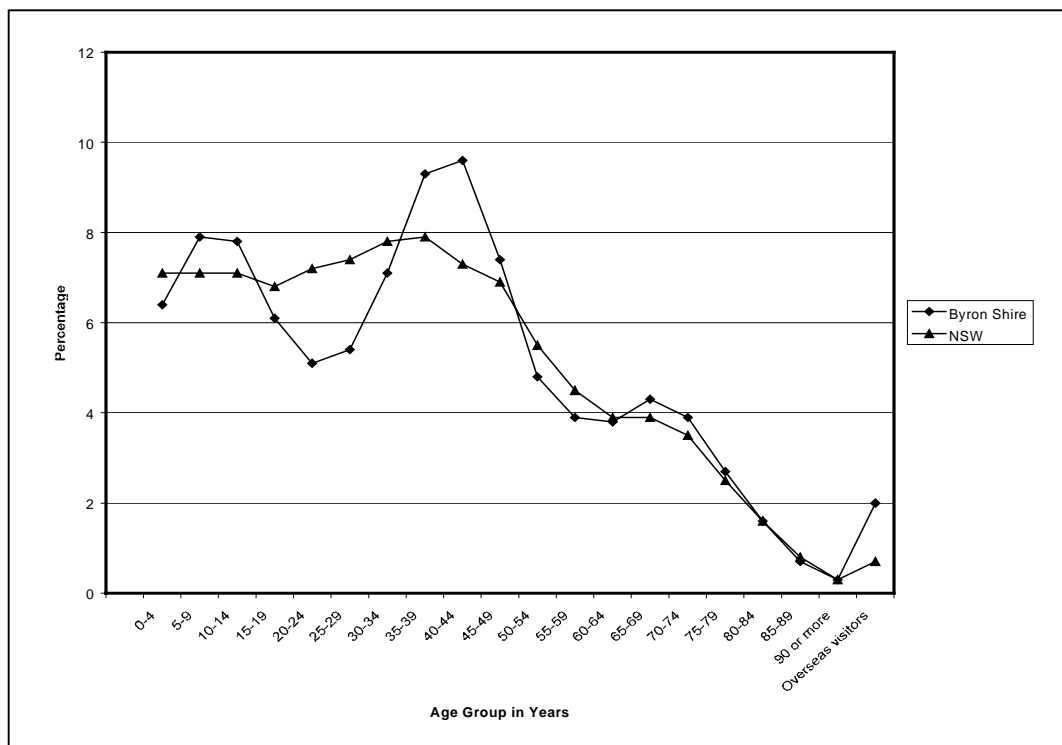
The demographic profile of the Shire has changed dramatically in line with population growth (refer Table 3.2). Compared to the State average, the most notable shift in population occurred in the age group of ages 40-49, which grew, by 165.3% when the State average was 35.5% followed by children and young adults (51.5% and 50.7% respectively), and those aged 65+ which grew by 47%.

Table 3.2: Population by age groups: Byron Shire, 1986 - 1996

Byron Local Government Area			1986-1996 Change	% Change	NSW % Change	
1986	1991	1996				
0-4	1570	1794	1752	182	11.6	4.7
5-9	1463	1943	2180	717	49.0	8.4
10-14	1422	1777	2155	733	51.5	-2.6
15-19	1111	1352	1674	563	50.7	-5.1
20-29	2473	2398	2889	416	16.8	0.9
30-39	3233	4298	4514	1281	39.6	11.9
40-49	1767	2987	4688	2921	165.3	35.5
50-59	1659	1860	2402	743	44.8	17.2
60-64	1128	1147	1052	-76	-6.7	-6.3
65+	2516	3216	3704	1188	47.2	28.2
TOTAL	18342	22772	27568	9226	50.3	11.8

Source: ABS, 1996. Totals include overseas visitors and non-residents

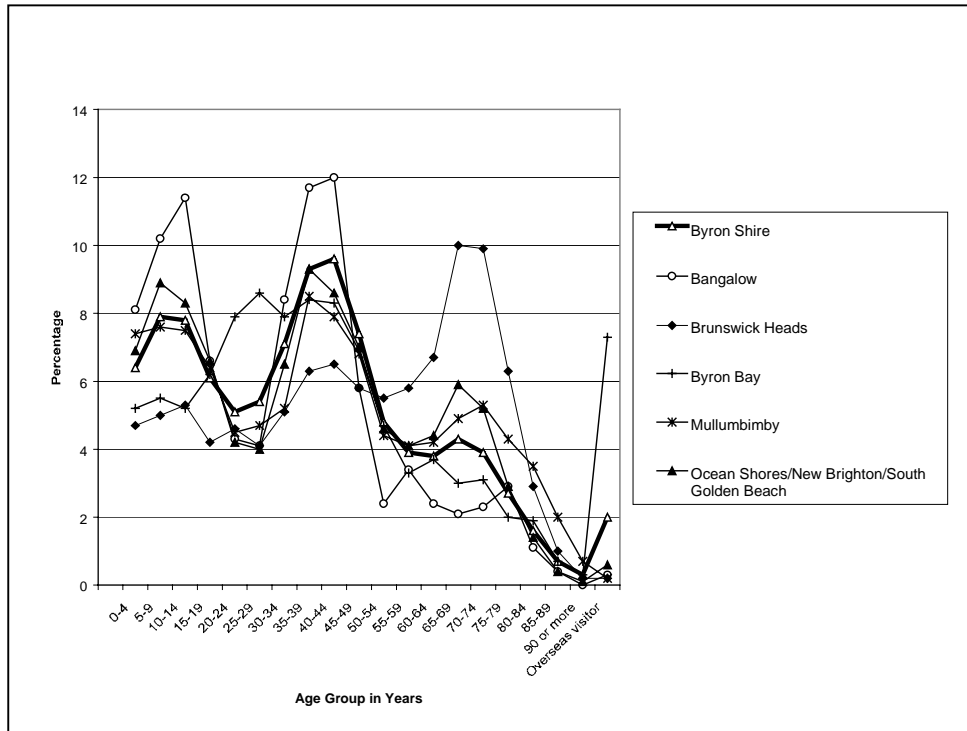
Figure 3.3: Demographic Profile: Byron Shire and NSW, 1996



The population profile of the LGA in 1996 varies significantly from the NSW profile in three key areas (refer Figures 3.3 and 3.4):

- There are more children in the 5-15 year group
- There are fewer in the 15-30 year group
- There are more in the 35-50 age group

Figure 3.4: 1996 Age Groups - Byron Shire and Urban Areas



The high proportion of children in the 5-15 year age group not being replicated in later years in the older age groups would suggest that work/education opportunities for young adults are limited. The profile also suggests that the influx of young, new settlers in the last 20 years have tended to remain in the area and have families.

Comparatively, Byron Shire is experiencing negative growth in the younger age groups such as those between 10-14 (-2.6%) and 15-19 (5.1%) and positive growth in the populations of the middle to older age groups.

The proportion in the older groups is not dissimilar to the NSW profile although there are slightly lower proportions in the older age categories. This may indicate a lack of aged care facilities in the area. The graph also shows the high proportion of overseas visitors on census night confirming the areas popularity as a holiday destination.

3.5.2 Demographic Profiles of Urban Areas

As noted above, the population of the local government area differs from the NSW profile in three key areas. However, the profiles of the main urban areas differ from that profile again. The following briefly describes the main differences while Figure 3.4 illustrates the key differences in the 1996 population profiles.

Byron Bay/Suffolk Park

The key differences in the demographic profile in Byron Bay/Suffolk Park is the lower number of children, the higher proportion of you adults and the lower aged population. Byron Bay is characterised by a high proportion of families (60%) and lone households (28%). There is an almost even split between those couples with children (36%) and couples without children (33%).

Another significant feature is the large numbers of overseas visitors which reinforces the popularity of this area as a tourism destination.

54.4% of dwellings in Byron Bay were separate private dwellings, a further 18.25% were flats/units/apartments. The number of people residing in caravans reduced between the years 1991 – 1996. With regard to occupancy, 44% were rented compared to 36% of dwellings owned.

68.5% of dwellings in Suffolk Park were separate dwelling houses, 13% were attached dwellings, 8.6% could be classified as medium density housing and 9.1% were caravans, cabins. Relative to other townships, Suffolk Park had the lowest proportion of owned properties (32%) more rented properties (38%).

Mullumbimby

Mullumbimby has a population profile that largely mirrors that of the Shire. The town has a large proportion of people aged between 35-44 (16.4%) and a smaller percentage of people in the upper middle age groups. The locality has a reasonable representation of younger persons, which make up 22.5% of the municipality while families constitute 71% of the population.

The main housing type is separate dwellings (90.0%) with only 1.6% being medium density housing and the remainder comprising other accommodation. The trends for occupancy show that 51% are owned and 26% rented.

Bangalow

The population profile for Bangalow displays the most variance from that of Byron Shire. The proportion of those in the 30-44 age group is significantly higher than the Shire average which is almost matched by the 10-14 age group (11.4%) indicating a large proportion of families. There are also a smaller number of those in the 50 years and over category. In 1996, home ownership rates were 40% while rental properties constituted 29% of the total.

Brunswick Heads

Brunswick Heads also displays a skewed population profile with low numbers in the 50 years and younger age groups and a significantly higher proportion in the 50 years and over categories. This indicates an area subject to retirement in-migration.

There is small number of adolescents which is consistent with the overall family profile of 47% of families without children and 40% as lone households. A high percentage of the population lives in rental accommodation (43%). The town also has the highest proportion of residents living in a flat, unit or apartment (29.5%) or caravan and cabin (21.1%).

Ocean Shores, New Brighton/South Golden Beach

These urban areas have roughly the same population profile as the Shire although there are more in the younger age categories and less in the young adult age groups. The dominant age groups are the 35-44 age group (16.9%) with children 5-9 years being the next largest group (8.1%). There is a small proportion of elderly people. 78% of the household types are families which accounts for the large number of younger persons.

The age distribution is dominated by those in the 35-39 age group (39%), followed by those aged 5-9 (11.0%). Elderly who range from 3.8% - 2.8% of the population represent the smallest population.

83.6% of dwellings are separate dwelling houses, attached housing makes up 6.5% of dwellings and 7.7% of dwellings are medium density dwellings. The predominant nature of occupancy is ownership, which represents 48%, followed by rental at 27% of the local population.

Rural North

Those aged between the ages of 35-44 make up 21.9% of the local population in the rural north area. A significant representation of the younger population resides in Rural North, and they constitute 19.9% of the population. A high number of middle aged and younger populations may be attributed to the fact that 49% of the households are 'couples with children' and 75% are families. The main form of occupancy is home ownership, represented by 53% of the population, with only 20% being rental and 19% 'being purchased'.

Rural South

In the rural south area, those aged between 0-19 years represent 30.4% of the local population while 12.4% are aged between 40-44 years. Families represent 75% of the household profile and there are 54% of families made up of couples with children. The type of dwelling and tenancy mirrors the Rural North area.

3.6 Shire Housing Trends

Table 3.3 provides a profile of housing statistics for Byron Shire in 1996. Byron Shire is characterised by a large number of separate private dwellings (76%) and a smaller number of low to medium density housing types (15%) while other dwellings (such as caravan parks and improvised homes) accounts for around 7.0% of the stock. The average occupancy rate for Byron Shire is 2.55 persons/dwelling and is reflective of the NSW State average of 2.67 persons/dwelling.

Table 3.3: Housing Stock and Occupancy Rates, Byron Shire 1996

	Occupied Dwellings	Unocc	Total	%	No. in occupied dwellings	Occupancy Ratio
Separate House	7820	732	8552	75.5	21219	2.71
Semi-detached, terrace or townhouse	534	103	637	5.6	1239	2.32
Flat, Unit, or apartment	874	171	1045	9.2	1639	1.88
Other	753	39	792	7.0	1366	1.81
Not Stated	224	71	295	2.6	586	2.62
TOTAL	10205	1116	11321	100	26049	2.55

Source: ABS, 1996.

Occupancy levels have stabilised and it is assumed for the next 5-10 years that the current occupancy levels for most forms of housing will continue. The low occupancy levels for units is likely to rise slightly as this form of medium density housing is increasing as an alternative housing type in the Shire. It is also becoming more popular especially where provided in town centre areas.

The above occupancy rates include housing with 1 or more bedrooms. Based on the census figures, the following occupancy rates have been adopted:

- Detached dwellings: 2.7
- Units:
 - 1 bedroom – 1.7
 - 2 bedrooms – 2.0
 - 3 bedroom – 2.7
 - 4 or more bedrooms – 0.9/bedroom

Motel and other tourist accommodation are assumed to have 1 person per bed which accounts for bed occupancy over a year.

3.7 Non-Residential Development

Each of the urban areas and villages in the LGA have commercial centres which provide for the needs of residents and those visiting the area. The main areas of commercial and retail development are:

- *Mullumbimby* – the commercial area is generally bounded by Burringbar, Tincogan, Station and Dalley Streets. The total zoned area within the 3(a) zone is approximately 95,000 square metres.
- *Byron Bay* – the commercial area is generally bounded by Bay, Browning, Tennyson and Jonson Streets while there are shops at Suffolk Park. The total zoned area within the 3(a) zone is approximately 134,000 square metres.
- *Bangalow* – the commercial area stretches along Byron Street. The total zoned area within the 3(a) zone is approximately 30,000 square metres.
- *Brunswick Heads* – the commercial area is generally bounded by Mullumbimbi, Park, Tweed and Fingal Streets. The total zoned area within the 3(a) zone is approximately 40,000 square metres.
- *Ocean Shores* – a small shopping centre is located on Orana Road and there are shops in River Street, New Brighton.

Industrial estates are located in Byron Bay (zoned area of 43ha), Bangalow (zoned area of 2.6ha), Mullumbimby (zoned area of 20 ha) and Brunswick Heads (zoned area of 8 ha).

Both the commercial and industrial areas have developed generally in line with population growth over the past decade.

3.8 Strategic Planning Policies

Council is currently in the process of a major review of strategic planning policies relating to population growth and development. This includes an evaluation of areas previously identified as having urban development potential. Extensive community consultation has occurred during this review.

To provide a background to these settlement strategies, the following sections briefly reviews regional planning policies that guide local development.

3.8.1 Regional Strategic Planning Background

There are a range of strategies policies as well as legislation that guides development in the Byron LGA area including:

- *North Coast Regional Environmental Plan (REP)*: This REP requires Council to prepare an urban land release program prior to any major rezoning for residential purposes.
- *NSW Coastal Policy, 1997*: This sets out the policy of the NSW Government with respect to development along the coast and up to 1 km inland to ensure a sustainable future for the coast.
- *Guidelines for Urban Settlement Strategies on the North Coast of NSW*: This was prepared by the Department of Urban Affairs and Planning to provide guidance to Councils.
- *North Coast Urban Planning Strategy, 1995*: This was prepared by DUAP to provide a framework for future development in the region.
- *Draft Northern Rivers Regional Strategy, 1998*: This was prepared by DUAP to provide guidance on development in the Northern Rivers area.

- The objectives of the *Environmental Planning and Assessment Act 1979* (as amended) and the *Local Government Act 1993*

The main thrust of these planning policies is that planning in any local government area must respond to wide range of environmental and social issues. These strategies and guidelines provide a broad policy framework within which Byron Shire Council has prepared residential and rural settlement strategies. These, in turn affect the rate of population growth and spatial development and the CP must have regard to the potential impact on future demand. The various settlement strategies are detailed below.

3.8.2 Byron Shire Settlement Strategies

Byron Council has a range of strategic and planning policies that have been prepared with reference to some or all of the regional or state policies noted above. These local policies include:

- *Byron Shire Local Environmental Plan, 1988*: This represents the Council's policy on future urban and rural development.
- *Byron Residential Development Strategy, 1993*: This was prepared to guide development of residential land for the future.
- *Byron Shire Rural Settlement Strategy, 1998*: This provides guidance on the extent and distribution of future rural settlement based on sustainable settlement principles.
- Byron Shire Council Vision as expressed in its *1998/1999 – 2000/2001 Management Plan*
- Council's aims, objectives and guidelines in the *Greenprint for Sustainable Future LEP*

The *Byron Residential Development Strategy* identified potential growth areas in the Shire. This strategy identified land nominated as Areas 1 to 4, land at Skinners Shoot and Broken Head, and around 90 hectares of other land that were assessed at that stage as having potential for residential development.

The majority of the 90 hectares identified at Suffolk Park, Sunrise Beach and Cemetery Road has been developed for residential purposes. Areas 1 to 4 were not developed for a variety of reasons and have remained undeveloped (except for existing uses).

During the mid to late 1990's, it became evident that a number of existing sewage treatment works (STP's) were at or over capacity and there was a concern by the Council that future development would exacerbate inherent problems with these plants. These STP's included Byron Bay, Bangalow and Brunswick Heads.

Consequently, Council adopted a policy of restricting urban releases and development of land until the capacity constraints associated with the STP's could be addressed (Council refers to this as the development moratorium). At present, the West Byron STP is the only plant that is in the process of upgrading.

Council has embarked on a process to prepare settlement strategies for the main urban centres of the Shire to ensure that development occurs on a sustainable basis. These include:

- Mullumbimby
- Byron Bay, Ewingsdale and Suffolk Park.
- Bangalow
- Brunswick Heads

These settlement strategies have all been placed on exhibition and Council is presently reviewing public submissions with a view to their finalisation. These strategies provide substantial data on future

population growth and development for the Byron Shire area and have been a major source of data for the review of the Section 94 Contributions Plan.

3.9 Land Availability

3.9.1 Residential Land Supplies

The settlement strategies adopted a “population capacity” approach to the development of each urban area (refer Table 3.4). That is, an assessment of the ultimate environmental carrying capacity of each town has been determined based on a variety of environmental, social, economic and physical considerations. This has allowed the strategies to recommend areas where residential development can sustainably occur. Appendix A provide a summary of the results of each of the settlement strategies.

Table 3.4: Existing Population and Population Capacities

Location	1996	2001	Population Capacity ⁴
Byron Bay	6130	7125	9100
Suffolk Park	2528	3148	3500
Mullumbimby	2870	3450	4650
Brunswick Heads	1835	1995	3200
Ocean Shores	3002	3394	3830
New Brighton / SG Beach	1686	1786	3000
Bangalow	896	1006	2050
Rural North	4897	5083	5700
Rural South	3721	4066	4400
Total Shire ⁵	27565	31053	39430

Source: Byron Shire Council, 2001

The population capacity approach allows the Contributions Plan to quite accurately assess overall population growth that will occur throughout the Shire and, consequently, to allow demand to be assessed from population growth.

The urban areas of the Shire have varying land supplies as indicated in the Settlement Strategies that have been prepared by Council (Refer Table 3.4). Figures 3.5-3.10 show the areas available for future development based on these settlement strategies. Section 3.10 discusses the population capacities that will result from these land supplies.

3.9.2 Rural Land Supplies and Potential

In 1998, Council prepared a *Rural Settlement Strategy* which aimed to provide a sustainable basis for future rural living. This adopted a similar constraint assessment approach as the urban settlement strategies and identified lands that could provide potential for additional rural living opportunities. This also adopted a population capacity approach.

There are approximately 1200 existing concessional allotments and 800 small rural holdings, resulting in a total capacity of 2000 existing lots.

The *Byron Rural Settlement Strategy 1998* determined the total potential supply for rural dwellings in all categories as 669 dwelling houses. There is the potential for an additional 125 dwelling houses, however this is dependent upon the successful implementation of the *Small Towns and Villages Settlement Strategy* (concerns Areas 1, 2, 3 which are currently subject to separate study). The supply of rural land available in Byron Shire is set out in Table 3.5.

Table 3.5: Rural Dwelling Potential

Location	Estimated dwelling potential
Existing 1(c1) and 1(c2) (Small Holdings Zone) lands at Coopers Shoot and Ewingsdale with further subdivision potential and boundary adjustments	35
Rural Community Title (Town Catchment)	
Natural Lane	75
Broken Head	30
Rural Community Title (Village Catchment) or Rural Landsharing (Multiple Occupancy) Communities	
Main Arm	135
Federal – Coorabell	215
Eureka – Clunes	169
Dwelling house entitlements – Schedule 7 listings	10
Total	669

Source: Byron Rural Settlement Strategy 1998, Byron Shire Council

3.9.3 Demand analysis

The demand for housing throughout 1992 – 1997 in zones 1(a) - General Rural Zone, 1(c1) and 1(c2) – Small Holding Zone was an average 71 dwellings per annum. According to the *Byron Residential Development Strategy 1993*, the population growth was measured at 4.7% per annum.

The *Byron Residential Development Strategy* assessed demand for rural living. The investigations concluded that the estimated demand of 71 dwelling houses per year could be adequately satisfied from the potential supply of 669 dwelling houses for almost 10 years.

3.9.4 Non-Residential Growth

The *Settlement Strategies* indicated that commercial development would continue to occur in the various urban areas of the LGA, however no estimates were made of the existing floorspace for commercial development or the likely growth that would occur as the LGA reached the population capacities noted above. The *Settlement Strategies* do not mention future growth of industrial development.

As noted above, the existing commercial areas are within the main towns of the LGA however, there are no current floorspace figures. For the purposes of this CP, estimates have been made of existing floorspace for the various commercial centres based on an assumed yield of 25% floorspace for the total zoned area (ie 2,500 square metres per hectare). This takes into account sites that are under-utilised, sites that are vacant or not available for commercial development and sites that may be development to over two storeys. The adopted figures are:

- Mullumbimby – total 3(a) zone: 95,000 square metres. Commercial floorspace estimate: 23,750 square metres.
- Byron Bay – total 3(a) zone: 134,000 square metres. Commercial floorspace estimate: 33,500 square metres.
- Bangalow – total 3(a) zone: 30,000 square metres. Commercial floorspace estimate: 7,500 square metres.
- Brunswick Heads – total 3(a) zone: 40,000 square metres. Commercial floorspace estimate: 10,000 square metres.

As with commercial development, there are no current figures on the total floorspace for industrial development. However, it is assumed that 10% of that are zoned for industrial development represents the total floorspace figure. This takes into account site vacant sites as well as the restrictions imposed by Council regulations on the floorspace yields.

The adopted figures are:

- Byron Bay – total zoned area of 43ha. Industrial floorspace estimate: 43,000 square metres.
- Bangalow – total zoned area of 2.6ha. Industrial floorspace estimate: 2,600 square metres.
- Mullumbimby – total zoned area of 20 ha. Industrial floorspace estimate: 20,000 square metres
- Brunswick Heads – total zoned area of 8 ha. Industrial floorspace estimate: 8,000 square metres.

3.10 Tourism

Tourism in Byron Shire is characterised as seasonal with dramatic increases in the population during the main holiday periods especially the Christmas and Easter holidays although there is an increasing number of tourists throughout the year (Masters, 1998; Abnett Consulting & Realty Research, 1999). The length of stay by tourists is unclear, however what is certain is the dramatic increase in population and it is likely these numbers will continue to increase and create a demand for facilities.

Table 3.6: Tourism Growth: 1992 – 1996

	1992 – 1993	1996 – 1997	% Change
Visits ('000)	394	526	34
Nights ('000)	1381	1902	38
Expenditure (\$'m)	81.0	124.0	53

Source: Tourism NSW Estimates, Abnett Consulting, 1999

It is understood that the Tourism NSW is to undertake a number of tourism plans for the North Coast region which should provide more contemporary updates of these figures.

The Shire continues to attract large numbers of tourists and the range of attractions has increased over the last decade. Visitor expenditure has increased by 53% while visits and visitor nights have increased by almost 40%. These trends may indicate a change in tourist type or reflect the increased standard of accommodation in the shire.

Table 3.7 outlines the projected capacity of existing and future tourism facilities in the Shire. This indicates that there will be a significant increase in tourist facilities (thus numbers) to reach capacity. These figures do not include tourists to the Shire staying with friends/family nor day-trippers.

Table 3.7: Tourism Capacity

Location	Existing Peak Capacity	Total Peak Capacity	Increase (%)
Byron Bay	7584	12995	71
Suffolk Park	1436	2553	78
Brunswick Heads	1366	2015	48
Other areas	1024	1024	0
Total Shire ⁵	11410	18587	63

Source: Abnett Consulting, 1999

The significant increase in tourist population also has flow on effects. For example, the large increase in effective population numbers in the Shire places pressure on infrastructure such as utilities (water and sewer), roads, open space and community facilities. Council has adopted a users pay approach where demands is generated for new works or services. In Section 94 terms, the only practical means of achieving this for tourists is the imposition of levies on tourist accommodation (eg motels, cabins) as Section 94 can only be used for a planning purpose (Section 94 cannot, for example, be used as a form of tax). The main issue for the CP is the quantum of the contribution that is levied for tourist facilities.

There has been a considerable increase in the number of tourist beds in the LGA. Byron Council records indicate that the increase in the last 5 years has been in the order of 300 beds although this has been affected by the moratorium. It is assumed that a similar number of beds will be created in the next 5 years.

3.11 Future Growth and Development

3.11.1 Population and Housing Projections

While there have been a number of population projections made for the Byron Shire (DUAP, RCP), the moratorium on future land releases by the Council has resulted in lower growth which has rendered these projections largely redundant. Unless there is a relaxation of the moratorium and additional land is released, growth in population will effectively result from higher densities in existing urban areas and development of existing zoned residential landstocks and rural development.

Areas unsubdivided land zoned for residential purposes in each of the urban areas is shown in Figures 3.5-3.10. These also show the locations of land zoned 1(d) which will be subject of further investigations to determine the potential for future residential development.

The capacities shown in Table 3.4 are maximum capacities adopted in the Settlement Strategies and may all not be achieved. However, they indicate the extent to potential growth in each urban and rural area. Consequently, population projections for this Section 94 Plan are made on the basis of maximum population capacity within the urban and rural areas as expressed in Council's settlement strategies.

Table 3.8 outlines the assumed population increases in the period 2001-2006, the population capacity of each urban area as well as the spatial distribution of this population amongst the existing urban centres in the LGA. This table also shows the adopted populations capacities for each urban and rural area.

Table 3.8: Population Projections: 2001-2006 and Population Capacity

Location	1996	2001	Predicted Increase 2001/2006	% Increase 2001-06	Population Capacity
Byron Bay	6130	7125	641	9	9100
Suffolk Park	2528	3148	158	5	3500
Mullumbimby	2870	3450	621	18	4650
Brunswick Heads	1835	1995	279	14	3200
Ocean Shores	3002	3394	679	20	3830
New Brighton / SG Beach	1686	1786	143	8	3000
Bangalow	896	1006	151	15	2050
Rural North	4897	5083	356	7	5700
Rural South	3721	4066	203	5	4400
Total Shire	27565	31053	3231	11	39430

Notes:

1. Population capacity based on current Byron Shire planning policies as outlined in Draft Settlement Strategies.
2. Population capacity represents likely maximum population figure and may not be ultimately achieved.
3. Increase in population based on historic urban and rural growth, plus existing development constraints. While the moratorium is in place, it is assumed that dual occupancies and residential development in commercial areas will largely account for the increases.
4. Total population in 2006 represents approximately 32% of total future capacity of all urban and rural areas
5. Demography of population assumed to largely reflect 1996 profile

It is projected that there will be relatively modest growth in Byron Bay/Suffolk Park until the moratorium is lifted (likely in later 2003/2004). Other urban areas will continue to grow largely based upon their past growth profiles and location. The growth in all urban areas is based on an assumed level of

development of current unsubdivided residential land together with increased densities through medium density housing such as dual occupancy and garden flat development.

The following assumptions have been used to produce the population projections:

- no significant demographic change, particularly with regard to dwelling occupancy was assumed to occur over the period 2001-2006
- average dwelling occupancy rates for units, medium density and low density development over the period of this Plan were assumed as those noted above.

Overall, it is predicted that there will be 3,231 additional residents in the Shire by 2006. This represents a takeup of around 32% of the capacity of the Shire's urban centres and rural areas. Should this assumption not occur, it will only influence the timing of provision of services and facilities under the Section 94 Plan not the standard provision of the planned facilities.

It is also assumed that the demographic profile will not alter significantly in the period 2001-2006. Table 3.9 outlines the projected demographic profile for the incoming population in 2001-2006 and the profile of the population at capacity for the Shire.

Table 3.9: Demographic Projections: 2006 and Population Capacity

Age Group	2001		2006		Difference 2001-06		Population Capacity	
	No.	%	No.	%	No.	No.	%	
0-4 years	1737	6.3	2049	6.6	312	2602	6.6	
5-9 years	2178	7.9	2453	7.9	275	3115	7.9	
10-14 years	2150	7.8	2422	7.8	272	3076	7.8	
15-19 years	1681	6.1	2018	6.5	337	2563	6.5	
20-24 years	1406	5.1	1646	5.3	240	2090	5.3	
25-29 years	1489	5.4	1708	5.5	219	2169	5.5	
30-34 years	1957	7.1	2267	7.3	310	2878	7.3	
35-39 years	2564	9.3	2950	9.5	386	3746	9.5	
40-44 years	2647	9.6	2981	9.6	335	3785	9.6	
45-49 years	2040	7.4	2360	7.6	320	2997	7.6	
50-54 years	1324	4.8	1491	4.8	168	1893	4.8	
55-59 years	1075	3.9	1211	3.9	136	1538	3.9	
60-64 years	1047	3.8	1180	3.8	133	1498	3.8	
65-69 years	1185	4.3	1397	4.5	212	1774	4.5	
70-74 years	1075	3.9	1211	3.9	136	1538	3.9	
75-79 years	744	2.7	838	2.7	94	1065	2.7	
80-84 years	441	1.6	528	1.7	87	670	1.7	
85-89 years	193	0.7	248	0.8	55	315	0.8	
90+ years	83	0.3	93	0.3	10	118	0.3	
TOTAL	27016	100	31053	100	4037	39430	100	

Source: Byron Shire Council, Connell Wagner, 2001.

The types of development that will occur to house the capacity residential population will include detached dwellings, infill development, townhouses and medium density development. For the purposes of this CP, the following breakdown of these forms of housing are assumed (refer Table 3.10):

- Detached dwellings – 65% of total new housing stock (2172 dwellings)
- Townhouses, villas, infill – 28% of total new housing stock (909 dwellings)
- Medium density/apartments – 7% of total new housing stock (233 dwellings)

The spatial distribution of this housing development is shown in Table 3.10. This residential development will create demand for provision or upgrading the following facilities and services:

- Community and cultural facilities
- Open space (structured and unstructured)
- Roads and traffic management facilities
- Car parking facilities
- Cycleways/walkways
- Civic improvements
- Shire support facilities

The extent of this demand is quantified in each section dealing with the Strategy Plans for each of the above facilities.

Table 3.10: Housing Projections: 2001-2006 and Population Capacity

Location	2001 Population	2006 population	Population Capacity	Additional dwelling units to capacity ¹		
				Detached	Town- houses, etc	Medium density
Byron Bay	7125	7766	9100	512	235	98
Suffolk Park	3148	3306	3500	91	42	0
Mullumbimby	3450	4071	4650	311	143	29
Brunswick Heads	1995	2274	3200	312	137	51
Ocean Shores	3394	4073	3830	113	51	15
New Brighton / SG Beach	1786	1929	3000	315	139	25
Bangalow	1006	1157	2050	271	120	15
Rural North	5083	5439	5700	160	32	0
Rural South	4066	4269	4400	87	10	0
Total Shire	31053	34284	39430	2172	909	233

Notes:

1. Occupancy rates adopted are 2.7 persons per dwelling for detached; 2.5 for townhouses; 1.8 for medium density
2. Medium density is only allowed in certain areas

3.11.2 Non-Residential Development

Each of the urban areas and villages in the LGA have commercial centres which provide for the needs of residents and those visiting the area. The main areas of commercial and retail development are:

- *Mullumbimby* – the commercial area is generally bounded by Burringbar, Tincogan, Station and Dalley Streets. The total zoned area within the 3(a) zone is approximately 95,000 square metres.
- *Byron Bay* – the commercial area is generally bounded by Bay, Browning, Tennyson and Jonson Streets while there are shops at Suffolk Park. The total zoned area within the 3(a) zone is approximately 134,000 square metres.
- *Bangalow* – the commercial area stretches along Byron Street. The total zoned area within the 3(a) zone is approximately 30,000 square metres.

- *Brunswick Heads* – the commercial area is generally bounded by Mullumbimbi, Park, Tweed and Fingal Streets. The total zoned area within the 3(a) zone is approximately 40,000 square metres.
- *Ocean Shores* – a small shopping centre is located on Orana Road and there are shops in River Street, New Brighton.

Industrial estates are located in Byron Bay (zoned area of 43ha), Bangalow (zoned area of 2.6ha), Mullumbimby (zoned area of 20 ha) and Brunswick Heads (zoned area of 8 ha).

There are no studies available of the potential for non-residential development in the Byron LGA including commercial, retail and industrial development. However, if a similar “capacity” approach is taken to this form of development, then the existing zoned areas noted above provide an indication of the capacity potential for these forms of development.

Table 3.11 below provides this analysis. The capacities for each form of development is based on the potential floorspace yields under existing LEP controls with allowances for on-site car parking, non-productive areas (eg service areas), other forms of development (eg non-commercial development in the town centres) and vacant lots being maintained.

Table 3.11: Commercial and Industrial Capacity Figures

	Byron Bay	Mullumbimby	Bagalow	Brunswick Heads
Existing commercial floorspace ¹	33,500m ²	23,750 m ²	7,500 m ²	10,000 m ²
Total zoned area ²	134,000 m ²	95,000 m ²	30,000 m ²	40,000 m ²
Future additional commercial floorspace ³	33,500 m ²	23,750 m ²	7,500 m ²	10,000 m ²
Existing industrial floorspace ⁴	43,000 m ²	20,000 m ²	2,600 m ²	8,000 m ²
Total zoned area ⁵	430,000 m ²	200,000 m ²	26,000 m ²	80,000 m ²
Future additional industrial floorspace ⁶	86,000 m ²	40,000 m ²	3,400 m ²	16,000 m ²

Notes:

1. Existing floorspace based on 25% yield on existing zoned areas
2. Zoned areas calculated on ground floor area only and does not account for 2 or 3 storey development
3. Future floorspace based on 50% yield on existing ground floor zoned area and takes into account development potential including 2 and 3 storey development
4. Existing floorspace based on 10% yield on existing zoned areas
5. Zoned areas calculated on ground floor area only
6. Future floorspace based on 30% yield on existing ground floor zoned area

The types of development that will occur to accommodate these forms of development will include retail shops, small shopping centres, commercial offices and other similar floorspace in all the urban areas of the Shire. Industrial development will be largely confined to the main industrial areas and ad hoc rural industrial development.

For the purposes of this CP, the following breakdown of these forms of development are assumed:

For the purposes of this CP, the following breakdown of these forms of development are assumed:

- Retail and commercial floorspace – no more than 25% of the capacity floorspace will occur in the 2001-2006 planning period. This would equate to approximately 20,000 square metres of floorspace spread across the urban areas. The floorspace has been assumed to be spread as follows:
 - 60% of total floorspace will occur in the Byron Bay township (12,000 square metres)
 - 15% of total floorspace will occur in Mullumbimby (3,000 square metres)
 - 15% of total floorspace will occur in Brunswick Heads (3,000 square metres)

- 10% of total floorspace will occur in Bangalow (1,500 square metres)
- Industrial floorspace – no more than 10% of the capacity floorspace will occur in the 2001-2006 planning period. This would equate to approximately 14,500 square metres of floorspace spread across existing industrial areas. The floorspace has been assumed to be spread as follows:
 - 45% of total floorspace will occur in the Byron Bay township (6,525 square metres)
 - 30% of total floorspace will occur in Mullumbimby (4,350 square metres)
 - 15% of total floorspace will occur in Brunswick Heads (2,175 square metres)
 - 10% of total floorspace will occur in Bangalow (1,450 square metres)

Based on these figures, Table 3.12 shows the projected employment growth in the Shire. These projections are based on standard employee per square metre rates for the various types of development.

Table 3.12: Employment Growth

Location	Additional retail/commercial floorspace ¹ (m ²)	Estimated retail/commercial employees ²	Additional industrial floorspace (m ²)	Estimated industrial employees ²
Byron Bay	11500	359	6750	84
Suffolk Park	250	8	0	0
Mullumbimby	3000	94	4500	56
Brunswick Heads	3000	94	2250	28
Ocean Shores	0	0	0	0
New Brighton / SG Beach	0	0	0	0
Bangalow	1500	47	1500	19
Rural North	0	0	0	0
Rural South	0	0	0	0
Total Shire	20000	602	15000	188

Notes:

1. Assumes 75% of floorspace is retail
2. Rates adopted are 1 employee per – 40 m² for retail; 20 m² for commercial; 80 m² for industrial

This non-residential development will create demand for provision or upgrading the following facilities and services:

- Roads and traffic management facilities
- Car parking facilities
- Urban and civic improvement such as town centre seating, lighting and pavement improvements.

The extent to which the above development will create the demand for each of these facilities and services is outlined in following sections. With respect to road upgrading, it is recognised that there will be dual-purpose trips between residential properties and retail, commercial and industrial development. This has been recognised in the calculation of the levies.

3.11.3 Tourism

There has been a considerable increase in the number of tourist beds in the LGA and the tourism capacity figures indicated in Table 3.7 indicate that further growth is likely. Byron Council records indicate that the increase in the last 5 years has been in the order of 300 beds although this has been affected by the moratorium. It is assumed that a similar number of beds will be created in the next 5 years. For the purposes of the CP, motel and other tourist accommodation are assumed to accommodate 1 person per bed.

3.12 Summary and Conclusions

The foregoing analysis indicates that Byron Shire has experienced rapid growth over the last two decades across all urban areas as well in rural areas. One of the most striking characteristics of the Shire is the large proportion of the population (around 30%) that live in rural areas and small villages. This spatial distribution of population creates unique challenges for the provision of community facilities and services throughout the local government area.

The demographic profile of the population is also quite different from the state average with higher proportions of children and adults (30-40 years), and lower proportions in the young adult and older age categories. When each urban area is examined, these variations become even more pronounced with some areas (eg Bangalow) being characterised by young families while others (eg Brunswick Heads) have fewer families and higher proportions of older people.

These spatial and demographic variations in the population mean that provision of community services and facilities can be stretched and it will always be difficult for all the needs of the community to be catered for in every urban area. Consequently, the focus of future provision should be to maximise the use of existing facilities while judiciously providing new facilities.

Byron Shire Council has prepared a number of draft settlement strategies for the urban and rural areas of the Shire which have set maximum population numbers. These have formed the basis of the population projections for the life of this CP for the period 2001-2006. It is projected that growth in the period 2001-2006 will exhaust about 30% of these population capacities.

Projections of the growth of non-residential development have also been made based on a range of assumptions. These projections indicate the extent to which the future population growth will be matched by development other than housing and the demands this will place on public services and public facilities.

The total population capacity of urban and rural areas, and the estimates of growth in non-residential development, is used to assess the overall need assessment for the purposes of the CP. It then programs works for the growth that is anticipated to occur in the period 2001-2006.

4. Community Consultation

4.1 Introduction

The current investigations for the review of Byron Shire's Section 94 Plan have included a range of community consultation activities aimed at understanding the perceived needs of residents. In addition, an unfinished review of Council's Section 94 Plan in 1995 (GHD, 1995) provided some details on community needs from surveys and other consultation activities.

Both consultation activities have informed the review of the CP and have been used to assist in the assessment of the needs of the existing and future population.

4.2 Community Consultation Activities

4.2.1 Results of 1995 Survey

The 1995 survey indicated that around 20% of the respondents rated the following facilities "very unsatisfactory":

- Public toilets
- Walkways/cycleway
- Youth activities
- Women's rest rooms
- Car parks

Results from the 'Adult Survey' indicate an 'urgent need' to improve the facilities outlined above and indicated 'youth services' as a main priority to be addressed.

Table 4.1 summarises responses to the level of satisfaction with community facilities in the 1995 survey for the various urban areas.

Table 4.1 1995 Level of Satisfaction with Existing Community Facilities (% of respondents)

Facility	Byron Bay/Suffolk		Mullumbimby		Bangalow		Brunswick Heads		Ocean Shores	
	S	U	S	U	S	U	S	U	S	U
Library	51	35	55	27	61	27	64	18	55	27
Arts/Crafts	57	18	60	16	72	7	55	9	63	9
Theatre	23	50	38	37	1	40	20	38	26	42
Meeting Room	37	35	46	22	53	22	46	20	44	18
Hall	45	35	58	22	68	14	68	11	54	21
Play-Group	37	8	43	9	39	3	30	10	32	8
Pre-School	46	4	51	8	44	6	25	9	34	8
Family Day Care	33	9	33	14	38	8	21	9	23	10
Baby Health	34	8	39	9	31	4	30	2	30	5
Youth	22	41	17	43	18	43	7	46	7	43
Surf Lifesaving	64	6	62	8	67	8	63	5	52	21

Note: May not add up to 100% as some respondents failed to answer the question or answered "Don't Know".

S = satisfactory or very satisfactory;

U = unsatisfactory or very unsatisfactory

Other key findings of the 1995 consultations included:

- In Byron Bay/ Suffolk Park, respondents were very satisfied with the provision of libraries, arts/crafts, surf lifesaving and playgroup facilities. Facilities that are under supplied include theatres and youth facilities.

- In Mullumbimby, the main item considered unsatisfactory was the lack of provision of youth facilities.
- Results of the township of Bangalow indicate a high level of satisfaction with community facilities. Facilities considered unsatisfactory included youth facilities and theatres.
- In Brunswick Heads, a need for youth services and a theatre was identified.
- Respondents in Ocean Shores identified a need for theatre and youth services. Facilities considered adequate in supply included library facilities, arts/crafts and playgroups.

4.2.2 2000 Community Consultation

The consultation program for the Section 94 Plan review has sought to augment the 1995 work and assist in planning for community needs for the future. Community workshops were held in strategic locations around the Shire as follows:

- Mullumbimby.
- Ocean Shores.
- Byron Bay.

In addition to the formal consultation sessions, a range of community groups were contacted. The specific exercises completed during these consultations are reported in Appendix B of this Report.

4.2.3 Consultation Overview

The following provides an overview of responses and feedback from each of the consultation sessions held in the Byron Shire during October and November 2000. Obviously, many responses focussed on similar themes/ideas. For ease of interpretation some responses have been grouped, and where appropriate specific examples have been referenced. Although some of the consultation activities raised issues beyond the scope or detail of the Plan, these have still been reflected below to provide information to relevant government agencies for future advice and planning purposes.

Table 4.2 provides a summary of responses while Appendix B contains the full report on consultation activities.

4.2.4 Mullumbimby

The main issue of concern for residents of Mullumbimby was 'lack of adequate funding' for facilities in the area, which ultimately impacts on the provision of services such as maintenance of roads, walkways and community areas. Residents noted that some main areas of deficiency were lack of youth facilities, degraded picnic or recreational areas and there were few cycle ways linking townships.

4.2.5 Byron Bay/Suffolk Park

In Byron Bay, residents have expressed a desire for sporting facilities such as sporting fields, tennis courts and open parks. The issue of 'youth' facilities was also raised as a major concern and an under supply of areas for youths to congregate was noted. Poor maintenance of community halls and conference areas was nominated as a cause of deficiency and an area nominated for spending.

4.2.6 Ocean Shores & Brunswick Heads

In nominating areas that require spending, the residents of Ocean Shores identified 'playing fields' as a significant issue, followed by beach access, footpaths and streetlights. In Brunswick Heads, perceived facilities required included bicycle ways in linking neighbouring townships, an upgraded library and streetscaping.

4.2.7 Bangalow

According to the local residents of Bangalow there was a perceived lack of active open space and embellishment, lack of cycleway/walking tracks and poor parking facilities in the town centre. Residents identified swimming pools, little to no community facilities and poor linkages between townships as being issues of concern.

4.3 Key Themes from Consultations

In reviewing the consultations, a number of key themes and issues recurred:

- *Environment/Beach and Parks:*
 - There is a perceived lack of access to beaches
 - Parks need more equipment
 - Parks need to be properly maintained
 - Recycling centre needs to be established
- *Roads/Bicycle and Pedestrian Paths/Parking:*
 - There is need for an extensive bicycle network
 - Footpaths need to be upgraded
 - Roads need upgrading, especially rural roads
 - Parking availability needs to be improved
- *Cinemas/Shopping facilities:*
 - There is only one cinema within the area
 - Cinema does not show up-to-date films and is poorly maintained
 - Shopping facilities could be upgraded
- *Youth Facilities:*
 - There is a lack of youth recreation facilities
 - Lack of entertainment opportunities for young people at night
 - Skateboarding facilities are needed in some locations
- *Sporting facilities and services:*
 - There is a lack of sporting facilities and services in the area
 - There is a lack of an indoor sporting facility and indoor pool
 - Seating is a problem at some facilities for spectators
 - Current sporting fields and venues are not well maintained
- *Transport:*
 - There is a lack of public transport within the Shire
 - There is a lack of transport within towns to recreation facilities and service
 - The high cost of transport has also been identified as an issue
- *Government Infrastructure:*
 - Disability access within the Shire needs to be improved
 - Accessible public toilets are required
 - There is a need for community space and facilities
 - There is a need for improvements to library services
 - Street lighting needs to be improved
 - There is a need for cultural venues, public art and/ or and Art Gallery

These reinforce some of the issues and priorities identified in the 1995 consultations and provide a working list for Council to approach as part of the implementation of the Social Plan. Given they also represent the perceived needs of the community now and in the future, it also provides a working list for Section 94 planning purposes.

Table 4.2 Community Consultation: Summary of Main Issues by Location

Location	Sporting facilities and services	Transport Roads/Bicycle and Pedestrian Paths/Parking	Environment Beach and Parks	Community Facilities and Services
Byron Bay/ Suffolk Park	<ul style="list-style-type: none"> Require additional sporting fields, tennis courts Improve passive open space areas (bbq's, bikeways Butler Park) West Suffolk playing fields: needs facilities Gaggan Park upgrade required Skate park required 	<ul style="list-style-type: none"> Improved walkways and linkages: paths along creeks Town centre pedestrian environment dangerous (Lawson St) Provide by-pass: Should levy tourist development as well as residential and community Parking totally inadequate at moment, need to provide more Provide bikeway from highway into Byron Bay Bikeway improvements 	<ul style="list-style-type: none"> Need to levy stormwater contributions development as stormwater work required Town centre: busy, cluttered, unplanned – needs work 	<ul style="list-style-type: none"> General purpose community centre Byron library improvement/ or redevelopment Street lighting and furniture requires improvements
Mullumbimby	<ul style="list-style-type: none"> Picnic/Recreation areas facilities in need of upgrading 	<ul style="list-style-type: none"> Need to upgrade Tincosan Street to cope with additional demand Provide another car park/ Lack of adequate parking Bike/pathway with bridge over river to negate using Main Arm or Left Bank Road Bike trails from Mullumbimby to Brunswick Heads along the river Need footpaths: roads dangerous to walk on 	<ul style="list-style-type: none"> A need for more parks and areas of open space East Mullumbimby. Funding for revegetation of riparian zones Stormwater system overloaded: needs upgrading 	<ul style="list-style-type: none"> Community facilities degraded and lack of footpath/ access Provide fit out costs for when library moves Upgrade Neighbourhood Centre to provide meeting rooms Lack of meeting facilities Community space required: youth/drop in centre/Internet Mullumbimby Civic Hall needs refurbishing Lack of public toilets Toilet Facilities for people with disabilities Schools overcrowded
Bangalow	<ul style="list-style-type: none"> Creek based swimming pool is polluted; 	<ul style="list-style-type: none"> Paths along the creek 		<ul style="list-style-type: none"> Youth facilities required Community centre required

Location	Sporting facilities and services	Transport Roads/Bicycle and Pedestrian Paths/Parking	Environment Beach and Parks	Community Facilities and Services
Ocean Shores	<ul style="list-style-type: none"> • New pool needed urgently • Little to no playing fields; Lot 107 and Redgate Road to be developed • Skateboard park at New Brighton • Playground equipment required 	<ul style="list-style-type: none"> • General need to upgrade roads within the township • Roadway maintenance required • Beach access at New Brighton required • Playground facilities required North Ocean Shores (nr Phillip St) 	<ul style="list-style-type: none"> • Provide paths along the creek and waterways • Beach access required 	<ul style="list-style-type: none"> • Need community centre or youth centre for adolescents • Library facilities required • Street lights required • Police, fire facilities required
Brunswick Heads	<ul style="list-style-type: none"> • Provide sports fields (lot 107) 	<ul style="list-style-type: none"> • Bike way from Brunswick Heads to Byron along Beach, and Mullumbimby along river • Reinstate public access along riverfront • Tweed St needs new car parking 		<ul style="list-style-type: none"> • Expand and upgrade library (expand services) • Streetscape improvements required • Street lights required
Main Arm	<ul style="list-style-type: none"> • Need for playing fields Main Arm – Sporting equipment such as skateboard ramp, basketball hoops – Kohinor Hall 	<ul style="list-style-type: none"> • Seal gravel sections of Upper Main Arm to prevent siltation of Main Arm/Brunswick River 		
Shire wide		<ul style="list-style-type: none"> • Need to improve access to beaches through better walk ways and cycle paths • Need for walking tracks or cycle ways to link townships 	<ul style="list-style-type: none"> • Implementation of Best practice Stormwater management • Enlargement of existing waste facility but embellishment of existing Myocum tip to include proper recycling • Purpose built recycling facility should be provided: best practice and state of the art facility 	<ul style="list-style-type: none"> • Improved disability facilities generally where demand is highest as determined by audit • Youth facilities across shire need improvement • Hydrotherapy pool required • No public art

Note: This list is not exhaustive – refer Appendix B for more detailed analysis

5. Community and Cultural Facilities

5.1 Nexus Issues

The determination of nexus for new community and cultural facilities in the Shire requires consideration of the following:

- Population and housing projections
- Age distribution and existing and incoming population
- Tourism growth
- Community consultation results
- Assessment of level of capacity of existing community, human and cultural facilities
- Analysis of types of community facilities required for incoming population and tourists.

A major resource in establishing nexus is the existing *Byron Council Section 94 Contributions Plan – Community Facilities*, the *Byron Social Plan* as well as the results of community consultation undertaken as part of this review.

The Social Plan provides a basis for developing recurrent services in the local government area as well as needed capital facilities. It is important to recognise that buildings alone are not sufficient to provide needed community and cultural services. For this reason, the Social Plan provides a policy basis for the long-term development of child care, youth services, aged services, cultural activities and information for the existing residents of the area. The Section 94 Plan provides the basis for development of services and facilities for the future population based upon the policy directions set by the Social Plan.

Since preparation of the 1993 CP community needs, aspirations and desires have undoubtedly changed and a review of needs is an essential component of the revised Plan.

In this regard, there have been a number of key changes since 1993 that require consideration:

1. The experience of Byron and other Councils is that small facilities do not provide sufficient flexibility and large 'multi use' community centres are too costly for the relatively limited needs of the population. Rather than simply provide a facility for identified needs alternative approaches of utilising existing facilities (embellished as required) and partnering with community groups to provide facilities is the preferred alternative approach.
2. The ability of Council to fund entirely new facilities is limited by the likely pool of funds that may accrue under Section 94 and other revenue constraints. Where Council collects Section 94 contributions it must then commit to the provision of that facility. In an area such as Byron where population growth is modest and the absolute numbers are small, commitment to a large facilities plan is likely to burden Council and the community unnecessarily.
3. The opportunity exists for Council to form alliances with private groups to provide facilities rather than Council providing the facility alone. This has benefits in being able to provide facilities in a shorter timeframe.

These issues are explored in preparing a strategy plan for community and cultural facilities in the revised Byron CP.

5.2 Baseline and Threshold Facility Provision

Baseline community facilities are those which are considered to be the minimum level of local services to which new residents require access. Local baseline facilities differ by area, however, the following are generally considered to be local baseline services that should be accessible to residents (Department of Planning, 1990, Liverpool Council, 1999):

- Local community centre
- Child care service
- Community nurse
- Doctor
- Primary School
- Public transport
- Open space
- Post box/public telephone

These facilities are fundamental to any community and may be provided by government or the private sector. Where the service is not directly provided reasonable access to the service should be provided

Higher order facilities are also typically provided in larger towns and include:

- High school
- Retail/commercial facilities
- Occasional care centres
- Community health centre
- Small scale government offices
- Youth services
- Private medical/dental/specialist health services
- Sports and leisure facilities
- Library

In addition to baseline facilities, a broader range of facilities that cater to more diverse needs are often provided. These threshold facilities will be provided where demand dictates or where the population reaches a certain size (threshold) that will support a facility/service. Table 5.1 outlines various baseline and threshold human services that a community typically requires.

It is important to recognise that baseline and threshold facilities cannot be provided in every urban centre as this would result in duplication of services and costs being diverted from provision of other important services.

The *Byron Council Section 94 Contributions Plan – Community Facilities* accepted that the towns of Mullumbimby and Byron Bay provided higher level services while the smaller towns provided a baseline facilities supported by the higher order centres where threshold facilities are provided. This is seen as a logical and acceptable approach to the provision of human and cultural services.

Table 5.1: Typical Human Service Requirements

CHILDREN'S SERVICES	YOUTH SERVICES	MIGRANT SERVICES
Long Day Care Preschool Occasional Care Family Day Care Playgroups Disabled Children's Services	Youth worker Youth centre Targeted programs, eg. health, law, counselling etc.	Migrant worker Multicultural information & Services Translator service
Before/After School Care Vacation Care Holiday Programs Other eg. toy library, baby sitting co-ops etc.	AGED/DISABLED SERVICES	EMERGENCY SERVICES
	Specific worker & programs Accom. eg. aged units HACC eg. Meals on Wheels Home Care Special Transport	Policy Ambulance NSW Fire Brigade Bush Fire Brigade State Emergency Services
RECREATION	EDUCATION	HEALTH
Neighbourhood parks Range of sports fields Netball courts, tennis courts Bicycle facilities Pedestrian facilities District Open Space Subregional Open Space Indoor Sports Centre Indoor Heated Pool Specific facility for groups	Primary-private & public Secondary-private & public TAFE Adult Education University outreach Special eg. migrant etc.	Early Childhood service Community Health Centre Doctor Community Nurse Medical specialists eg. dentist, chiropractor etc. Day care centre for aged etc. Hospital public & private Medical centre-private
GENERAL COMMUNITY	RELIGIOUS	WELFARE SERVICES
Neighbourhood centres Civic auditorium Meeting rooms/offices for community groups Special facilities eg. youth, aged etc. Arts & Crafts centre Arts programs/workers Theatre Cinema Club-licensed & unlicensed Library Information services Community workers Community development programs eg. festivals etc.	Churches Associated services	Refuges eg. women, men, Youth Family support-community aid agencies & counselling Legal aid services
	TRANSPORT	GOVERNMENT OFFICES
	Bus and rail Bicycle Taxi Community Bus	Dept of Social Security Dept of Community Services Post Office Telecom Medibank Commonwealth Employment Service

The range of community and cultural facilities required by existing and future population is diverse. While Byron Shire Council provides relatively limited facilities and services, other government agencies, the private sector and charitable organisations provide many more. There is also limited potential for the Council to expand the range of community and cultural facilities it currently provides. Nor is not the Councils intention that Section 94 be used to increase the range of these community and cultural facilities. Rather, the principle upon which all contributions will be levied is that of maintaining the existing levels of provision of community and cultural facilities in the Shire.

This approach avoids complex formulae and is based on:

1. The ratio of existing population to the existing provision of community and cultural facilities (children's, youth, senior and non-mainstream services and facilities, community centres and spaces, and library resources).
2. By using the ratio determined in (1) above, deriving the facilities required to meet the demand generated by the new population.
3. Converting the facilities or area required in each category of service to works (either new facilities or embellishment of existing facilities).

The methodology is used to derive two components of contribution:

- Acquisition of land for new facilities.
- Augmentation of existing facilities.

The strategies and implementation proposals that follow are predicated on this approach. Also, adjustments to the contribution rates and apportionment, based on projected growth and community profile in the respective planning zones, have necessarily been made.

The following sections outline of existing service levels to provide the basis for the demand assessments.

5.3 Community and Cultural Facilities Provision

5.3.1 Summary of Facility Provision

A list of existing community facilities has been prepared by Byron Council and is presented below in Table 5.2. This includes facilities that are provided by other government authorities as well as the private sector.

Table 5.2: Current Provision of Community Facilities, Byron Shire 2001

Location	Facility	Council Owned	Uses
Byron Bay Catchment			
Fletcher Street	Dwelling House	Yes	Temporary accommodation of Community Centre
Lawson Street	Library	Yes	Library Services
Byron Street	CWA hall	No	CWA/arts/crafts/adult ed/community groups
Tennyson Street	Scouts hall	Yes	Scouts/playgroup/childcare/community groups
Carlyle Street	Guides hall	Yes	Girl Guides/Brownies
Tyagarah Airstrip	Tyagarah Hall	Yes	Community Groups
Marvel Street	Senior citizens centre	Yes	Senior citizens/dance class
Bay Street	Surf life saving club	Yes	Surf lifesaving/aerobics, community groups
Jonson Street	Community Centre	No	Community functions, arts/craft/adult education, info centre
Jonson Street	Preschool	No	Preschool
Gilmore Street	Youth centre	Yes	Youth centre
Gilmore Street	Childhood centre	Yes	Early childhood centre

Location	Facility	Council Owned	Uses
Marvel Street	Preschool	No	Preschool
Old Pacific Hwy	Emergency accommodation	Yes	Emergency accommodation
Jonson Street	Old Station Master's Cottage	Yes	Tourist information centre
Suffolk Park Catchment			
Alcorn Street	Community centre	Yes	Community activities
Broken Head Road	Broken Head Hall	No	Community group services
Mullumbimby Catchment			
Dalley Street	Old Civic Centre	Yes	Information centre/arts/craft/adult education/performing arts/Community Services
Station Street	Library	Yes	Library Services
River Terrace	Guide hall	No	Girl Guides/Scouts/dance classes/arts/Mullumbimby High School
Main Arm Road	Durrumbul Hall	Yes	Meetings/dances
Main Arm Road	Hall	Yes	Tai Chi/bushfire brigade/dances/community groups
Station Street	Preschool	No	Preschool
Jubilee Avenue	Old Drill Hall	Yes	Cultural centre
Wilson's Creek Road	Hall	No	Preschool/primary school/fitness classes/community groups
Main Arm Road	Preschool	Yes	Preschool
Gordon Street	CWA Hall	Yes	Community groups
Gordon Street	Pioneer Hall	Yes	Immunisation clinic/ Childrens health/ Community activities
Gordon Street	Widows Cottage	Yes	Community Services
Burringbar Street	Old NorthPower building	No	Community Enterprise Centre
Stuart Street	Museum	Yes	Historical society/museum
Bangalow Catchment			
Station Street	A & I Pavillion/ Showground	Yes	Community hall / Showground pavilions and structures
Ashton Street	Heritage House	Yes	Museum site
Showground	Scout hall	Yes	Scouts
Raftons Road	Bangalow Preschool	Yes	Preschool and playgroup
Deacon Street	Catholic Hall	No	Community hall
Old Pacific Hwy	CWA Hall	No	CWA meetings
Coolamon Scenic Dr	School of Arts	No	Community Hall
Federal Rd	Federal Hall	No	Community groups/meetings
Federal Rd	Federal Preschool	No	Preschool
Brunswick Heads Catchment			
South Beach Road	Community Centre	Yes	Community groups/ Respite Care/ Meals on Wheels
South Beach Road	Surf Lifesaving Club	Yes	Surf Lifesaving/ Community groups
Park Street	CWA Hall	Yes	CWA meetings/ Community groups

Location	Facility	Council Owned	Uses
South Beach Road	Scout Hall	No	Girl Guides/Scouts/dance classes
Fingal Street	Memorial Hall	Yes	Community Groups
Fingal Street	Library	Yes	Library Services
Mullumbimbi Street	Bingo Hall	Yes	Community meetings/picnic shelter
Kingsford Drive Bayside	Preschool	Yes	Preschool
Ocean Shores Catchment			
South Golden Beach	Community centre	No	Community groups/meetings
Shara Blvd	Preschool	Yes	Preschool
Rajah Road	Community Centre	Yes	Community groups/meetings

Source: Byron Shire Council, 2001. This list includes only major facilities provided by the Council.

5.3.2 Children's Services

Children's services includes family day care, long day care and pre-school facilities. Existing facilities are shown in Table 5.3. As Council provides long day care and pre-school facilities, only the facilities provide are shown. Family day care is provided through the Department of Community Services (DOCS) which licences private carers.

5.3.3 Youth Facilities

There are limited facilities dedicated exclusively to young persons. The youth centre in Byron Bay (Gilmore Street) is the only facility that provides for youth services although existing community centres in most towns provide youth services as part of a wider service.

Table 5.3: Long Day Care and Pre-school Facilities

Location	Long Day Care	Pre Schools
Byron Bay	4 facilities (1 x 54, 1 x 40, 2 x 29 places)	3 pre-schools (2 x 20, 1 x 40 places)
Bangalow	1 multi-purpose centre (60 places)	Pre-school places in multi-purpose facility
Mullumbimby	1 facility (29 places)	1 pre-school (20 places)
Brunswick Heads	Nil	1 pre-school (20 places)
Ocean Shores/New Brighton	1 facility (36 places)	1 pre-school (20 places)
Wilson's Creek	Nil	1 pre-school (20 places)
Federal	Nil	1 pre-school (20 places)
Durrumbul	Nil	1 pre-school (20 places)

Source: Byron Shire Council, 2001

5.3.4 Seniors Facilities

The Senior Citizens Centre in Byron Bay (Marvel Street) is the only facility dedicated to seniors. Again, existing community centres in most towns provide services for seniors.

5.3.5 Non-mainstream Groups

This includes indigenous people, people with disabilities, people from other cultures and the un/under employed. In the main, these groups are provided for through government agencies, self help organisations or through facilities provided by charitable organisations. Council provides a limited range of services largely through community centres.

5.3.6 Community Centres and Spaces

There are generally community centres or halls in most towns and in some villages in the Shire as shown in Table 5.2. These provide for a wide variety of community needs

5.3.7 Library Resources

There are currently 3 libraries in the Shire as follows:

- Byron Bay Branch – main library in the Shire
- Mullumbimby Branch – support library
- Brunswick Heads Branch – support library

Collectively the libraries have a total of 46,977 books which represents a provision of around 1.5 books per resident (refer Table 5.4). According to the Richmond-Tweed Regional Library, the average provision for NSW is 1 book per 2.5 persons which is the standard adopted by the State Library. As can be seen, while the Mullumbimby Library nears the average, overall the average for the Shire is well below the state average.

Table 5.4: Library Resources Byron Shire

Branch	Areas Served	2001 Population	Provision Standards		
			Current books ¹	Per capita provision	NSW State Library ²
Byron Bay Branch (180 square metres)	Byron Bay	7,125	20,941	1.36	
	Suffolk Park	3,148			
	Bangalow	1,006			
	Rural South	4,066			
	Total	15,345			
Mullumbimby Branch (88 square metres)	Mullumbimby	3,450	15,442	2.20	
	Rural North (70%)	3,558			
	Total	7008			
Brunswick Heads Branch (150 square metres)	Brunswick Heads	1,995	10,594	1.22	
	Ocean Shores	3,394			
	New Brighton/South Golden Beach	1,786			
	Rural North (30%)	1,525			
	Total	8,700			
Byron Shire	Total	31,053	46,977	1.51	2.5

Source: Byron Shire Council, 2001

Notes:

1. Book numbers as at June 2000
2. State Library provision figure is a minimum

5.4 Establishing Demand for Facilities

Each step in the establishment of a contribution rate and the proposed apportionment considers the relevant key components as follows:

- Demand projections based on expressed demand of existing population (community consultation) together with the use of on accepted approaches to community facility demand.

- The use of standards for provision of facilities used in two ways:
 - where currently considered appropriate by the Department of Community Services or other recognised agency; and
 - where specific demand information is not available, existing provision standards are used as a proxy indicator.
- Existing provision: using current facility provision as a key element in establishing future requirement models.
- Demographics: projection of population increase/decrease and anticipated community profile to establish expected demand.
- Accessibility: based on travel times around and within the LGA.

This approach to the provision of community and cultural facilities allows demand to be identified in a transparent manner and ensures that the appropriate apportionment rates are established.

5.4.1 Byron Social Plan

Byron Shire Council has undertaken a number of studies analysing the demography of the Byron local government area and issues affecting social well being. This includes the *Byron Community Profile* and the *Byron Social Plan*.

Pertinent findings of the Profile and Social Plan are:

- The growth rate of 3.3% per annum was the second highest in the North Coast between the last two censuses (1991 and 1996). The growth rate for the previous census period was even higher at 4.69% per annum.
- 30% of the population live in rural areas.
- The increasing number of aged residents will have a significant impact on community based services.
- There is a marked increase in residents in the 40 to 49 years age bracket.
- The number of those in the 10-19 year groups has increased significantly.

The Social Plan notes that the overall age profile of Byron Shire is skewed towards the young, middle and older age groups. Those in the 20-35 year groups have a much lower representation.

The Social Plan notes that there are 7 target groups whose needs should be taken into account:

- Children (those aged 0-11)
- Young people (those aged 12-24)
- Older people
- People with disabilities including those with HIV/AIDS
- Aboriginal people
- Women
- People from culturally and linguistically diverse backgrounds.

The Social Plan also notes other groups that should be considered including low income earners, gay/lesbian and transgender people, families, new residents and unemployed people. The Plan observes that the *Community Profile* (Byron Shire, 1998) identified a high proportion of low income earners, high numbers of new residents, considerable changes in family dynamics and high levels of under and

unemployment. It was also noted that the Northern Rivers area has the highest gay/lesbian community in NSW outside of Sydney.

The Social Plan outlined the following strategies for the above groups and facilities:

- **Children:** Council continues to maintain a high standard of service delivery for children and meet the need of the community through the provision of children's services, resources, referrals and support networks.
- **Youth:** Council continue with the employment of the Youth Activity Centre Co-ordinator; recognise the need to return this to a full-time position; recognise the need to provide a project budget to enable provision of services; undertake regular consultation with younger people; organise annual events in celebration of Youth Week.
- **Older People and the Disabled:** Celebrate the contribution of older people through activities and organisation of events as part of senior's week on an annual basis; Increase awareness and ability to respond to the needs of older people and those with a disability by Council representatives attending HACC Interagency meetings.
- **Community Centres and Spaces:** Conserve and enhance community facilities and leisure opportunities; Enhance the utilisation of Council's community buildings; Enhance the opportunity to develop the arts and cultural life of the community.
- **Library Resources:** Recognise the important role libraries play in the community; Continue with plans for the update of the Byron Bay library; Utilise libraries as a source of information on Council activities; Acquire books to meet particular requirements of all target groups.
- **Indigenous people:** Reconciliation between Council the community and Aboriginal and Torres Straits Islander people through a range of actions.
- **Culturally Diverse Groups:** Increase access to Council services for people of culturally and linguistically diverse backgrounds.
- **Unemployed and underemployed:** Support the community in the creation of sustainable employment opportunities; Seek opportunities for economic renewal which supports the local resident population.

Some of these strategies can be partly implemented through the Section 94 Plan by provision of facilities to support the incoming population.

The following sections discuss these opportunities as well as the perceptions of local residents on specific facilities that they believe are required to meet their current needs and the potential needs of the future population of Byron Shire.

5.4.2 Community Consultations

The consultations undertaken as part of the 200/2001 review of the CP indicated that, while the provision/standard of children's facilities appeared to be generally satisfactory across urban areas, facilities for youth services, meeting rooms/halls and library resources were seen as area of needs.

The main priority areas seen by the community in each of the Shire's urban areas are:

- **Byron Bay/Suffolk Park:** Youth group activities; Public amenities; Parks provision/maintenance
- **Mullumbimby:** Youth group activities; Community transport; Aged services; Public amenities
- **Bangalow:** Community transport; Youth group activities; Public amenities; Playgrounds
- **Brunswick Heads:** Youth group activities; Aged services; Community transport; Parks provision/maintenance; Public amenities
- **Ocean Shores, South Golden Beach:** Public amenities; Community transport; Youth group activities; Aged services
- **Byron Shire:** Youth group activities; Public amenities; Community transport; Car parks.

The consultation undertaken during the current investigations provide key themes for the needs assessment.

5.5 Current Section 94 Program

The following Sections assess the existing Section 94 program to evaluate whether the current program will meet the needs of future residents. While some of the identified facilities in the 1993 Section 94 Plan have been constructed and are serving the needs of the population which largely contributed towards their provision, there are some facilities that have not been provided.

As noted in Section 2.0, there are a number of consents that predate Section 94 CPs and contribution cannot be fully collected in these catchments. Consequently, the program for some facilities will need to be funded by Council unless the funds can be reallocated to another facility.

In addition, community needs and demands vary over time and it is not the intention of section 94 that facilities that have not been provided be built if they are not needed. This is the very reason that Section 94 Plans are reviewed: to ensure that the future needs of the incoming population are being met. If there are other means of providing for these needs other than the facilities identified in previous Section 94 Plans (or indeed if needs have changed as a result of demographic shifts), it is quite reasonable for Council to amend the works program following consultation with the community.

5.5.1 Existing Section 94 Policies

The *Byron Council Section 94 Contributions Plan – Community Facilities (1993)* provides the current basis for levying Section 94 Contributions.

The current Section 94 Plan limits community facilities to the following:

- Long Day Care
- Occasional/Casual Child Care
- Playgroups
- Pre-Schools

- Toy Library
- Youth Centre
- Community Hall/Centre
- Library
- Senior Citizens Centre
- Multi-Purpose Child Care Centre
- Multi-Purpose Community Centre

These definitions can often overlap particularly where they are provided under one roof. To simplify and provide more clarity to these definitions, the following classifications of services and facilities are proposed:

- **Children's Services:** These services include long day care, family day care, occasional care, out of school hours programs, early childhood centres, pre-schools and immunisation clinics.
- **Youth Services:** These include leisure and meeting facilities, individual support services and can include housing and other similar support services.
- **Aged Services:** Services for the aged include health services, leisure and recreation services, transport services and support services while facilities includes senior citizens centres.
- **Non-Mainstream Groups:** Services for Indigenous people, un/under employed, those from culturally diverse backgrounds, gay/lesbian people.
- **Community Centres and Spaces:** These facilities may include community and neighbourhood centres where combined services are available and where cultural services and events may take place.
- **Library Resources:** Centres providing books for loan and reference purposes. These may also offer similar services for videos, prints, CDs and toys, also may provide educational/entertainment programs.

Some of these services are available in a form in Byron Shire and may be provided by the Byron Shire Council, government authorities, the private sector or a combination of these. The spatial distribution and adequacy in terms of the incoming population is the main issue concerning the Section 94 Plan.

5.5.2 Section 94 Funds

The 1993 *Byron Council Section 94 Contributions Plan – Community Facilities* adopted a schedule of works for community facilities throughout the Shire including the purchase of land at Mullumbimby, Suffolk Park, Brunswick Heads and Ocean Shores and the construction of facilities at those areas together with Byron Bay. This program is set out in Table 5.5.

Table 5.5 also sets out the funds in the 1993 Plan that remain to be collected. These facilities will be brought forward into the new Plan as they are incomplete. These works may include facilities that are yet to be constructed or facilities that have been constructed for which Council will seek recoupment of funds expended.

In some instances, funds collected under the 1993 CP have been in excess of the original Plan estimate (after allowing for CPI indexation and land value escalation). In these instances of overcollection, the future expenditure will be covered by Council existing reserves rather than through additional contributions.

Table 5.5: Current Section 94 Program and Funds

Centre	Works	Plan Amount (\$)	% Section 94	Contributions Received	Remaining Funds to be Collected
Byron Bay	Community centre	2,000,000	21%	709,519	407,808
	Youth / Sports centre	2,000,000	21%		
	Child care centre	450,000	21%		
Suffolk Park	Pre-School	250,000	20%	111,603	5,750
Mullumbimby	Youth Centre	362,000	16%	122,029	97,847
	Pre-School Upgrade	100,000	100%		
Brunswick Heads	Pre-School	210,000	100%	10,943	199,057
Ocean Shores / New Brighton / SGB	Community Centre	1,042,500	26%	101,149	594,505
	Pre-school	316,000	100%		
Total		6,730,500		1,055,242	1,304,967

Source: Byron Shire Council, 2001

5.5.3 Section 94 Funds Applied to Date

The costs for these facilities were then assessed in regard to the relative proportions to be met by Section 94 contributions and by general revenue. Of the facilities listed in the works schedule the following have been provided or land purchased, with the amounts spent from Section 94 contributions, general revenue, grants and loans given. The final column of the table shows the amounts of Section 94 contributions still outstanding for these facilities. These amounts will still need to be included in any updated plan as the facilities were provided with future population growth (as identified in the current plan) in mind.

The facilities listed within the works schedule of the existing plan reflect the facilities Council considered should be provided for the community.

5.6 Community and Cultural Strategy Plan

The following strategy plan is based on the demand generated by future population growth. It is clear that demand created for community and cultural facilities will result from new residents and visitors to the LGA (eg tourists). Commercial/retail and industrial development does not create such demand.

Consequently, the following types of development will generate demand for new or enhanced community and cultural facilities:

- Residential development of all types.
- Commercial development that involves the accommodation of persons on a temporary or permanent basis (eg tourist accommodation facilities, cabins, hotels, motels, caravan parks).

The following outlines the needs of incoming populations and visitors to the LGA.

5.6.1 Provision and Distribution of Facilities

To provide for the needs of the incoming population new facilities will be required or existing facilities will need to be embellished/expanded where feasible. Given the cost of providing new facilities, the focus of

meeting the needs of the future population should be on expanding existing facilities where possible based on current provision levels or on accepted standards (refer Table 5.7).

The catchment area for contribution to each facility requires some consideration to allow costs to be apportioned. The *Byron Council Section 94 Contributions Plan – Community Facilities* (1993) divided the area into catchments for planning of facilities and these remain valid for the current plan. It is also noted that the 1993 CP adopted varying catchment contribution rates for provision of community services.

This approach remains valid for local baseline facilities with threshold facilities providing higher order facilities that can be shared between urban areas. This approach recognises that Council has limited funds and cannot provide higher order facilities in every town. Consequently, the approach adopted is to calculate a local levy for each urban area with threshold facilities provided on a Shire-wide basis. This ensures that there is equity in provision within the limitations of funding constraints.

The following sections outline the proposed Strategy Plan for Community and Cultural facilities and services based on continuation of existing standards or with reference to accepted standards (refer Table 5.6). Table 5.7 summarises the proposed strategy.

Table 5.6: Council Facilities: Baseline/Threshold Provision Levels¹.

Facility/Target Population	Standard	Floorspace Requirements ²	Existing provision levels
Long day care	1 place per 10 children 0-4 years ³ .	300-400	1:7.3
Pre-school	1 place per 10 children 0-4 years ⁴ .	200-250	1:7.8
Youth Centre	1 per 20,000 persons or 1 per 3,000 13-19 year olds	300-400	1:31,053 1:2,050
Community Centre	1 per 3,500 persons	600-800	1:7,763
Library	District: 1 per 30,000 persons Branch: 1 per 5,000 persons Books: 1 book per 2.5 person	1000 600-700	1:31,053 1:15,526 1:5.1
Seniors	1 per 30,000 persons	1000-2000	1:31,053

Notes:

- Standards sometimes vary and there are no set standards that are
- Floorspace requirements based on small facility
- Where private facilities are provided this may be relaxed to 1:20.
- Current Department of Community Service standard.

5.6.2 Children's Services

Children's services includes family day care, long day care and pre-school facilities. Family day care is provided through the Department of Community Services (DOCS) which licences private carers. Council provides long day care and pre-school facilities.

As indicated by the Social Plan, Council continues to maintain a high standard of service delivery for children and meet the need of the community through the provision of children's services, resources, referrals and support networks.

The population capacity figures for the Shire indicate that an additional 394 children (0-4 years) will result from the population capacity with an additional 152 children 0-4 years to 2006. To cater to the capacity population, an additional 55 pre-school and long day care spaces will be required.

Although the existing Shire ratio of children to child care places is below the DOCs standard of 1 space per 10 children, there are quite varied spatial needs that will require additional provision or embellishment of facilities. In addition, due to the separation of urban areas, it is considered that future population growth should not result in a lower standard of provision of child care facilities than presently exists.

Where the existing Section 94 facilities have been constructed and provide capacity for the incoming population, the incoming population will contribute its share to these facilities provided for future demand. Where possible, this will be through the expansion/embellishment of existing facilities.

The following outlines general needs by each catchment:

- **Byron Bay**
The major child care facility within the existing Section 94 Plan has been provided and this has catered to the demand. The incoming population will create demand for an additional 13 places. The existing child care facility in Byron Bay pre-school in Jonson Street is currently on leased land and the lease will expire in 2006. It is likely that the facility will have to relocate and sites in Suffolk Park have been identified as being appropriate. As the incoming population will create additional demand for children's services, the facility at Suffolk Park will be used to cater to demand.
- **Suffolk Park:**
The pre-school identified in the existing CP has not been constructed and this facility will be transferred to the future CP. An updated cost has been provided to reflect increased construction and land costs. The cost increase will also provide additional capacity to provide for future demand in the Suffolk Park and Byron bay areas.
- **Mullumbimby:**
The existing CP proposed an upgrade of the pre-school which has not been completed. The existing provision is 1:12.8 children so it would appear that the facility is still required as it is below the DOCs standard. At capacity, the incoming population will create additional demand for an additional 8 places.
- **Bangalow:**
The existing CP did not propose facilities for children, however, the existing provision is 1:16.8 children which is below the DOCs standard. A new facility is indicated in this town as, at capacity, the incoming population will create additional demand for an additional 7 places.
- **Brunswick Heads:**
The pre-school has been completed although the costs of the facility exceeded the estimated cost in the CP. The increase in costs is partly due to provision of a facility that will provide for future demand. The current rate of provision for is 1:4.7 children. However, there is likely to be an increasing young population as new land is released. At capacity, the incoming population will create additional demand for an additional 8 places.
- **Ocean Shores, South Golden Beach:**
A community centre has been completed which includes provision for children's services as outlined in the existing CP. The pre-school at South Ocean Shores has not been constructed. The current rate of provision for is approximately 1:18 children. At capacity, the incoming population will create additional demand for an additional 11 places.

5.6.3 Youth Facilities

By reference to threshold standards and arising from the community consultation, youth services are increasing in priority. The current provision of youth services is 1:31,053 which is well below the DOCs standards of 1:20,000. The incoming population will require another youth facility as the total population will be approaching 40,000 persons. Due to the large population numbers required to support stand alone youth facilities, they are considered to be a shire-wide responsibility rather than a local responsibility. Consequently, Section 94 contributions will be levied across the entire shire for these facilities.

The following outlines general needs by each catchment:

- **Byron Bay**

The major youth centre has been provided and this has catered to past demand. The current rate of provision for Byron Bay/Suffolk Park is 1:10,272 which is well above the DOCs standards of 1:20,000 persons although this is a threshold facility that will provide to the need for the shire.

While the incoming population will create additional demand for youth services there is no requirement for additional facilities. Rather, the existing facilities can be embellished to provide for shire needs.

- **Suffolk Park:**

No youth services were identified in the current CP. The community centre at Alcorn Street and the Broken Head Hall provide some facilities and, given the relatively low numbers of young people in this town, the embellishment of existing facilities to cater to needs is considered to be the optimum solution.

- **Mullumbimby:**

A youth centre is proposed under the existing Section 94 Plan at Mullumbimby although this has not been constructed and only a small proportion of the total funds have been collected. The total number in the 10-19 year category will be around 650 persons at capacity. The provision of a youth facility would in conjunction with another facility is the preferred approach to catering to needs.

- **Bangalow:**

There is no facility in this town although the future population numbers in the youth category will double to around 300. Given the relatively low numbers of young people in this town, the Byron facility will cater to needs.

- **Brunswick Heads.**

There is no facility in this town and little current demand given the low number of 13-19 year olds (less than 100). Again, provision for youth as part of another facility may be an alternative solution to catering to existing needs.

- **Ocean Shores, South Golden Beach:**

There is no facility in this town at present and Council does not have any plans to provide such a facility. Given the number of 13-19 year olds is likely to grow and the dearth of facilities in the areas, some type of facility is warranted. This could be provided as part of the South Golden Beach Community Centre.

5.6.4 Seniors Facilities

A senior citizens centre is located in Byron Bay. The standard for provision of 1:30,000 population is met by this facility, however, there are a number of towns where there are higher proportions of older people (eg Brunswick Heads). While it is not proposed that new dedicated facilities be provided for seniors, the existing community facilities should be designed to cater to groups such as these.

5.6.5 Non-mainstream Groups

These groups are largely provided for through government agencies, self help organisations or through facilities provided by charitable organisations or Council facilities. It is not proposed to construct separate facilities as part of this CP for these groups. Rather, the facilities provided for the wider population have been assumed to cater to some of their demands.

5.6.6 Rural Community Centres and Spaces

The existing provision of other community centres and spaces includes community halls in Main Arm, Federal, Eureka, Tyagarah and Wilsons Creek. These provide to the existing demand of rural residents and are capable of augmentation to cater to the small number of new residents in the rural areas projected to 2006 (559 persons in Rural North and South).

5.6.7 Library Resources

By reference to threshold standards and arising from the community consultation, library services are seen as a priority. While the provision of a main district library in Mullumbimby does cater to standard of 1:30,000 residents, the book ratio does not meet the State Library standard of 1 book per 2.5 residents.

The population growth envisaged under this plan (3561 persons) would require an additional 5,377 books if provision is made at least at the current level while an additional 8,900 books would be required to reach the State Library standard. There is an existing shortfall of around 30,700 books if the State Library standard is adopted.

Both the Byron Bay and Brunswick Heads libraries are the smallest and have the lowest per capita provision rates in the Shire. Therefore, it is these libraries that will require more expenditure particularly as the majority of population growth will occur within their catchments. For example, the library at Mullumbimby will be moving into the existing Council civic centre which will create an improved facility and allow additional books and resources to be housed. This library will operate as a branch library.

5.6.8 Community Facilities and Spaces

The community consultation has indicated that the population sees a need for additional community spaces and facilities to cater to their needs. The specific facilities and/or services that emerged from the consultations were for embellishment of existing facilities to allow them to cater to wider needs.

There was also a need expressed for improved walkways/path systems (both in parks/natural areas as well as urban areas) and improved civic facilities such as street lights/seating and the like (refer Section 8). Table 5.7 outlines these needs by urban area catchment.

5.7 Community and Cultural Contributions

5.7.1 Overview of Works Program

The proposed works program for Community and Cultural Facilities is outlined in Appendix C. There are a number of improvement items that are involved.

To maintain provision of facilities at present levels, additional services and facilities are required for each of the urban centres. These are shown in Table 5.7 and outlined below.

- **Children's Services**

Facilities have been provided ahead of demand in Byron Bay and Brunswick Heads and Council intends to recoup these costs. Facilities were proposed in the 1993 CP in Suffolk Park, Mullumbimby and Ocean Shores. These remain to be constructed and are transferred to this CP with an updated cost. The proportion of the facility already paid for is discounted from the cost through the apportionment factor.

- **Youth Services**

Youth services will be provided through the embellishment of existing facilities rather than the construction of new facilities. A facility was proposed in the 1993 CP for Mullumbimby. It is intended that redevelopment of the former civic will cater for youth needs rather than a new facility in Station Street as originally proposed. The proposed facility at Byron Bay will be included in the redevelopment of the existing community centre. The youth facility at Ocean Shores will be provided through embellishment of the existing community centre. Where facilities remain to be constructed or funds have been collected for embellishment, they are transferred to this CP with an updated cost. The proportion of the facility already paid for is discounted.

- **Seniors Services**

Seniors services will be provided through the embellishment of existing facilities rather than the construction of new facilities.

- **Community Spaces**

Community spaces (such as community facilities) will be embellished to provide for identified needs. Upgraded facilities include those in Byron Bay, Mullumbimby, Brunswick Heads, Ocean Shores and Bangalow.

- **Library Resources**

To maintain provision of book ratios at the current level would require 5,377 books to be shared between the three branch libraries. At an average cost of \$42.00, this equates to \$225,834 shared equally between the libraries (\$75,300). This includes the costs of processing the books but does not include the costs of upgrading each library to accommodate these books (floorspace, shelving, cataloguing).

The Mullumbimby Library has moved into the Council's administrative centre and the costs of the associated upgrade of floorspace and relocation of the existing library is \$106,500. The upgrade of the Brunswick Heads library will require additional shelf space and floorspace. This has been estimated at \$81,500.

There is also a need to significantly upgrade the Byron Bay library so it is able to perform a shire wide function. At present there is no dedicated Branch Library in the shire. The total population at capacity (around 40,000 persons) reaches the threshold standard for provision of such a facility. This will require a significant redevelopment of the library rather than embellishment.

The costs of this branch library are dependent on the total floorspace. Based on a typical Branch Library of 1000 square metres and a construction costs of \$1,500 per square metre, the total cost of this facility is approximately \$1,500,000. There is also a land acquisition cost that has been estimated by the Council at \$1,350,000. Byron Bay is the preferred location for this facility.

The estimated costs to house all books required are therefore:

- Brunswick Heads Library - \$156,800
- Mullumbimby Library - \$181,800
- Byron Bay Library - \$2,924,000

Library resources are considered to be a Shire-wide facility.

5.7.2 Costing of Works Program

The total cost for the above works program is set out in Table 5.8. These costs have been based on the development of the facilities outlined in the program and have been costed using Rawlinsons cost guide.

5.7.3 Apportionment of Works

The existing community facilities are adequate for the incoming population. While some works have been undertaken in anticipation of future population growth (and existing residents), there are a number of works to be provided in the future.

Where the incoming population has solely created the demand for the works, there will be no apportionment of costs. The rationale is that the future residents will utilise the existing community and cultural facilities and resources as well as creating a need for new works. The proposed increase in these facilities and resources will not increase the per capita provision. Consequently, there will be no apportionment for these facilities. Where there is community benefit from the creation of new facilities where an existing deficiency exists (eg Bangalow community centre) an apportionment rate is adopted to ensure only that that proportion of the facility required by the future population is levied.

There is no spare capacity in existing facilities to provide for future population growth and no apportionment is adopted for future works except in the following circumstances:

- Community centre in Bangalow – the population will double to reach the ultimate capacity, however, the existing community centre is deficient and Council will need to fund this deficiency. The existing population will account for 49% of the total population, therefore 51% of the costs will be borne by future residents.
- Libraries – the Byron Bay library is deficient and population and tourist growth will increase 30%. Thus, only 30% of the total costs of the facilities will be borne by future growth of this major facility.

Table 5.7: Community and Cultural Facilities Strategy: 2001-2006

Location	Children	Youth	Seniors	Non-mainstream groups	Community Centres and Spaces	Library resources
Byron Bay	<p>Current rate of provision for Byron Bay/Suffolk Park is 1:7.4 children which indicates provision ahead of demand.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Maintain existing levels of provision and recoup funds for existing facilities 	<p>Current rate of provision for Byron Bay/Suffolk Park below the DOCs standards indicating a current need.</p> <p>The incoming population will create additional demand for youth services.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Complete youth services project 	<p>There is currently 1 senior's facility in the Shire located at Byron Bay although other community centres provide some services for seniors.</p> <p>Provide for expressed needs for improved walkways.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Embellish existing community centre to provide for needs. Provide additional walkways in urban areas (See also Community Centres and Spaces) 	<p>Services/facilities provided by Council cater to needs.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Continue to provide diverse services within community centre. 	<p>Provide for target group needs through improved community centre facilities. Provide for expressed needs for improved community spaces. Upgrade existing facilities in vicinity of town centre area.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Existing community centre to be further embellished / improved in conjunction with community groups Provide additional walkways and improve street lighting/furniture. 	<p>Additional population requires improved library resources.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Byron library redevelopment.
Suffolk Park	<p>Pre-school still required for area and facility in existing CP can be expanded to account for future growth.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Transfer proposed to CP. Updated cost to provide additional capacity for future demand 	<p>Limited potential to provide facility in area. Byron facility will cater to need in addition to existing community centre.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Incorporate youth services within proposed community centre Existing community spaces (Alcorn Street and Broken Head Hall) provide some space. 	<p>Seniors facility in Byron Bay will cater to needs with improvements.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Embellish existing Byron Bay community centre to provide for needs. Provide additional walkways in urban areas (See also Community Centres and Spaces) 	<p>Services/facilities provided by Council cater to needs.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Continue to provide diverse services within community centre. 	<p>Provide for target group needs in conjunction with facilities in Byron Bay.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Existing Byron community centre to be embellished/ / improved in conjunction with community groups Provide additional walkways. Improve street lighting and furniture. 	<p>Library resources in Byron Bay to provide for needs</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Byron library redevelopment.

Location	Children	Youth	Seniors	Non-mainstream groups	Community Centres and Spaces	Library resources
Mullumbimby	<p>Upgrading of pre-school still required for area and facility in existing CP can be expanded to account for future growth.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Transfer proposed works to CP. Updated cost to provide additional capacity for future demand 	<p>Stand alone youth centre can be combined with other facilities.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Incorporate youth services within another facility at former civic centre 	<p>No facility required at present. Provide for senior needs at community centre and improve other facilities.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Embellish community centre to provide for needs. Provide additional walkways in urban areas (See also Community Centres and Spaces) 	<p>Services/facilities provided by Council cater to needs.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Continue to provide diverse services within community centre. 	<p>Growth will require additional facilities. Existing community facilities require upgrading to cater to existing and future needs. Access improvements also required. Lack of public toilets.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Incorporate facilities within Mullumbimby Civic Hall. Upgrade Neighbourhood Centre to provide meeting rooms. 	<p>Library resources need upgrading to cater to needs.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Provide fit out costs and improvements for library
Brunswick Heads	<p>Recently constructed pre-school provides for future demand.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Recoup costs fro pre-school from future population. 	<p>Low demand for stand-alone facility although existing and future needs can be provided in combination with another facility.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Incorporate youth services within another facility at former civic centre 	<p>No facility required at present. Provide for senior needs at community centre and improve other facilities.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Embellish community centre to provide for needs. Provide additional walkways in urban areas (See also Community Centres and Spaces) 	<p>Services/facilities provided by Council cater to needs.</p> <p>Strategy Plan:</p> <p>Continue to provide diverse services within community centre.</p>	<p>Provide for target group needs through improved community centre facilities.</p> <p>Provide for expressed needs for improved community spaces.</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Existing community centre to be embellished/ / improved in conjunction with community groups Provide additional walkways. 	<p>Demand for upgrade of library</p> <p>Strategy Plan:</p> <ul style="list-style-type: none"> Brunswick Heads library improvement.

Location	Children	Youth	Seniors	Non-mainstream groups	Community Centres and Spaces	Library resources
Bangalow		Stand alone youth centre not justified although some services required. Strategy Plan: <ul style="list-style-type: none">Incorporate youth services within community centre facility	No facility required at present. Provide for senior needs at community centre and improve other facilities. Strategy Plan: Embellish community centre (A&I Hall) to provide for needs. Provide additional walkways in urban areas (See also Community Centres and Spaces)	Services/facilities provided by Council cater to needs. Strategy Plan: <ul style="list-style-type: none">Provide diverse services within community centre.	Provide for target group needs. Provide for expressed needs for improved community spaces. Strategy Plan: <ul style="list-style-type: none">Embellish community centreProvide additional walkways.	Library facilities at Brunswick Heads and Byron Bay to cater to needs Strategy Plan: Utilise existing library facilities at Brunswick Heads and Byron Bay
Ocean Shores/ New Brighton / South Golden Beach	Pre-school at South Ocean Shores still required. Strategy Plan: <ul style="list-style-type: none">Transfer proposed works to CP. Updated cost to provide additional capacity for future demand	Low demand for stand-alone facility although existing and future needs can be provided in combination with another facility. Strategy Plan: <ul style="list-style-type: none">Incorporate youth services within existing community centre	No facility required at present. Provide for senior needs at community centre and improve other facilities. Strategy Plan: <ul style="list-style-type: none">Embellish community centre to provide for needs. Provide additional walkways in urban areas (See also Community Centres and Spaces	Services/facilities provided by Council cater to needs. Strategy Plan: <ul style="list-style-type: none">Continue to provide diverse services within community centre.	Embellishment of the existing community centre facilities will cater to existing and future needs. Provide for expressed needs for improved community spaces. Strategy Plan: <ul style="list-style-type: none">Embellish community centreProvide additional walkways.	Library facilities at Brunswick Heads and Byron Bay to cater to needs Strategy Plan: <ul style="list-style-type: none">Utilise existing library facilities at Brunswick Heads and Byron Bay

Table 5.8: Community and Cultural Facilities Program

Location	Proposed Works	% S94	S94 Cost (\$)
Shire Facilities	• Byron library improvement / redevelopment (shire-wide)	30	\$877,200
	• Remaining funds to be collected (shire wide)	100	\$224,523
	• Mullumbimby library improvement (shire-wide)	100	\$181,800
	• Brunswick Heads library improvement (shire-wide)	100	\$156,800
	<i>Total</i>		<i>\$1,440,323</i>
Byron Bay Suffolk Park	• Embellish Community centre following completion of upgrade	100	\$250,000
	• Upgrade existing community centre in vicinity of town area	100	\$183,285
	• Remaining funds to be collected (pre-school)	100	\$5,750
	• Upgrade child care centre	100	\$50,000
	• Broken Head Hall	100	\$50,000
<i>Total</i>		<i>\$539,035</i>	
Mullumbimby	• Remaining funds to be collected	100	\$97,847
	• Upgrade Mullumbimby Civic Hall/Neighbourhood Centre	100	\$250,000
	<i>Total</i>		<i>\$347,847</i>
Brunswick Heads	• Remaining funds to be collected	100	\$199,057
	• Existing community centre to be upgraded	100	\$75,000
	<i>Total</i>		<i>\$274,057</i>
Bangalow	• Embellish community centre	51	\$153,000
	• Heritage House upgrade	51	\$51,000
	<i>Total</i>		<i>\$204,000</i>
Ocean Shores/ New Brighton / South Golden Beach	• Remaining funds to be collected	100	\$594,505
	• Upgrade community centre	100	\$150,000
	<i>Total</i>		<i>\$744,505</i>
Rural North	• Improvements to halls	100	\$150,000
Rural South	• Improvements to halls	100	\$80,000

5.7.4 Contributions for Community Facilities

The contribution for community and cultural facilities is made up of a local facility contribution and a shire-wide facility contribution. The formula for both of the contributions is as follows:

$$\text{Community Facilities} = \frac{C + E}{P}$$

Where: C – proportion of the capital cost of the community facilities (apportioned cost).
E – outstanding contributions for the facilities
P – the estimated population increase to reach capacity (including tourist numbers)

The shire wide facility contribution is:

$$C = \$1,215,800$$

$$E = \$224,523$$

$$P = 8,677 \text{ (population increase of 8,377 plus tourist beds increase of 300)}$$

Thus,

$$\frac{\$1,440,323}{8677}$$

= \$165.99 per person

Local contributions are based on the proposed works divided by the incoming population. The shire and local contributions are set out in Table 5.9.

The contribution will be sought for the following types of development that generates demand for new or enhanced community and cultural facilities:

- Residential development of all types.
- Commercial development that involves the accommodation of persons on a temporary or permanent basis (eg tourist accommodation facilities, cabins, hotels, motels, caravan parks).

The levy will be imposed according to the demand generated by each of the uses. This will be based on the occupancy rates for various dwelling types as established by the Australian Bureau of Statistics census figures.

Table 5.9: Contributions – Community and Cultural Facilities

Catchment	Population Increase	Tourist Beds	Contribution Rates (per person)		
			Shire Wide	Local	Total
Byron Bay/Suffolk Park	2327	150	\$165.99	\$217.62	\$383.61
Mullumbimby	1200	25	\$165.99	\$283.96	\$449.95
Brunswick Heads	1205	25	\$165.99	\$222.81	\$388.80
Bangalow	1044	25	\$165.99	\$190.83	\$356.82
Ocean Shores/ New Brighton / South Golden Beach	1650	25	\$165.99	\$444.48	\$610.47
Rural North	617	25	\$165.99	\$233.64	\$399.63
Rural South	334	25	\$165.99	\$222.84	\$388.83

It has been established that development that does not impose demands on community and cultural facilities (viz commercial/retail development, industrial development, quarries) will not be subject of a levy for these facilities.

6. Open Space and Leisure Facilities

6.1 Nexus Issues

The link between the expected types of development in the area and the need for additional open space facilities required is based upon:

- Demographics of projected incoming population
- Age distribution and existing and incoming population
- Community consultation and needs assessments
- Needs of major target groups
- Assessment of level of capacity of existing open space and leisure facilities
- Analysis of types of open space and leisure facilities required for incoming population.

A major resource in establishing nexus is the existing *Byron Council Section 94 Contributions Plan – Open Space*, the *Outdoor Recreation and Open Space Planning Guidelines for Local Government* (Department of Urban Affairs and Planning) as well as the results of community consultation and assessment of needs undertaken as part of this review.

6.2 Recreation and Open Space Planning Guidelines

The 1993 *Byron Council Section 94 Contributions Plan – Open Space* adopted a series of population catchment standards for the provision of various open space facilities. These standards are contained within Appendix 1 of the Open Space Plan, and specify an area standard for the provision of open space (termed 'active' and 'passive' open space). These were based on population thresholds which then were used to assess "demand" for a range of open space types (such as playspace or sporting field).

The standard of 2.83 hectares of open space per 1000 population has historically been used in Australia to determine open space "demand" as it is easy to apply. However, use of this standard gives no consideration to the condition of the land provided for open space or its physical suitability for use as open space. Nor does it consider whether the facilities currently developed are useful to the community or what state these facilities are in. Finally, it gives little consideration for differing community expectations of open space provision or the settings that may be required.

In 1992 the Department of Planning prepared guidelines to assist local Councils in establishing strategies for open space and outdoor recreation planning. The Department recommended that the philosophy of the Recreation Opportunity Spectrum (ROS) be applied through the settings approach in open space and recreation planning in NSW (refer Appendix D).

The Department notes that the prime objective of recreation and open space planning at the local government level is to provide for local and district facilities. The difficulty of developing and maintaining regional recreational facilities (ie, used by a wider population than the local government area) argues against the provision of such facilities.

Byron Shire enjoys has enjoyed a high level of open space for its population size over the years. There is a total of 762 hectares of open space including Council owned and crown land. The great bulk of this open space can be characterised as bushland and environmental open space, constituting more than 596 ha in total.

It is clear from the consultations and various Council studies that residents consider this to be an important reason for living in the Shire. Further, there is a community expectation that there would be no diminution

of the existing level of provision which would compromise existing residents' access to, and enjoyment of, open space resources.

6.3 Strategic Approach to Open Space Provision

In order to address the issues raised in the foregoing section, and to meet the nexus requirements of the Section 94 legislation, it is the purpose of this Contributions Plan to take a strategic approach to the levying and apportionment of Section 94 contributions for recreation/open space provision. This approach is based on the following key criteria:

- Reflecting anticipated demand and preferences.
- Considering quality of open space as well as quantity.
- Matching existing levels of provision.
- Being compatible with Council's corporate and strategic aims.
- Being compatible with current trends in open space planning.
- Meeting accepted accessibility criteria.

A demand and quality orientated approach to open space provision still allows for the level and extent of open space and recreational provision (meeting the expressed demands of a relevant population) to be tested against standards.

6.3.1 Quality of Open Space

In evaluating the suitability of a given site for an open space reserve dedication/acquisition, it is critical that the quality as well as the quantity of the site and the intended augmentation be appraised. When Council has established that the land to be acquired/dedicated is of adequate size and capable of matching the demand created by development, it should be satisfied that the qualitative aspects of that land and its augmentation are appropriate. Criteria to be considered should include the following issues:

- Is the land of suitable size and/or gradient? Research has shown that small or steep reserves are poorly patronised.
- Is the land readily accessible and visible from a street frontage or other public access route?
- Is the land situated so that it is realistically useable for the intended population? Local parks should be within walking access of residences. Reserves should be able to incorporate cycle and walking pathways.
- Do any easements (drainage/transmission lines) substantially prejudice the intended purpose/enjoyment of the open space?
- Is the land bounded by the rear (rather than the side) of adjacent properties? (Rear boundaries can cause dumping/access problems).
- Is the area readily supervisable where facilities for children are to be supplied?
- Is the intended purpose of facilities at the open space compatible with the private enjoyment of the adjoining properties?

6.3.2 Accessibility Criteria

DUAP (1992) recommends that the catchment for local and district reserves be based on accessibility criteria rather than population numbers:

- *District facility:* Typically comprising one local government area where users will normally not drive more than 15-30 minutes. This may comprise a large parkland area or environmental open space.
- *Local facility:* Catering to a local area where users predominantly walk or cycle to use the facility. This would typically comprise local parks up to 0.5 hectares in area.

Given that travel times from boundary to boundary within the Shire on the longest north/south axis is generally around 30 minutes it can be assumed that district facilities anywhere within the Shire are mostly capable of serving developments at any location in the Shire.

DUAP also indicates that local reserves should ideally be within 500 metres of any residence. However, where obstructions to direct access may occur (rivers, highways, railways etc), the criteria of a 10 minute walk may be a more appropriate approach (Just, 1989).

It is noted that the distinction between local, district and regional open space is not absolute and for example there will be users of local reserves attracted from a district catchment. Regional Reserves and sportsgrounds are considered to be separate categories of open space with a Shire wide catchment.

6.3.3 Compatibility with Existing Provision

Where the extent of a Section 94 contribution has been contested, the Land and Environment Court has historically 'tested' the contribution against the current level of provision enjoyed by the existing community. It can be expected that, in the absence of any other substantiation for an increased level of provision for a future population, the court will continue to find on this basis. This Contributions Plan therefore applies existing levels of provision as the basis for future provision.

6.4 Open Space and Recreation Facilities Required

As has been established in the determination of needs for community and cultural facilities, the principle upon which all open space contributions will be levied is that of maintaining existing level of provision of open space. The methodology employed is similar to that discussed in Section 5.0, and is based on:

1. The ratio of existing population to the existing area of open space category (local, district and sportsgrounds).
2. By using the ratio determined in (1) above, deriving the area of new open space (local, district and sportsgrounds) required to meet the demand generated by the new population.
3. Converting the area required in each open space category to a number of reserves in each category, by using a standard average size for each component of the open space categories identified later within this plan.

The methodology is used to derive two components of contribution:

- Acquisition of land for new local and district reserves and sportsgrounds.

- Augmentation of existing local and district reserves and sportsgrounds.

The strategies and implementation proposals that follow are predicated on this approach. However, this approach is also tempered by the potential financial burden that could arise from over provision. Consequently, the establishment of a contribution rate and the proposed apportionment considers the relevant key components as follows:

- Demand projections based on expressed demand of existing population (community consultation) or, where unavailable, on accepted broad trends in recreational demand.
- Standards-used in two ways:
 - where currently considered appropriate by the Department of Urban Affairs and Planning; and
 - where demand information is not available.
- Existing provision: ^{using} current reserves and basic facility provision as a key element in establishing future requirement models.
- Demographics: projection of population increase/decrease and anticipated community profile to establish expected demand.
- Accessibility: based on travel times around and within the LGA.
- Costs: anticipated expenditure based on capital costs and appropriate indexing.

The following sections describe the existing levels of provision of open space settings in Byron Shire. It then analyses future demands in accordance with the principles described above.

6.5 Open Space Supply

6.5.1 Regional Open Space Supply

Several regional open space areas and recreation facilities are in close proximity to the Byron Shire local government area. They include the following:

- Broken Head Nature Reserve.
- Brunswick Heads Nature Reserve.
- Tyagarah Nature Reserve.
- Ballina Nature Reserve.
- Booyong Flower Reserve.
- Nightcap National Park.
- Whian Whian State Forest.
- Goongerry State Forest.
- Vacant and reserved Crown lands including coastal areas as well as some river/wetland areas.

Of these open space and reserve areas, vacant and reserved crown lands are largely under Council's care, control and administration. These provide a range of recreation opportunities that complement Council's own resources and add to the spectrum of recreation opportunities that are available to residents and visitors to the area.

6.5.2 Council Administered Open Space

An inventory of all open space areas was prepared as part of the investigations using Council's property and open space register. The inventory applies to all community land as classified under the *Local*

Government Act 1993 and includes all open space land owned by Council as well as crown land zoned for the purposes of open space that is under Council's care and control. A summary is provided in Table 6.1.

Table 6.1: Summary of Structured/Unstructured Open Space, Byron Shire 2001

Location	Area (m ²)	Category	Catchment	Description
BYRON BAY				
Bay Street	354,600	FP	District	Swimming pool/carpark/kiosk/seats
Beachcomber	7,100	LP	Local	Playground
Beachcomber	700	LP	Local	Open Space
Beachcomber	2,000	LP	Local	Playground
Belongil Crescent	6,100	LP	Local	Table/seats
Brookview Court	38,000	LP	Local	Open Space
Cain Court	7,000	LP	Local	Playground/BBO/table seats
Carlyle Street	51,000	SF	District	Football/hockey/soccer/tennis/ croquet/grandstand amenities
Comet Close	1,000	LP	Local	Open Space
Coral Court	2,900	LP	Local	Vegetated
Evans Street	700	LP	Local	Playground/seating
Jacaranda Drive	5,400	LP	Local	Open Space
Jonson Street	2,700	TP	District	Railway Park
Julian Rocks Drive	6,500	LP	Local	Table/seats
Mahogany Drive	700	LP	Local	Open Space
Oakland Court	1,400	LP	Local	Open Space
Shelley Drive	3,600	LP	Local	Playground/table/BBO
Somerset Street	13,700	TP	District	Open Space
Somerset Street	19,700	SF	District	Netball courts/amenities
SUFFOLK PARK				
Alcorn Street	6,000	FP	District	Playground/seats
Alcorn Street	3,700	LP	Local	Table/seats
Armstrong Street	31,800	NA	Local	Seats/vegetated
Armstrong Street	800	LP	Local	Open Space
Beech Drive	2,900	LP	Local	Informal
Broken Head Road	6,000	LP	Local	Cleared land
Broken Head Road	2,900	LP	Local	Playground seats
Caniaba Crescent	4,000	LP	Local	Cleared land
Coogera Circuit	1,300	LP	Local	Open Space
Mango Bark	2,000	LP	Local	Playground/seats
Muli Place	6,100	LP	Local	Parkland and Natural Areas
Pepperbush Street	5,000	SF	District	Potential sporting field
Ribonwood Place	8,700	LP	Local	Parkland and Natural Areas
BANGALOW				
Ashton Street	11658	SF	District	Tennis Courts, Creek Pool
Byron Bay Road	50,062	SF	Regional	Tennis/hockey/football/netball

Location	Area (m ²)	Category	Catchment	Description
Byron Street	267	TP	District	Civic space/seats/art
Deacon Street	40,000	TP	District	Creek pool/walkway/BBQ
Dudgeons Lane	225	LP	Local	Open Space
Hanlon Court	1235	LP	Local	Open Space
Ivory Curl Place	1,772	LP	Local	Playground Equipment
Parrot Tree Place	1175	LP	Local	Open Space
Parrot Tree Place	273	LP	Local	Open Space
Raftons Road	2247	LP	Local	Park with bench
Raftons Road	45,227	NA	Local	Creek reserve
Rifle Range Road	1022	LP	Local	Unimproved open space
Rifle Range Road	1355	LP	Local	Roadside Park
Rosewood Avenue	34,260	NA	Local	Creek reserve
Station Street	5,470	SF	District	Showground
MULLUMBIMBY				
Brunswick Terrace	7,600	TP/SF	District	Tennis/heritage park
Brunswick Terrace	3,100	FP	District	Riverside park
Byron Street	57,300	SF	District	Museum/cricket/tennis/football
Casuarina Street	1,600	FP	District	Botanic reserve
Gardenia Court	1,800	LP	Local	Open Space
Pine Avenue	35,900	SF	District	Football fields
Hottentot Crescent	18,600	LP	Local	Open Space
Jubilee Avenue	18,100	FP/SF	District	Seating/walkway/swimming pool
Jubilee Avenue	3,500	FP	District	Riverside park
Kamala Court	5,300	LP	Local	Riverside park
Manns Road	40,700	SF	District	Football fields
Prince Street	2,300	TP	District	Apex Park
Riverside Drive	1,400	LP	Local	Playground equipment
Rush/Hakea Court	13,000	LP	Local	Table/seats
Rosewood Court	570	LP	Local	Open Space / walkway
Station Street	600	LP	Local	Open Space
Warina Place	4,200	LP	Local	Riverside park
BRUNSWICK HEADS				
Bayside Way	21,600	NA	Local	Open Space
Excelsior Circuit	1,000	LP	Local	Open Space
Kingsford Drive	4,000	LP	Local	Playground Equipment
Pacific Highway	3,600	TP	District	Table / seats / cycleway
Pacific Highway	31,500	SF	District	Stan Thompson Oval
Park Street	900	TP	District	Banner Park
South Beach Road	81,000	FP	District	Torakina Reserve
South Beach Road	115,000	FP	District	Venture Park
Fawcett Street	7,600	TP	District	Memorial Park
The Terrace	5,000	TP	District	Seating / BBQ / playground

Location	Area (m ²)	Category	Catchment	Description
OCEAN SHORES				
Byron Street	52,000	SF	District	Football Field / Amenities
Goondooloo Drive	24,000	NA	Local	Open Space
Hardy Avenue	1,200	LP	Local	Cleared Land
Kolora Way	1,300	LP	Local	Small Park
Park Street	10,000	LP	Local	Kendall Park
Orana Road	2,000	LP	Local	Entrance to Ocean Shores
Orana Road	522,000	SF/LP	Local	Waterlily Park / Tennis Courts
Shara Boulevard	68,000	SF/NA	District	Natural Area/sporting field
Warrambool Road	45,500	LP/NA	Local	Walkway/vegetated
RURAL NORTH				
Pocket Valley	1,300	SF	District	Tennis Courts
RURAL SOUTH				
Broken Head	3,000	LP	Local	Playground
Eureka	25,200	SF	District	Tennis Courts
Roses Road Federal	17,000	SF	District	Tennis Courts / Walkways

Notes:

- The total is only of structured open space (such as sportsfields) and local parks. Does not include bushland and other environmental open space. Refer Appendix E for the full inventory

Byron Council manages around 440 individual parcels of land serving as open space. These parcels incorporate approximately 762 hectares of land in parks, gardens, sportsfields or other open space areas which are spread throughout the local government area. Of these individual parcels of land, around 300 are owned in fee simple by Council with the remaining 140 being Crown land administered by Council.

A full inventory of open space is provided in Appendix E. Table 6.2 summarises current provision of areas classified as structured and unstructured open space (there are many smaller parcels that have been excluded on the basis of having no facilities/equipment or that could form extensions to other parcels). The table excludes open space areas that serve as bushland or environmental open space. The total area of this structured/unstructured open space is approximately 166 hectares.

Table 6.2: Structured and Unstructured Open Space Areas, 2001¹.

Location	Total Existing Open Space (ha) ²	2001 Population (est) ¹	Open Space per 1000 population (ha)
Byron Bay	47.5	7125	6.67
Suffolk Park	11.5	3148	1.51
Mullumbimby	14.8	3450	4.29
Brunswick Heads	12.8	1995	6.40
Ocean Shores/New Brighton/ South Golden Beach	62.33	5180	12.03
Bangalow	11.52	1006	1.15
Total Shire	166	31053	5.34

Notes:

- The 2001 population is the Estimated Resident Population.
- The total is only of structured open space (such as sportsfields) and local parks. Does not include bushland and other environmental open space.

Table 6.2 also outlines the existing level of provision of structured and unstructured open space for each urban centre as well as the Shire. This is also broken into a level of provision per 1000 persons to allow for later planning for the incoming population as the principle for open space provision is to maintain the existing level of supply.

Based on the total amount of open space lands administered by Council, the Byron area currently has an average of approximately 5.34 hectares of open space per 1000 residents of structured and unstructured open space (this includes sportsfields and local parks). Other open space areas such as bushland and environmental open space account for another 596 hectares. Thus, Byron has an average of approximately 19.19 hectares of bushland and environmental open space per 1000 residents. In total, the Shire has 24.5 hectares of open space per 1000 residents (this excludes national parks and other similar regional open space).

6.5.3 Open Space Settings by Type

Open space areas administered by Council serve a variety of purposes and provide for a range of community needs. The existing Council open space inventory (Appendix C) summarises the open space settings by type and area. Natural areas are the most represented setting as a proportion of all settings and by area. These natural areas often serve a variety of functions and are considered to be of district importance. For example, it may function as buffer areas to wetlands, form part of a local creek systems as well as acting as habitat. It further serves as an attractive backdrop to urban areas.

Outdoor sports facilities range from larger sports areas to smaller or undeveloped settings. Table 6.3 sets out the existing provision of sports facilities in the Shire. These facilities have a total area of approximately 27.8 hectares. This equates to an existing supply of sportsfields of 12.2 square metre per person.

Major open space areas fronting beaches, rivers and other foreshore areas such as creek systems are contiguous and form larger tracts of open space. Again, these are considered to be district open space. This particularly applies to beach, river and foreshore open spaces. They provide for environmental protection in many cases (dunes, creek banks) and are a recreation resource for residents and tourists alike. District facilities have a total area of approximately 62.5 hectares. This equates to an existing supply of district settings of 20.1 square metre per person.

Small parks and playground settings represent a smaller proportion of total open space. Many of these open spaces are typically used on a local basis (residents within about 400-500 metres of the open space setting) although some of these settings have a wider catchment or are used by tourists. Small parks and playground settings have a total area of approximately 65.5 hectares. This equates to an existing supply of open space in the form of small parks and playground settings of 21.1 square metre per person.

Ancillary/undeveloped and environmental open spaces settings comprises areas set aside for drainage purposes, roadside reserves, crown reserves and areas that remain as undeveloped open space (and is not represented by another setting such as natural areas). This setting often serves an important environmental purpose (especially as drainage corridors) and also acts as a scenic backdrop to urban areas. It also includes crown lands not classified elsewhere.

This setting type comprises the remainder of open space in Byron Shire which equates to approximately 640 hectares. This equates to an existing supply of all other open space of 206 square metre per person.

Table 6.3: Existing Structured Open Space Provision

Facility	Byron Bay/ Suffolk Park	Mullumbimby	Bangalow	Brunswick Heads/ Ocean Shores	Total Shire
Soccer	3 (5) ¹	6	(4)	5 (9)	14 (24)
Hockey	(2)	1	(4)	(2)	1 (9)
Cricket	(1)	(1)	3	1 (2)	4 (7)
Football	(1)	(1)	1	(1)	1 (4)
Netball	13	17	4	10	44
Tennis	4	6	7	5	22
Croquet	1	-	-	-	1
Softball/ Baseball	1	-	-	-	1
Swimming pool	1	1	1 ²	-	2
Volleyball	-	4	-	-	4
Athletics track	-	(1)	1	-	1 (2)

Notes:

- () denotes shared facilities such as joint use of hockey/soccer fields. Cricket/football
- "Creek" swimming pool

6.6 Current Section 94 Plan

6.6.1 Facility Planning Standards

The 1993 *Byron Council Section 94 Contributions Plan – Open Space* is the most detailed of all the existing CPs which is not uncommon given the focus of much of the existing works program. Whilst it does set out a works program for future open space acquisition and development, there is no overall strategic plan for provision of open space in the local government area. As a consequence, the 1993 CP adopted a philosophy of effectively maintaining the existing level of open space provision.

The CP adopted catchments for sporting facilities to include rural areas outside the urban settlements which is appropriate for most of these types of facilities. Larger shire-wide types of facilities (such as a major multi-use sports facility) would not be appropriate for these catchments although it is noted that there is no provision for such a facility in the shire at present.

6.6.2 Works Program

The 1993 CP adopted a schedule of works for acquisition and embellishment of open space throughout the Shire. This program is set out in Table 6.4.

Table 6.4: Current Section 94 Program and Funds – Open Space¹

Centre	Works	Plan Amount (\$)	% Section 94	Remaining Funds to be Collected ²
Byron Bay	Local open space	1,830,000	100%	\$824,184
	Active open space	825,000	17%	-\$251,492
Suffolk Park	Local open space	368,100	100%	\$114,591
	Active open space	344,000	49%	-\$64,373
Mullumbimby	Local open space	270,200	100%	\$190,034
	Active open space	653,400	100%	\$331,919
Brunswick Heads	Local open space	449,500	100%	\$999,089
	Active open space	0	0	0
Bangalow	Local open space	187,000	Various	-\$110,509
	Active open space	0	0	0
Ocean Shores/New Brighton	Local open space	524,700	100%	\$338,349
	Active open space	874,000	26%	\$92,485

Notes:

1. Funds as at September 2001.

2. Does not include the value of land already dedicated to Council. Negative figures represent overcollections.

6.7 Establishing Demand for Facilities

6.7.1 Major Recreation Trends

In 1991, a major study was undertaken by the Commonwealth Department of Arts, Sports, Environment and Territories on the participation in recreation by Australians and the likely future demand that would be expected given demographic changes currently being witnessed (eg, the gradual 'greying' of the population).

The most important implications from this study are that:

- Of all psych-economic characteristics, age is considered to be the most important influence on recreational patterns. Younger people are more active in a wider variety of pursuits although they tend to prefer organised sporting activities. This pattern gradually changes over time to less frequent participation in activities which require less physical effort as they get older (such as bowls, walking).
- People of all ages enjoy walking, cycling, swimming, golf and observing nature (national parks, nature reserves, zoos).
- Males participate at a higher rate than females in most recreational activities except unstructured activities (nature activities, walking), informal recreational activities (aerobics, horse riding), and some sports (such as gymnastics, indoor hockey, netball, swimming).
- People living close to parks use them more often than people who live further away. People without access to vehicles tend to visit local parks within walking distance or close to public transport while those with vehicles tend to use a variety of open space types. Car owners use open space more frequently for active recreation than non-car owners.

- Use of recreation facilities and settings largely reflects the cost of participating in those activities. Medium to high income earners have above average participation in tennis, golf, squash and gym activities. Lower income earners tend to use free or low cost facilities such as the beach, parks and other low cost activities.
- People of higher levels of education and occupational status use open space more often than the less-educated, especially the more expensive outdoor activities and active pursuits.
- Long term residents tend to use open space more often than short-term residents.
- There are no definite conclusions regarding the frequency of open space use by income, home ownership or housing type.

Clearly, recreational preferences and activities are affected by a range of factors including age, sex, marital status, ethnicity and family composition. Age is considered to be the most important influence on recreational patterns and this, in turn, dictates the recreation experiences and settings the individual requires.

Table 6.5: Major Needs of Target Groups (Baseline Facilities)

Group	Major needs	Typical Facilities	Leisure Activities
Children (0-12 years)	<ul style="list-style-type: none"> • Small parks within walking distance of home with play equipment • Formal playing fields • Areas for informal sporting activities • Corridors linking open spaces • Large natural and parkland areas 	Parks/playgrounds Cricket/football ground Tennis Bicycle paths Swimming facilities	Walking for pleasure Visiting friends Going to movies Going to beach
Youth (13-19 years)	<ul style="list-style-type: none"> • Formal playing fields • Areas for informal sporting and leisure activities • Large natural and parkland areas 	Cricket/football Tennis Swimming facilities Skateboard park Indoor facilities	Walking for pleasure Jogging Visiting friends Going to beach Going to clubs/movies
Adults (20-60 years)	<ul style="list-style-type: none"> • Formal playing fields • Areas for informal sporting activities • Large natural and parkland areas 	Cricket/football Tennis Swimming facilities Indoor facilities Golf facilities	Walking for pleasure Playing active sports Jogging Going to gym
Seniors (60+)	<ul style="list-style-type: none"> • Walking paths • Areas for informal sporting activities • Large natural and parkland areas 	Tennis Swimming facilities Bowling greens Golf facilities	Walking for pleasure Playing tennis/golf
Other Groups (Indigenous, migrants)	<ul style="list-style-type: none"> • Walking paths • Areas for informal sporting activities • Large natural and parkland areas 	Range of facilities	Range of activities

The major target groups for recreational and leisure facilities include children, youth, adults, seniors and other special groups. Table 6.5 summarises the major baseline needs of these groups. This has been developed from community consultation activities as well as by reference to recreation planning guidelines

(eg Department of Planning *Guidelines for Preparing and Open Space Plan*, Department of Sport and Education and Training, 1992).

6.7.2 Community Perceptions

The community consultations have established that passive open space, urban nature parks and foreshore parks are important as are sports fields and walking paths. This reflects the obvious importance resident's place on the existing open space network. Beach facilities and swimming pools are also valued by the population.

Consideration of the survey results in conjunction with the existing level of open space facility provision will allow a more local area needs-sensitive consideration of the demand for provision of open space facilities in Byron. This has been done, where appropriate, by comparing the level of facility provision by population and the level of satisfaction for that facility to determine whether a facility currently is in demand despite the general standards for provision.

6.7.3 Current Provision and Baseline/Threshold Standards

Table 6.6 shows that the relative supply of facilities is well provided with the exception of football facilities and, to a lesser extent, cricket facilities. The 1993 CP makes provision for the supply of an additional sportsfield in Byron Bay, Mullumbimby, Suffolk Park and Ocean Shores. Although at this stage these have not been provided and the Council is still investigating sportsfield sites at all four locations.

Table 6.6: Comparison of Normative Provision of Structured Recreation Facilities

Facility	AWDC	NCDC	DEP	Byron Existing
Football	1:2500-3000	1:1000	1:1000	1:7763 (4)
Soccer	Combined football	Combined football	Combined football	1:1940 (16)
Hockey	1:3500	1:3000	Combined football	1:3450 (9)
Cricket	1:2200-3000	1:2200	1:2000	1:4436 (7)
Tennis Courts	1:1000	1:1500	1:1000	1:1411 (22)
Netball courts	1:1000	1:1000	1:2000	1:706 (44)
Golf course	1:25000	NA	1:25000	1:10351 (3)
Swimming pool	1:20000	NA	1:50000	1:15527 (2)

Source: Albury Wodonga Development Corporation, National Capital Development Corporation, Department of Planning

6.7.4 Tourism Growth

As outlined in Section 4.0, growth in tourist numbers in the period 1992 to 1996 was over 40%. The community consultations and discussions with Council officers have indicated that this has led to a significant increase in the use of facilities and services by tourists

Open space provision for tourists and visitors to the localities has largely been catered to by existing open space in the area. It is often assumed that tourists are not heavy users of outdoor sports facilities. However, it would be reasonable to assume that the provision of tourist accommodation and tourist facilities has increased the demand for open space infrastructure and amenities that are provided by Council and which are also shared by the resident populations. Some part of the demand for facilities (such as parks, beaches) provided by Council can be attributed to the growth of tourism.

Projections for tourist growth are based on 300 beds in the planning period. This will lead to additional demands on open space amenities and facilities.

6.7.5 Conclusions on Demand

The following implications for the Byron area arise arising from analysis of this data:

- The aging of the population will suppress demand for more active pastimes which are traditionally associated with young participants. Informal activities, particularly walking and driving for pleasure, walking the dog, fishing and picnics/bbq's are expected to be more popular than more structured activities such as organised sports.
- Of structured activities, the national data suggests that the highest participation growth is expected in swimming, aerobics and golf.
- Informal and unstructured use of parks and reserves will assume greater importance with a wider sector of the community.
- Organised sports will continue to be important although only for a proportion of the community.
- Swimming will be a primary activity participated in by those using developed facilities.
- Indoor activities (aerobics, gym based-training, basketball, indoor cricket) are estimated to have lower participation rates although these sports are popular.

The following sections discuss the overall needs of target groups and issues surrounding location/design of open spaces.

6.8 Open Space Needs

6.8.1 Existing Open Space Standards

As noted earlier, the philosophy adopted in the 1993 CP was to maintain the existing level of provision of open space and leisure facilities in the Shire. The revised CP adopts the same philosophy so as to ensure that the standard that exists is not eroded by the incoming population. However, given that the existing level of provision of open space in some categories is well provided (eg district and local open space) the emphasis will be more on improvement and embellishment where local open space is well provided and provision of new open space where the need exists.

The present per capita levels of open space provision are as follows:

- *Local open space:* 21.1 m²
- *District open space:* 20.1 m²

- *Sportsfields*: 12.2 m²
- *Environmental/regional open space*: 206 m²

If the figures for local, district and sportsfields are used as the basis for provision for future population growth (ie excluding environmental/regional open space), Table 6.7 shows the required land supply each urban zone to meet the needs of the population capacities described in Section 3.

Table 6.7: Open Space Provision – Continuation of Current Standards

Area	Capacity Pop Increase	Local Open Space (m ²)	District Open Space (m ²)	Sportsfields (m ²)
Byron Bay/ Suffolk Park	2327	49,100	46,773	28,389
Mullumbimby	1200	25,320	24,120	14,640
Brunswick Heads	1205	25,426	24,221	14,701
Bangalow	1044	22,028	20,984	12,737
Ocean Shores/ New Brighton/South Golden Beach	1650	34,815	33,165	20,130
Rural North	617	13,019	12,402	7,527
Rural South	334	7,047	6,713	4,075
Total Shire	8377	176,755	168,378	102,199

6.8.2 Analysis of Open Space Supply vs Demand

To meet the identified needs a variety of recreation settings such as local open space, district open space and sportsfields, a program of new acquisition as well as augmentation of existing open space areas has been formulated. The proportion of funding to be attributed to Section 94 Contributions reflects the anticipated demand created by the new population for these shire-wide facilities. It is considered that sufficient provision in area and number exists for regional open space to meet both existing demand and that generated by the new population.

For the purposes of the contribution, the additional area of local and district reserves and sportsgrounds, equivalent to the demand generated by the anticipated additional population and based on proportional extension of the existing area and standard of open space was calculated.

Based on the figures derived from the inventory and the population, the area of existing open space in each of three categories per head of population is:

- *Local open space*: 17.6 hectares. Based on a size of 0.5-0.75 hectares, this would equate to an additional 24-27 parklands and local open space settings.
- *District open space*: 16.8 hectares. Based on a size of 1.5-3.0 hectares, this would equate to an additional 6-11 district open space settings.
- *Sportsfields*: 11.2 hectares. Based on an average size of 3 hectares, this would equate to 4 additional sportsfields.

As stated before, while these gross figures may appear to lead to a large supply of additional open space, there will be an emphasis in this plan of embellishing existing reserves rather than accumulating additional open space areas. It is also emphasised that these existing unembellished reserves have not been included in the calculation of the existing provision of open space. Accordingly this approach will take account of the gross demand but discount the provision of land for open space where the land exists but

has not been sufficiently embellished to function within the designated open space categories. This will lead in some cases of a larger allocation of funds for embellishment rather than acquisition.

The cost of a fully embellished local reserve has been calculated to a standard cost (see Appendix F). Where the need in a catchment justifies the full cost of reserve embellishment, this will be carried out. Otherwise, costs will be apportioned to allow the partial embellishment of local reserves, to be carried out judiciously so that the embellishments are of genuine value in meeting needs.

The cost of embellishing district reserves and sportsgrounds has also been calculated and will be used as the basis for calculating contributions in this plan.

These reserves are located where the greatest population growth is expected. The properties identified to be embellished or augmented are listed in the overall works program. It is noted that sites to be acquired will be embellished to the existing Shire standard.

6.8.3 Development of Local Reserves

Using the above calculations, 17 local reserves are required across the Shire. New development areas will be required to have new reserves, however, Table 6.8 sets out reserves that Council has indicated could be embellished to provide for future demand. These would be subject to further discussions with the community to ensure consideration is given to the potential impact of this development on local residential areas.

Table 6.8: Open Space Reserves with Potential for Additional Embellishment

Location	Catchment	Possible Embellishment Works
BYRON BAY		
Coral Court	Local	Playground installation
Evans	Local	Additional playground/seating
Beachcomber	Local	Playground upgrade
Beachcomber	Local	Playground upgrade
Shelley Drive	Local	Playground/table/BBQ upgrade
Cain Court	Local	Playground/BBQ/table seats upgrade
Belongil crescent	Local	Playground installation
Julian Rocks Drive	Local	Playground installation
Bay Street	District	Additional seating, public art, upgrade swimming pool, lighting, information boards, rubbish bins
Tennyson Street	District	Lighting, upgrade grandstand/amenities
Jonson Street	District	Additional seating, lighting, information boards, rubbish bins
Somerset Street	District	Upgrade netball courts/amenities
SUFFOLK PARK		
Beech Drive	Local	Upgrade existing facilities
Beech Drive	Local	Additional seats
Beech Drive	Local	Additional seats
Broken Head Road	Local	Walking trails, seats
Pecan Court	Local	Walking trails, seats
Mango Bark	Local	Upgrade playground/seats
Alcorn Street	Local	Walking trails, seats
Alcorn Street	Local	Additional seats
Armstrong Street	Local	Walking trails

Location	Catchment	Possible Embellishment Works
Broken Head Road	Local	Upgrade playground/seats
Alcorn Street	District	Upgrade playground/seats
BANGALOW		
Raftons Road	Local	Walking trails, seats
Rosewood Avenue	Local	Walking trails, seats
Byron Street	District	Additional seating, public art, lighting, information boards, rubbish bins
Station Street	District	Playground/seats
Deacon Street	District	Upgrade walkways and facilities
Bangalow Road	District	Upgrade sports facilities
MULLUMBIMBY		
Prince Street	Local	Upgrade playground equipment
Rush/Hakea Court	Local	Upgrade table/seats
Kamala Court	Local	Provide additional facilities
Brunswick Terrace	Local	Upgrade tennis courts
Jubilee Avenue	Local	Riverside park
Brunswick Terrace	Local	Riverside park
Jubilee Avenue	District	Additional seating, pathways, upgrade swimming pool
Byron Street	District	Upgrade sports facilities
Garden Avenue	District	Upgrade sports facilities, walkways, seats
Casuarina Street	District	Improve facilities in botanic reserve
BRUNSWICK HEADS		
Pacific Highway	District	Additional seating and facilities
Park Street	District	Additional seating and facilities
South Beach Road	District	Additional seating and facilities
The Terrace	District	Upgrade seating/BBQ/playground
Pacific Highway	District	Upgrade table/seats/cycleway
Bayside Way	Local	Provide walking trails
Kingsford Drive	Local	Upgrade playground/seats
OCEAN SHORES		
Oola Place	Local	Provide facilities
Warrambool Road	Local	Upgrade walkway
Goondooloo Drive	Local	Provide facilities
Orana Road	Local	Provide walking trails
Ocean/Park Street	Local	Provide walking trails/facilities
Byron Street	District	Upgrade amenities and provide seating

Notes: These are possible projects that Council may chose to direct existing or future Section 94 funds, or other funds

These local reserves are located near the areas of expected major residential development. The cost of these embellishments is averaged and presented in Appendix F. Individual costs will be established when detailed designs are available for each site.

6.8.4 Development of District Facilities

Calculations above in Table 6.7 indicate the need for 6-11 district reserves. Such embellishment and augmentation may include active recreation facilities such as tennis courts, netball courts or skateboard facility and may include bushland walking tracks or bushland rehabilitation.

Because district parks are accessed by car, there is a more than district-wide benefit to any such given park. The additional district parks to be provided will ensure that the anticipated new population does not

cause overuse of existing district parks. However, there is a clear link between the siting and provision of new (ie non-embellished at present) district parks and new development.

6.8.5 Development of Sportsgrounds

Sportsgrounds have a similar user catchment to district parks as already discussed. They are generally far more expensive to provide at the existing Shire standard than district reserves and, for that reason, are treated separately in the works program (Appendix C). In general, the works program provides conservative cost estimates.

6.8.6 Development of Other Facilities

The community consultation indicated a desire for a range of other facilities in addition to those discussed above. These included:

- A swimming pool at Bangalow
- Walkways and supporting facilities through parks and natural areas (subject to environmental considerations)

The community in Bangalow has suggested that a replacement for the creek swimming pool form part of the Section 94 program. While this is possible, the future population growth would mean that Council's contribution would be high as the apportionment for such a district facility could be no greater than 51% (ie general revenue would be responsible for 49% of the capital costs of the facility). While the community has raised some funds towards the construction of the facility, Section 94 cannot be used for the maintenance of the facility.

Feasibility studies for major swimming facilities or aquatic centres suggest that a purpose built, year round facility (heated pool) would cost between \$1.0-3.0 million (depending on facilities provided). Visitation in the order of 250,000 to 300,000 visits per annum is required to break even with a unit entry cost of \$2-3.00. A smaller facility such as a 25 metre pool would be expected to cost a minimum of \$350-450,000 depending on facilities, heating requirements and layout. Both these cost estimates exclude land and annual operating costs. If a swimming facility can be provided as part of a larger facility (such as a district sports facility) land and operating costs may be reduced.

Most feasibility studies for swimming pool and aquatic centres suggest that such facilities should be heated to allow for year-round use and ideally should contain other facilities (gyms, child care, retail) to assist in boosting attendance and defraying operating and capital costs

The existing population of Bangalow is around 1000 persons with a capacity population of around 2000. Even taking into account the surrounding rural population, and assuming the facility consistently achieves 10 visits per person per annum, substantial subsidies would be required of Council to build and operate this facility. Consequently, a new pool at Bangalow would not be feasible without a significant capital contribution from other sources as Section 94 contributions could only provide for a maximum of around 50% of the capital costs of the facility. It is suggested that Council prepare a detailed feasibility if a pool is proposed in the Bangalow area.

Walkways and other supporting facilities can be provided through embellishment of open space areas. However, it will be important to ensure that any open space areas that are dedicated are capable of embellishment to provide these and other required facilities (eg playgrounds).

6.9 Open Space Strategy Plan

6.9.1 Location and Design

One of the most important issues for open space planning is ease of access to facilities. This means that facilities that are close to users or on transport lines will typically be of greater value to the user. Location and design of facilities is also dependent on population thresholds, existing site conditions, transport networks and open space policy objectives. The quality and accessibility of open space is therefore a primary consideration. Table 6.9 outlines issues regarding open space quality goals that should dictate the type of open space that Council should be planning.

Table 6.9: Open Space Quality Goals

Goal	Rationale
Minimum 0.5 ha for new open space areas	Increased useability and reduced maintenance costs.
Areas in excess of 10ha to be linked to at least one other large area	Encourage linkages between open spaces. Footpaths and street narrowing can be used in some circumstances.
Each household to be within 500 metres of open space of at least 0.5 ha	Equity of distribution
Encourage diversity of settings	Cater to a wider range of needs
Sports fields should be playable	Designed to ensure that playing surfaces are in use for maximum time
Linear open space should have capacity for good pedestrian and bicycle access	Increase useability and reduce reliance on vehicles

Source: Department of Planning, Outdoor Recreation and Open Space, 1992

6.9.2 Catchment Areas and Facility Plan

The previous section outlined initial priorities for district and local open space settings. This outlined a range of strategies for development and future provision of open space settings in the Byron area. This section outlines the proposed facility plan for each of the following urban and rural catchments (refer Figure 3.18):

- Mullumbimby
- Byron Bay/Ewingsdale
- Suffolk Park
- Bangalow
- Brunswick Heads
- Ocean Shores/New Brighton/South Golden Beach

Council has previously adopted these areas for planning purposes based on the above catchments. For local open space facilities, the catchments are confined to the main urban areas as shown in Figure 3.1. District and sporting facilities have a larger catchment as they are higher order facilities that are normally accessed by vehicle. These catchments are also shown in Figure 3.18.

For local open space, there is considerable logic in levying contributions on a local catchment basis since these types of facilities should be within walking distance of a residence (which fulfils the spatial nexus test). That is, within each of the main urban areas, local open space will be levied on a town basis (eg, Mullumbimby).

However, for higher order facilities with a wider catchment (eg, district facilities, sportsfields) spatial nexus is not as important as the functionality and useability of the open space as these facilities are used by a wider catchment than local facilities. In an area such as Byron Shire the ability of Council to provide facilities is limited by funding constraints and the spread of population. Therefore, Council has chosen to concentrate efforts into a limited number of facilities so that quality district and structured open space facilities can be provided and there is equity of access.

6.9.3 Works Program

The following details the proposed works program based on the open space program for Section 94 purposes to cater to the capacity populations in each urban and rural area as detailed in the various settlement strategies. Appendix C contains the works program for the period 2001-2006 while Appendix F provides details of embellishment and land acquisition costs.

As all contributions for open space under the existing CP have not been collected (either as monetary or land contributions), the proposed new works have taken into account the future provision of open space yet to be acquired/embellished

- **Mullumbimby**

Future development will create demand for 4-5 additional small local parks in Mullumbimby which will be located in Areas 2 and 6 (1 and 2 respectively) and will include a land acquisition component. It is also proposed that existing parks in proximity to Area 4 will be embellished to cater to demand from new residents in this area.

There will also be demand for 1 district park to cater to the capacity population. This should be located in proximity to Area 6 as this is where the majority of population growth will be located (around 700-750 persons). An additional sportsfield required in the Shire will also be located in Mullumbimby. Both of these facilities will include a land acquisition component.

- **Byron Bay/Ewingsdale**

The main urban area of Byron Bay, including Sunrise Beach and Ewingsdale, comprises the catchment for local open space. The main location of population growth will be within Area 2. The potential yield for this area is around 300 dwellings which creating demand for an additional 3-4 local parks. This will be located in close proximity to the population demand and will include a land acquisition component.

There will also be an increase in the main town area as a result of increased densities through redevelopment and garden flats as well as infilling of remaining vacant lots. This will create a demand for the equivalent of additional 3 local parks. However, this demand is not proposed to be solely satisfied through acquisition of land. Rather, the improvement of existing facilities in existing parks will allow a higher level of use for this demand (refer Table 6.8). Alternatively, where facilities are not provided, the demand will be satisfied by provision of facilities.

As the future location of growth as a result of increased densities is difficult to predict, the contribution will be sought for improvement of local parks in the Byron Bay catchment generally as gradual improvement of all local parks will benefit future residents.

A demand for approximately 4 hectares of open space will be generated for district facilities. This will include a major community playspace in Area 2 as well as district environmental open space and

embellishment of major parklands (eg Bay Street open space). The proposed community playspace in Julian Rocks Drive under the 1993 plan is yet to be constructed and is included in the program.

Population growth will also create demand for a new structured open space facility. It is anticipated that this would be located to the west of Byron Bay township near to future release areas and would include a land acquisition component.

- ***Suffolk Park***

Suffolk Park and south along Broken Head Road have been considered to be one catchment for local open space facilities. Future projected population growth will create demand for 1 additional park and district facilities. Embellishment of existing facilities is proposed to allow higher use levels for the incoming population.

There will also be an increase in the demand for district open space. Embellishment of existing facilities is proposed.

- ***Brunswick Heads***

Future development will create demand for 4-5 additional small local parks (Bayside Brunswick/west Brunswick Heads. All will include a land acquisition component. It is also proposed that existing parks in Brunswick Heads will be embellished to cater to demand as sufficient undeveloped open space lands exists and there is little opportunity for acquisition given the developed nature of the main town area.

There will also be demand for 1 district park which is likely to be located in proximity to Bayside Brunswick as this is where the majority of population growth will occur and there is no major facility in this area. The existing playspace is transferred to the new plan and it is possible that the district park facility could be combined with this facility.

Population growth will also create demand for structured open space facilities although this does not justify provision of a new facility. The existing facility Brunswick Heads is capable of expansion while the facility at Ocean Shores can also accommodate some of the demand.

- ***Bangalow***

Future development will create demand for 3-4 additional small local parks. Area 4 is the preferred location for one of these parks while Areas 6, 7 and 8 will also require additional parks. Both will include a land acquisition component.

There will also be demand for 1 district facility which is likely to be located in proximity to Sansom Street or Rankin Drive as these areas will house most of the incoming population and they are more isolated from larger open space areas. There is demand for a new structured open space facility which can be located east of the town where other large open space areas are located. Embellishment of this facility will be required.

- ***Ocean Shores/New Brighton/South Golden Beach***

Future development will create demand for 4-5 additional small local parks that will include a land acquisition component. There will also be demand for 2 district facilities one of which should be located at South Golden Beach. Embellishment of existing open space areas will account for the

additional facility. Demand will occur for a new structured open space facility. This will be provided through the use of existing Council owned land rather than through acquisition.

- **Rural Areas**

Demand will occur for additional small local parks and district facilities in rural areas of the shire. A gross demand for 4 parks and 1 district facility will be created, however, the preferred method is through embellishment of existing parks and reserves.

6.10 Calculation of Section 94 Levies

6.10.1 Open Space Program

Tables 6.10 and 6.11 detail the proposed works program for local and district/structured open space respectively. Appendix C contains the works program for the period 2001-2006 while Appendix F contains the calculation for the acquisition and embellishment of local open space.

Table 6.10: Open Space Program – Local Open Space

Location	Proposed Works	% S94	Cost (\$)
Byron Bay/	<ul style="list-style-type: none"> • Remaining funds to be collected • Local parks embellishment • Embellish existing parks 	100	\$824,184 \$425,055 \$283,370
Suffolk Park	<ul style="list-style-type: none"> • Land acquisition • Remaining funds to be collected • Embellish existing parks 		\$900,000 \$114,591 \$126,260
Mullumbimby	<ul style="list-style-type: none"> • Remaining funds to be collected • Local parks embellishment • Embellish existing parks • Land acquisition 	100	\$190,034 \$344,350 \$86,100 \$250,000
Brunswick Heads	<ul style="list-style-type: none"> • Remaining funds to be collected • Embellishment 	100	\$999,089 \$151,280
Bangalow	<ul style="list-style-type: none"> • Remaining funds to be collected • Local parks embellishment • Land acquisition 	100	-\$110,509 \$374,475 \$300,000
Ocean Shores/ New Brighton / Sth Golden Beach	<ul style="list-style-type: none"> • Remaining funds to be collected • Local parks embellishment • Land acquisition 	100	\$338,349 \$591,850 \$250,000
Rural North	<ul style="list-style-type: none"> • Embellish existing parks 	100	\$221,500
Rural South	<ul style="list-style-type: none"> • Embellish existing parks 	100	\$119,800

Notes:

Negative figures represent overcollections due to population growth exceeding previous expectations. Council will transfer funds into the new program from its non-Section 94 reserves to make up for this overcollection

Table 6.11 Open Space Program – District/Structured Open

Location	Proposed Works	% S94	Cost (\$)
Byron Bay	<ul style="list-style-type: none"> Remaining funds to be collected Structured open space acquisition/embellishment 	100	-\$251,492 \$981,900
Suffolk Park	<ul style="list-style-type: none"> District park Remaining funds to be collected Structured open space embellishment District park 		\$595,455 -\$64,373 \$30,060 \$106,125
Mullumbimby	<ul style="list-style-type: none"> Remaining funds to be collected District/structured acquisition/embellishment 	100	\$331,919 \$500,000
Brunswick Heads	<ul style="list-style-type: none"> Structured embellishment District park 	100	\$200,000 \$100,000
Bangalow	<ul style="list-style-type: none"> Structured open space acquisition/embellishment 	100	\$550,000
Ocean Shores/ New Brighton / Sth Golden Beach	<ul style="list-style-type: none"> Remaining funds to be collected Structured open space embellishment 	100	\$92,485 \$300,000
TOTAL			\$3,472,079

6.10.2 Contribution Calculations

The contribution for open space and leisure facilities is made up of a local facility contribution and a shire-wide facility contribution. The formula for both of the contributions is set out below.

$$\text{Contribution} = \frac{\text{CLR} + \text{E}}{\text{RESC}}$$

Where:

- CLR – is the cost of local reserves attributed to that catchment;
- E – is the outstanding contributions for facilities brought forward;
- RESC – is the number of residents/tourists in that catchment;

The contribution for district/structured open space facilities (shire-wide) is:

$$\begin{aligned} \text{CLR} &= \$3,363,540 \\ \text{E} &= \$108,539 \\ \text{P} &= 8,677 \text{ (population increase of 8,377 plus tourist beds increase of 300)} \end{aligned}$$

Thus,

$$\begin{aligned} &\frac{\$3,472,079}{8677} \\ &= \$400.15 \text{ per person} \end{aligned}$$

Table 6.12 sets out the contributions for the various catchments for local and district/structured open space.

The contribution will be sought for the following types of development that generates demand for new or enhanced open space:

- Residential development of all types.
- Commercial development that involves the accommodation of persons on a temporary or permanent basis (eg tourist accommodation facilities, cabins, hotels, motels, caravan parks).

The levy will be imposed according to the demand generated by each of the uses. This will be based on the occupancy rates for various dwelling types as established by the ABS census figures.

It has been established that development that does not impose demands on community and cultural facilities (viz commercial/retail development, industrial development, quarries) will not be subject of a levy for these facilities.

Table 6.12: Contributions – Open Space and Leisure Facilities

Catchment	Population Increase	Tourist Beds	Contribution Rates (per person)		
			Shire Wide	Local	Total
Byron Bay/Suffolk Park	2327	150	\$400.15	\$1079.31	\$1,479.46
Mullumbimby	1200	25	\$400.15	\$710.60	\$1,110.75
Brunswick Heads	1205	25	\$400.15	\$935.26	\$1,335.41
Bangalow	1044	25	\$400.15	\$527.56	\$927.71
Ocean Shores/ New Brighton / South Golden Beach	1650	25	\$400.15	\$704.60	\$1,104.75
Rural North	617	25	\$400.15	\$345.02	\$745.17
Rural South	334	25	\$400.15	\$333.71	\$733.86

7. Traffic and Movement Systems

7.1 Introduction

7.1.1 Nexus Issues

The 1993 *Byron Council Section 94 Contributions Plan – Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads, Street Tree Planting* adopted a series of population catchment standards for the provision of various facilities. These standards are contained within the various sections of the CP dealing with the facilities.

The link between the expected types of development in the area and the need for additional traffic, parking and movement systems required to meet that need is based upon:

- The total projected incoming population
- The spatial distribution of this incoming population
- Community consultation and needs assessments
- Road traffic generation
- Assessment of level of capacity of existing roads, car parking and bikeway facilities
- Analysis of the types of facilities required for incoming population.

A major resource in establishing nexus is the existing 1993 *Byron Council Section 94 Contributions Plan – Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads, Street Tree Planting*, various documents produced by the NSW Roads and Traffic Authority as well as the results of community consultation and assessment of needs undertaken as part of this review.

7.1.2 Establishing Demand for Facilities

The establishment of demand for traffic, parking and movement systems is based upon the overall needs of the incoming population. Byron Shire does not have a well developed public transport system and urban centres are dispersed. This results in a high dependence on private vehicles.

Determination of demand for private vehicle use is relatively straightforward. The NSW Roads and Traffic Authority publication *Guide to Traffic Generating Development* provides information on traffic generating development that can be used to assess the projected traffic impact on new population increase. Section 2.0 discussed population growth and spatial distribution in detail and this has been used in the following assessment of roads upgrading needs and contributions.

7.2 Existing Transport Network

The road network in the Byron local government study area comprises an arterial and state road system augmented by collector roads, with local roads as the lowest category in the hierarchy. While these investigations is primarily concerned with arterial roads and those major roads which provide a through traffic function, all roads having a 'local distributor' road status or higher have been included in the descriptions and assessment.

The existing road network in Byron Shire and its urban centres is shown in Figures 3.11-3.16. These figures have been based on an overview of the function of the road system in Byron Shire and indicate the following road types:

- Major collector (or sub-arterial) roads

- Local distributor roads

Major collector roads typically carry 5,000-20,000 vehicles while local distributor roads carry 2,000- 10,000 vehicles. Local roads in residential areas typically carry less than 2,000 vehicles per day. Traffic counts in the study area were obtained from Byron Council's road counts for the period 1991/92 to 2000/01. These are shown in Table 7.1.

Table 7.1: Traffic Figures: Byron Shire Roads 1992 to 2001

Counter No.	Location	92/93	94/95	96/97	98/99	00/01	% Change 92/01
1	Middle Pocket Road	268	281	285	259	291	8.6
2	The Pocket Road	483	494	608	574	544	12.6
3	The Pocket Road	254	257	291	339	247	-2.8
4	Main Arm Road	520	564	556	631	556	6.9
5	Main Arm Road	641	725	755	777	775	20.9
6	Main Arm Road	1414	1677	1744	1599	1791	26.7
7	Left Bank Road	736	839	1022	936	936	27.2
8	Left Bank Road	346	316	330	290	341	-1.4
9	Huon Brook Road	187	181	271	189	176	-5.9
10	Wanganli Road	65	113	104	175	113	73.8
11	Mill Cook Road	217	241	281	278	268	23.5
12	Wilson's Creek Road	81	103	105	191	152	87.7
13	Koonyum Range Road	111	48	55	53	57	-48.6
14	Myocum Road	1109	1300	1562	1447	1519	37.0
15	Myocum Road	784	937	1021	1042	1057	34.8
16	Myocum Road	781	1110	1192	1082	1112	42.4
17	McAuleys Lane	128	189	279	330	421	228.9
18	Tandys Lane	250	293	359	408	529	111.6
19	The Saddle Road	102	107	127	132	118	15.7
20	Main Road, Mullumbimby	4426	5790	6214	6638	7002	58.2
21	Kennedys Lane	159	174	212	232	224	40.9
22	Tyagarah Road	550	632	624	559	750	36.4
23	Tyagarah Road	460	513	610	514	603	31.1
24	Grays Lane	226	240	211	337	317	40.3
25	Coorabell Road	690	745	873	890	970	40.6
26	Coolamon Scenic Drive	470	584	698	676	742	57.9
27	Coolamon Scenic Drive	455	584	598	688	686	50.8
28	Coorabell Road	571	735	833	823	835	46.2
29	Federal Road	686	775	853	805	858	25.1
30	Binna Burra Road	308	396	394	387	368	19.5
31	Federal Drive	676	721	718	743	717	6.1
32	Kings Road	241	247	201	235	219	-9.1
33	Whan Road	344	409	230	238	220	-36.0
34	Eureka Road	618	705	700	693	663	7.3
35	Federal Drive	600	732	639	669	633	5.5
36	Coremans Road	75	92	93	99	81	8.0

Counter No.	Location	92/93	94/95	96/97	98/99	00/01	% Change 92/01
37	Eureka Road	712	866	821	864	750	5.3
38	Lismore Road	4938	5180	5138		5830	18.1
39	Stewarts Road	240	294	171	122	118	-50.8
40	Springvale Road	173	184	182	184	181	4.6
41	Booyong Road	178	184	182	196	128	-28.1
42	Booyong Road	136	179	188	150	143	5.1
43	South of Booyong Rd	325	330	324	334	326	0.3
44	Tooheys Mill Road	90	82	86	99	90	0.0
45	Booyong Road	241	243	283	237	234	-2.9
46	Binna Burra Road	300	309	331	323	314	4.7
47	Friday Hut Road	315	307	454	398	429	36.2
48	Friday Hut Road	319	281	241	295	347	8.8
49	Possum Creek Road	390	313	403	380	403	3.3
50	Coolamon Scenic Drive	698	985	750	1165	1260	80.5
51	Friday Hut Road	218	268	249	301	321	47.2
52	Possum Shoot Road	132	159	186	231	269	103.8
53	Myocum Road	689	877	1064	1212	1368	98.5
54	Ewingsdale Road	6729	9222	9420	11032	11048	64.2
55	McGettingans Lane	1123	1388	1416	1472	1564	39.3
56	Ewingsdale Road	11157	12103	10464	15094	14912	33.7
57	Bangalow Road, Bangalow	1424	1704	1837	1936	2310	62.2
58	Coopers Shoot Road	174	198	218	248	244	40.2
59	St Helenas Road	71	105		108	120	69.0
60	St Helenas Road	195	196	213	253	254	30.3
61	Coopers Shoot Road	300	402	387	511	552	84.0
62	Coopers Shoot Road	117	143	167	167	199	70.1
63	Picadilly Hill Road	118	171	203	199	231	95.8
64	Picadilly Hill Road	160	169	199	205	211	31.9
65	Broken Head Road	4386	5592	4363	6152	6404	46.0
66	Reserve Road	785	1264	1065	1201	1080	37.6
67	Midgen Flat Road	559	736	704	823	836	49.6
68	Broken Head Road	3466	4257	4260	4754	4824	39.2
69	Broken Head Road, Suffolk Park	3838	5279	5460	5604	6429	67.5
70	Broken Head Road, Suffolk Park	7640	9783	8738	11330	12489	63.5
71	Bangalow Road	1475	1847	1924	2052	2323	57.5
72	Old Bangalow Road	1738	1123	1263	1729	2097	20.7
73	Lighthouse Road	4730	4116	4591	5616	5305	12.2
74	Rail crossing, Byron Bay	8271	9270	9991	10612	12475	50.8
75	Lawson Street, Byron Bay	15240	14004	17092	15769	15060	-1.2
76	Johnson Street, Byron Bay	17453	15969	18101	17316	19437	11.4
77	Broken Head Road	12685	13441	14862	15537	17986	41.8
78	Skinners Shoot Road	405	454	467	508	572	41.2
79	Manse Road	437	596	638	547	441	0.9
80	South Beach Road, Brunswick Hds	1526	1435	1170	1285	1701	11.5
81	Main Road, Mullumbimby	5630	6231	7597	7542	7965	41.5

Counter No.	Location	92/93	94/95	96/97	98/99	00/01	% Change 92/01
82	Burringbar Street, Mullumbimby	7480	9499	9274	8716	9943	32.9
83	Jubilee Avenue, Mullumbimby	5522	6017	5830	5990	5954	7.8
84	Main Arm Road, Mullumbimby	4449	4520		5486	5708	28.3
85	Marshalls Drive	894	1089	1091	851	880	-1.6
86	Coolamon Scenic Drive	873	990	985	829	941	7.8
87	Main Road	950	1216	1219	1322	1457	53.4
88	Goongerry Road	558	667	688	680	759	36.0
89	Goongerry Road	423	434	447	506	520	22.9
90	Mafeking Road	205	228	286	315	280	36.6
91	Repentance Road	102	157	263	213	222	117.6
92	Federal Road	420	492	552	490	588	40.0
93	Repentance Road	210	241	286	431	377	79.5
94	Coopers Creek Road	201	97	128	173	128	-36.3
95	Rajah Road, Ocean Shores	3930	3993	4710	5426	5213	32.6
96	Strand Ave, New Brighton	1938	2282	2512	2984	2971	53.3
97	Orana Road, Ocean Shores	1862	2208	2281	2662	2843	52.7
98	Balemo Drive, Ocean Shores	705	723	789	853	923	30.9
99	Shara Blvd, Golden Beach	1596	1851	1784	1939	2234	40.0
100	Billinudgel	2307	2322	2975	3105	3713	60.9
101	Redgate Road, New Brighton	932	949	1054	1203	1249	34.0
102	Jones Road	26	26	41	40	30	15.4

Source: Byron Shire Council, 2001

Note: These readings are two way daily average flows, taken over a single week, out of holidays

Although a formal shire wide traffic model has not been prepared at this stage, discussions with Byron Council indicate the following:

- On a regional scale, improvements were required to the main road system. This is the responsibility of the NSW Roads and Traffic Authority. By-passes have been constructed around the towns of Bangalow and Brunswick Heads, improvements have been completed on the Pacific Highway from Coopers Shoot to Tyagarah Road while further upgrading of the highway is north of Tyagarah Road is anticipated to be completed by 2002. While these state road works have improved the road safety these, and other improvements to the north (completed and proposed), have increased the accessibility of the Shire to the northern NSW and southern Queensland. This is likely to lead to increased tourism and tourist traffic.
- On a local scale, the improvements to the Pacific Highway at Ewingsdale have relieved traffic congestion on the Ewingsdale Road intersection.
- A number of local, sub-arterial and collector roads were identified as in need of improvement due to the population growth identified in various Byron Council *Settlement Strategies*.
- The need for the Byron Bypass was identified as providing alternative routes around Byron Town Centre to provide access to the south. These works included links from the by-pass. This system would obviate the need for major road works within the town centre precinct although traffic management measures are still required in the centre to deal with existing and future traffic.

Work undertaken on the Byron Bay by-pass (*Byron By-pass EIS* and *Byron Traffic Impact Study*) provides some information on travel demands in and around the Byron Bay township. This work, together with an assessment of past growth and discussions with Council officers, provides the basis for assessment of traffic needs for the life of the CP.

7.3 Transport Needs

7.3.1 Introduction

Population growth is a clear indicator of vehicular traffic growth since more residents typically leads to greater traffic volumes on roads. Additional retail, commercial and industrial development similarly leads to increased traffic.

This growth creates the need for improved road or, at times, new roads. The population and growth projections undertaken in Section 2 indicate that there will be around a 36% increase in population to reach the current capacity limitations of all urban and rural areas. This population growth will be spread spatially across the Shire and indicates that there will be an increased need by Council to spend more on the local road system.

Retail/commercial and industrial development is also projected to increase in the planning period. Provision also needs to be made for this growth in the upgrading of the road system.

The volume and characteristics of traffic growth and demand is directly related to land use. Manuals such as the *RTA Guide to Traffic Generating Development* clearly demonstrate the nexus between development and traffic increases. It also provides an indication of the magnitude of traffic generation by land use type. Commercial developments (particularly larger shopping centres) have a high traffic generating capacity.

The impact of additional traffic has a range of consequences:

- Impact on road efficiency
- Impact on amenity and safety
- Reduction of the life of road pavements
- Increased public expenditure

Traffic impacts accumulate over time and may not be obvious for single developments. The benefit of a contribution policy is that it takes a holistic view of future traffic development and overcomes financing constraints imposed by incremental decision making.

The most effective tool for assessment of shire wide traffic impacts is to examine the impact of development on the road network and equitably assign the costs of development of the network. This can be done through the establishment of a computer based traffic model that simulates the volume and distribution of future traffic growth. The alternative method is to undertake the exercise based on the experience of Council traffic engineers using the population growth forecasts and manually assigning traffic. This method, however, requires a considerable input from Council officers, takes time to update and limits the amount of modelling of various development scenarios in the area.

At this stage, Byron Council does not have a traffic model in place and reliance for the assessment of road needs to 2006 has been made on Council traffic engineers to advise on traffic needs to cater to the population capacities mentioned earlier. It is recommended that Council undertake a shire wide traffic

study including preparation of a traffic model as this will provide greater reliability in predictions on road improvement needs to cater to the population capacities mentioned in Section 2.

7.3.2 Historical Traffic Growth

Byron Shire Council has carried out traffic counts on the majority of the main shire roads in Byron since 1992. The figures are collated in Table 7.1. All of these roads are the responsibility of Byron Shire Council. The average growth over the period 1992 and 2001 across all roads was approximately 33%. This correlates closely with the increase in population of around 36% (1991 to 2001) as detailed in Section 2.0.

The road network in Byron has generally experienced a variable level of traffic growth over the last 10 years which has largely mirrored the spatial growth of population. All urban areas have experienced significant population growth with the exception of Mullumbimby, Bangalow and Brunswick Heads where growth has been more modest.

Growth in traffic in urban areas in the period 1991-2001 has included:

- **Mullumbimby:** Population growth in this period has been relatively modest (around 33% in 10 years) and the growth in road traffic in the town (Counters 82 and 84) has been of the same magnitude although Main Road (Counter 81 – the lead in road from the Pacific Highway) has grown by around 42%. This may be the result of a combination of tourist growth, population growth and the relocation of Council's administrative centre to the town.
- **Byron Bay/Suffolk Park:** While Johnson Street and Lawson Street (Counters 75 and 76) experienced very modest or negative growth (11.4% and – 1.2% respectively) this is assumed to be largely due to their saturated condition at the commencement of the period. However, Broken Head Road traffic has increased by almost 42% (Counter 77) confirming the high growth in population in Suffolk Park has increased traffic along this road.
- **Bangalow:** Traffic growth on the lead in road (Counter 57 – Bangalow Road) has exceeded population growth (23%) although it is likely that the traffic growth is the result of increased tourism and changes to the traffic patterns due to the bypass. There are no traffic counters in the township.
- **Brunswick Heads:** The by-passing of Brunswick Heads has reduced traffic on Tweed Street. While the only traffic counter is on the eastern side of the river (No 19) has seen only modest growth (around 12%) population growth has been over 20%.
- **Ocean Shores/South Golden Beach/New Brighton:** Traffic growth has matched or exceeded population growth. The population of Ocean Shores has increased by around 37% while the lead in roads (Orana Road, Counter 97 and Balemo Drive, Counter 98) have experienced traffic increases of 53% and 31% respectively. The population of New Brighton/South Golden Beach has increased by 63% while traffic growth on Shara Boulevard (Counter 99) has increased by only 40%.
- **Rural areas:** While rural areas (north and south) have had modest growth (14-18%) rural roads have experienced large increases reflecting the dispersed patterns of settlement in rural areas. Notable large increases include Wilsons Creek Road (88%), McAuleys Lane (229%), Tandy's Lane (112%), Coolamon Scenic Drive (58% to 80% depending on location), Possum Shoot Road (104%), Myocum

Road (99%), St Helenas Road (69%), Coopers Drive (70%), Picadilly Hill Road (96%) and Repentance Creek Road (118%)

There is little significant public transport within the Shire that would allow transfer of some of the population growth from private vehicles. Consequently, based on the projections that the Shire will continue to experience residential development and some commercial and tourism development (largely in and around the main urban centres), it is reasonable to assume that past trends are likely to continue to align with population growth.

The only traffic study conducted in the area to date is for Byron Bay township (TTM Consulting, 1993; Veitch Lister Consulting, 1997; PPK, 1998). The TTM and PPK studies focussed on the need for The Veitch Lister study indicated that Shirley Street and Johnson Street volume to capacity ratios were high which indicated a congested state particularly at peak times. This confirms the need for the proposed by-pass.

Although a retail study or industrial area study have not been undertaken in the Shire, Section 3 outlined existing floorspace figures which have been adopted for the estimation of trip generation. Table 7.2 provides trip generation figures for a variety of land uses based on the RTA *Guide to Traffic Generating Development*.

Based on the traffic generation figures in Table 7.2 (9 trips per dwelling; average 5 trips per townhouse/unit), as well as tourist traffic (assumed 1 per bed), the total trips generated by existing residential development in the LGA is approximately 105,000. Together with trips generated by commercial and industrial land uses indicate there may be up to 127,750 trips generated in the local government area in 2001.

7.3.3 Future Traffic Growth

Assuming an additional 8677 residents and tourists to capacity and using the dwelling type breakdown outlined in Section 3.0, the capacity population would result in an additional 3,314 dwellings. It is estimated that an additional 300 tourist beds will be created in this time.

The increase in commercial floorspace to 2006 would equate to 20,000 square metres of floorspace while industrial floorspace increase to capacity would be 45,000 square metres. The spread of this additional housing and floorspace was discussed in Section 3.0

Based on the traffic generation figures in Table 7.2, it is estimated that 25,735 additional trips would be generated from this residential development.

Traffic generated by commercial and industrial development is more difficult to predict as there are no details as to the breakdown of uses as per Table 7.2. However, it is assumed that the average traffic generation of commercial/retail development is 1 trip per square metre with industrial development generating 0.05 trips per square metres. In addition, Since a large number of trips generated by commercial/retail and industrial development would be dual shared between residential trips, it is assumed that 70% of total generation are shared trips. Therefore, by commercial/retail and industrial development would be responsible for 7,000 additional trips.

Therefore, it is estimated that future development would generate 32,735 additional trips in the LGA. Using the above assumptions for generation from other uses, this equates to around a 25% increase in total traffic in the local government area which roughly matches the population growth.

Table 7.2: Trip Generation Rates by Land Use

Land Use	Daily Trip Rate	Unit per
Detached Housing	9.0	Household
Units	4-5 (up to 2br) 6-6.5 (3br+)	Unit
Aged housing	1-2	Dwelling
Child Minding Facility	3.7	Enrolment
Primary School	1.4	Enrolment
High School	1.4	Enrolment
Service station	200	Pump
TAFE College	1.8	Enrolment
Shopping Centres, 100m2	2.8 (A)	A = m2 GLA
101m2 <SC < 6,000m2	200 + 0.8 (A)	A = m2 GLA
6,001m2 <SC < 10,000m2	500 + 0.75 (A)	A m2 GLA
Shopping Centre > 10,001m2	3200 + 0.48 (A)	A = m2 GLA
Garden centre not included in Shopping Centre	40	100 m2 retail area
Hardware not included in shopping centre	80	100 m2 GLA
Mixed Retail Showroom	40	100 m2 GLA
Furniture Showroom	10	100 m2 GLA
Office (Professional Centre)	16	100 m2 GLA
Major Offices (including government)	12	100 m2 GLA
Medical Centres & Dentists	50	100 m2 GLA
GPSurgery	50-150	100m2GLA
Retail Tyre Outlets	10	100 m2 GLA
Motels	3	Unit
Taverns, Hotels	110	100m2GLA
Restaurant	60	100 m2 GLA
Retail Market	20	100 m2 GLA
Recreation – Squash	40	Court
-Tennis	45	Court
- Gymnasium	45	100 m2 GLA
Factories covered by light industry	5	100 m2 GLA
Warehouses	4	100 m2 GLA
Hospitality Facilities	50	100 m2 GLA
Licensed Clubs	100	100m2GLA
Motor Showrooms	5	100 m2 GLA
General Heavy Industry	1.5	100 m2 GLA
Mixed Industrial Park	7.0	100 m2 GLA

Notes:

- a) A denotes area of floor space in m2 Gross Lease Area (GLA).
- b) GLA for Motor Showrooms includes any external display areas.

Tables 7.3 and 7.4 provide an estimate of projected traffic growth based on the above total traffic growth. Growth for individual roads has been assigned on the basis of the likely growth of residential and other uses in each catchment and distributed relatively evenly across each of the major roads as noted in the table.

Table 7.3: Predicted Trip Growth: Byron Shire

Location	Population Increase 2001-2006	Population Capacity	Existing Total Traffic (trips)	Projected Traffic Increase – trips	
				2001-2006	Capacity
Byron Bay	641	9100	22250	2100	30000
Suffolk Park	158	3500	9300	550	11500
Mullumbimby	621	4650	13500	2100	15300
Brunswick Heads	279	3200	7500	920	10500
Ocean Shores	679	3830	7500	2250	12600
New Brighton/South Golden Beach	143	3000	6400	500	9800
Bangalow	151	2050	3900	500	6600
Rural North	356	5700	18400	1200	18750
Rural South	203	4400	15500	680	16500
Commercial Development (all areas)	NA	NA	20000	6000	18000
Industrial Development (all areas)	NA	NA	3500	2000	6000
Byron Shire	3231	39430	127750	18800	154550

Notes:

- Existing total traffic is based on traffic generation by residential uses with an allowance for other land uses such as commercial development
- Excludes seasonal effects of tourist traffic
- Rural areas included as traffic is spread throughout the Shire.

The potential growth in traffic is based on the following assumptions:

- Population growth will continue at slightly lower levels than the past 5 years. The majority of traffic growth (80%) is attributable to residential dwelling growth.
- The moratorium in Byron Bay will be lifted around 2003/4 and growth in Byron Bay will jump to around 5% per annum after that.
- The Byron Bay by-pass is constructed post-2004.
- Suffolk Park will continue to develop at a low rate to the end of the planning period
- Mullumbimby and Bangalow will have higher growth rates as these locations become more desirable as an alternative place to live.
- Ocean Shores and Brunswick Heads will continue to grow strongly.
- Rural areas will experience moderate growth.
- Tourism growth will continue.
- Commercial and industrial growth will continue.

Total traffic is predicted to increase by around 20% when the population capacity of all urban areas is reached (possibly around 2011-15). In the period 2001-2006, traffic growth is predicted to increase by 13% as a result of continued population growth.

Table 7.4 outlines the anticipated traffic growth for main collector roads for the urban areas of the Shire. The increases in traffic are based on population growth discussed earlier in Section 2.0 as well as an allowance for increased

This indicates that most urban road corridors will be required to carry more traffic. However, apart from the Byron Bay by-pass, there is not likely to be a need for development of new road corridors in urban or rural areas.

Table 7.4: Predicted Traffic Growth: Urban Roads, 2001 - 2006

Location	Projected SDU Increase 2001-2006 ¹	Roads	Projected Traffic 2001	Predicted Traffic 2006 ²	Traffic Change 2001-2006 (%)
Byron Bay	237	Ewingsdale Road/Shirley Street	11048	12700	15%
		Lawson Street	15060	15800	5%
		Jonson Street	19437	21380	10%
		Bangalow Road	17986	20700	15%
Suffolk Park	59	Broken Head Road	12489	15000	20%
Mullumbimby	230	Main Road	7965	9450	18%
		Burringbar Street	9943	11450	15%
		Jubilee Avenue	5954	6700	17%
		Main Arm Road	5708	6450	12%
Brunswick Heads	103	Tweed Street	5500	6050	10%
		South Beach Road	1701	1955	15%
Ocean Shores	252	Shara Avenue	2234	2750	23%
		Balemo Drive	923	1175	27%
		Orana Road	2843	3480	23%
		Rajah Road	5213	6420	23%
New Brighton/South Golden Beach	53	Strand Avenue	2921	3359	15%
		Redgate Road	1249	1436	15%
Bangalow	56	Bangalow Road	2310	2750	19%
		Byron Street	2500	2750	10%
		Rifle Range Road	2000	2200	10%
		Raftons Road/Keith Street	1500	1650	10%

Source: Byron Shire Council, 2001

Notes:

1. It is assumed that each SDU generates around 9 trips per day to make allowance for commercial, tourist and other development.
2. Assumes 80% of traffic generated by residential development. An allowance is made for commercial, tourist and industrial traffic at 20% of total traffic

7.3.4 Urban Roads Works Program

While the Council has a rolling annual works program for upgrading urban roads, it does not have a set program for upgrading of all roads. Upgrading is based on needs and the likelihood of development occurring.

The urban road upgrading proposals in the existing CP were required to meet the need of rural development. At that time, rural development displayed a dispersed pattern as Council did not have a specific development policy for rural settlement.

Assessment of individual traffic sectors is carried out below. The current Section 94 programme for all areas is shown in Table 7.5.

7.4 Current Rural and Urban Roads Section 94 Plan

The 1993 *Byron Council Section 94 Contributions Plan – Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads, Street Tree Planting* adopts road standards for urban and rural roads based on Councils existing standards (see below).

Table 7.5: Current Section 94 Works Program: Urban Roads

Centre	Works	Total Plan Amount (\$)	Section 94 Percentage	Remaining Funds to be Collected
Byron Bay	Cemetery Road	178,500	100%	\$465,783
	Cemetery Road - Railway cross	195,000	100%	
	Childe St	195,000	100%	
	Bayshore Drive	25,000	100%	
Suffolk Park	Batson's Quarry	139,292	100%	\$372,720
	Broken Head Rd	221,000	100%	
	Roundabouts - Broken Head Rd	300,000	100%	
Mullumbimby	Left Bank/Jubilee inter	31,000	100%	\$432,732
	Left Bank/Azalea St inter	8,500	100%	
	Pine/Main Arm inter	37,000	100%	
	Manns/Mullumbimby Rd	39,700	100%	
	McAuleys/Mullumbimby Rd	181,200	100%	
	McAuleys Lane/Myocum Rd	27,000	100%	
	McAuleys Lane	63,000	100%	
Bangalow	Rifle Range Rd/Lismore Rd	63,600	100%	\$351,865
	Raftons/Rifle Range/ Rob./Keith	35,500	100%	
	Rifle Range Rd Railway Viaduct	320,000	100%	
	Leslie St	45,000	100%	
Total		2,105,292		\$1,623,100

The CP sets out a works program for future road works, however, there is no overall strategic plan for road upgrading based on a traffic model of the Shire. Consequently, the 1993 CP adopted a philosophy of identifying individual roads that required some improvement works based on lot generation within that road catchment. While this method is effective at identifying lots that may benefit from a local road catchment, it does not identify the major works that are required to respond to the overall road network pressures arising from commercial, industrial, residential and tourist development.

7.5 Urban Road Strategy Plan

7.5.1 Population Based Trip Growth

As outlined in Section 2.0, the population increase to reach the urban capacity figures discussed in Section 3 is approximately 8677 persons (inclusive of tourist beds). The projected population growth for the life of

this plan is approximately 30% of the total trips generated by future development (ie around 7,000 trips). The growth in the period 2001-2006 will be catered for in a range of works that form part of the overall road upgrading program. Consequently, the works program provided in Appendix C relates only to the period 2001-2006.

However, the assessment of road upgrading has been carried out for the population capacity figure as this will determine the ultimate road network required.

7.5.2 Location of Improvements and Design Standards

Byron Shire has adopted the following urban road standards:

- Access – road reserve 15 metres, pavement 6 metres, kerb and gutter
- Local street – road reserve 17 metres, pavement 8 metres, kerb and gutter
- Collector – road reserve 20 metres, pavement 11 metres, kerb and gutter
- Distributor – road reserve 20 metres, pavement 13 metres, kerb and gutter

An assessment has been made to determine the future road upgrading needs in urban areas. This has been based on the traffic growth predictions and based on Council's current program of works for roads as well as adopted road standards.

The measures in each area required to meet the needs of capacity populations are set out in Table 7.6. Appendix C includes the works programmed for the period 2001-06.

7.5.3 Byron Bay/Suffolk Park

The major deficiencies in the system are the result of increased traffic flows as a result of population growth, more intensive development of the commercial centre and growth in tourism. The main road upgrading requirement in the next 5 to 10 years is the proposed by-pass. However, Jonson Street/Bangalow Road/Broken Head Road form the main link road between Byron Bay and Suffolk Park and will experience increased traffic. Bangalow Road through Coopers Shoot will also see an increase in traffic.

Shirley Street and Ewingsdale Road will also have increased traffic as a result of development of Areas 2, 3 and 4 once the moratorium is lifted. In addition to these road deficiencies, the existing road network will require ongoing maintenance as a result of increased traffic flows.

Based on the population increase of 2,327 persons to reach the population capacity, this would equate to an additional 7,450 residential trips. There are also commercial and tourist generated trips that would need to be accommodated.

Road requirements/upgrading to meet future traffic needs include (refer also Veitch Lister, 1998):

- Implementation of the proposed by pass to perform the role of a distributor of traffic around the town centre.
- Widening of Shirley Street to four lanes from Kendall Street to Butler Street
- Traffic management measures in the town centre to include traffic calming measures including Jonson Street and Lawson Street
- Provision of a roundabout at the Ewingsdale Road/Bayshore Drive intersection

- Extension of Tennyson Street through to Lawson Street
- Provision of a roundabout at the Shirley/Butler Street intersection

Table 7.6: Urban Road Upgrading Needs

Location	Roads	Traffic Change 2001-2006 (%)	Proposed Works
Byron Bay	Byron Bay bypass	NA	Staged construction of bypass
	Ewingsdale Road/Bayshore Dr	25%	Roundabout
	Shirley Street	15%	Upgrade to four lanes from Kendall Street to Butler Street
	Tennyson Street	NA	Extension through to Lawson Street and roundabout
	Lawson Street	5%	Southern pavement extension Roundabout adjustments (Fletcher) Roundabout adjustments (Jonson)
	Jonson Street	10%	Traffic management - medians
	Shirley Street/Butler Street	15%	Roundabout
	Bangalow Road	15%	Extension of by pass to Cemetery Rd
	Town centre	NA	Traffic management measures
Suffolk Park	Broken Head Road	20%	Upgrading
Mullumbimby	Mullumbimby Road	18%	Roundabout (Manns Rd)
	Burringbar Street	15%	Roundabout (Station St)
	Jubilee Avenue	17%	Realign golf course corner
	Main Arm Road	12%	Roundabout (Manns Rd)
	Town centre	Na	Traffic management measures
Brunswick Heads	Town centre Streets (Mullumbimbi, Fingal, Park, The Terrace)	10%	Traffic management
	South Beach Road	15%	Pavement rehabilitation
Bangalow	Bangalow Road	19%	Traffic management
	Ballina Road	40%	Traffic management
	Rifle Range Road	30%	Upgrade rail underpass Turning lane off MR 65
	Granuaille Road	15%	Traffic management
	Raftons Road/Keith Street	15%	Traffic management
Ocean Shores / New Brighton / South Golden Beach	Shara Avenue	13%	Traffic management
	Balemo Drive	12%	Traffic management
	Orana Road	13%	Traffic management
	New Brighton Road	24%	Traffic management

Note: Traffic growth has been based on projected population growth and distributed on roads according to existing use patterns

7.5.4 Mullumbimby

Gradual development of this area resulting from deflection of housing demand from the coastal strip will increase traffic on Brunswick Road, Argyle Street and Burringbar Street. On the eastern side of town, development of unzoned land will see increased traffic levels on Left Bank Road, Jubilee Avenue, Murwillumbah and Main Arm Roads. The large development area on Coral Road will require substantial upgrading of this road, the Brunswick River crossing and Clay's Road.

Although the capacity of the most of these roads is sufficient to keep pace with traffic growth, the existing standard of some roads will require upgrading to ensure that both the level of service and travel safety are maintained.

Road requirements/upgrading to meet future traffic needs include:

- Mullumbimby Road: Roundabout (Manns Rd)
- Burringbar Street: Roundabout (Station St)
- Jubilee Avenue: Realign golf course corner
- Main Arm Road: Roundabout (Manns Rd)
- Traffic management measures

7.5.5 Bangalow

Development of zoned residential land in the Bangalow area will increase traffic on Byron Street as well as Lismore Road and Granuaille Road. The historic nature of this town will also see an increase in tourist traffic.

Based on the population increase of 1,044 persons to reach the population capacity, this would equate to an additional 3,340 residential trips. There are also commercial and tourist generated trips that would need to be accommodated.

Road requirements/upgrading to meet future traffic needs include:

- Bangalow Road: upgrade
- Ballina Road: Traffic control at intersections
- Rifle Range Road: Upgrade rail underpass and provide turning lane off MR 65
- Granuaille Road: Traffic management
- Raftons Road/Keith Street Traffic management

7.5.6 Brunswick Heads

The main development area of Brunswick Heads includes the area known as Bayside Brunswick to the south of the sports fields. While there remains a large residentially zoned landholding in this area, the Department of Education has indicated that the area may also be the preferred location for a primary school which would reduce the overall yield of residential lots. However, the traffic using the local roads in this area are also likely to increase regardless from school traffic.

The diversion of the Pacific Highway to the west of the town has reduced traffic along Tweed Street (the old highway) considerably and the improved amenity of this area may increase development along the road corridor. In addition, further development of the commercial area is likely to occur which will increase traffic in the town centre. Tourist traffic is also likely to grow.

Development of zoned residential land in the Bangalow area will increase traffic on Byron Street as well as Lismore Road and Granuaille Road. The historic nature of this town will also see an increase in tourist traffic.

Based on the population increase of 1,205 persons to reach the population capacity, this would equate to an additional 3,860 residential trips. There are also commercial and tourist generated trips that would need to be accommodated.

Road requirements/upgrading to meet future traffic needs include:

- Town centre Streets (Mullumbimbi, Fingal, Park, The Terrace: traffic management
- South Beach Road: Pavement rehabilitation

7.5.7 Ocean Shores/New Brighton/South Golden Beach

Vacant unsubdivided residential land and larger unsubdivided lots remain in these areas which will continue to develop over the life of the Plan. The large amount of traffic using the main lead in roads combined with new traffic will increase the demand for traffic controls and management.

Based on the population increase of 1,650 persons to reach the population capacity, this would equate to an additional 5,100 residential trips.

Road requirements/upgrading to meet future traffic needs include:

- Shara Avenue: Traffic management
- Balemo Drive: Traffic management
- Orana Road: Traffic management
- Rajah Road:
- New Brighton Road: Traffic management

7.5.8 Road Works Priorities and Program

Section 94 Contributions Plans should be supported by a works program at least for the life of the plan which sets out Council's proposed expenditure of the contributions. This program then forms part of Council's statutory requirement to account for Section 94 Contributions.

7.5.9 Evaluation and Costing of Improvements

For the purposes of this study, the study area has been further subdivided into traffic zones that approximate the existing urban areas. These will allow Council to differentiate specific road upgrading improvement programmes as and when they arise.

The costs for improvements to the road network is shown in Table 7.7. This has been prepared following discussion with Byron Council following assessment of the predicted road demands and deficiencies to meet the population capacities discussed in Section 2.

Table 7.7 also sets out the proportional responsibility (apportionment) of new development towards the road upgrading program. These amounts have been determined following the earlier traffic increase assessment, and taking into account existing road deficiencies, future funding sources and community benefit arising from the works. These have been discussed earlier in Sections 6.3.3 to 6.3.8.

Table 7.7: Urban Road Upgrading Needs

Location	Roads	Proposed Works	S94 (%)	Apportioned Cost (\$ '000)
Byron Bay	Byron Bay bypass	Staged construction of bypass	27	810
	Ewingsdale Road/Bayshore Dr	Roundabout	75	562.5
	Shirley Street	Upgrade to four lanes from Kendall Street to Butler Street	45	337.5
	Tennyson Street	Extension through to Lawson Street and roundabout	75	450
	Lawson Street	Southern pavement extension Roundabout adjustments (Fletcher/Jonson)	75	307.5
	Jonson Street	Traffic management – medians	75	45
	Shirley Street/Butler Street	Roundabout	75	562.5
	Bangalow Road	Extension of by pass to Cemetery Rd	27	810
	Town centre	Traffic management measures	80	560
Suffolk Park	Broken Head Road	Roundabout	100	500
	Broken Head Road	Upgrading	100	500
Mullumbimby	Mullumbimby Road	Roundabout (Manns Rd)	75	375
	Burringbar Street	Roundabout (Station St)	75	375
	Jubilee Avenue	Realign golf course corner	75	75
	Main Arm Road	Roundabout (Manns Rd)	75	562.5
	Town centre/various	Traffic management measures	75	150
Brunswick Heads	Town centre Streets (Mullumbimbi, Fingal, Park, The Terrace)	Traffic management	75	56.25
	South Beach Road	Pavement rehabilitation	75	75
Bangalow	Bangalow Road	Traffic management	75	112.5
	Ballina Road	Traffic management	75	150
	Rifle Range Road	Upgrade rail underpass Turning lane off MR 65	75	112.5
	Granuaille Road	Traffic management	75	562.5
Ocean Shores / New Brighton / South Golden Beach	Shara Avenue	Traffic management	75	37.5
	Balemo Drive	Traffic management	75	16.5
	Orana Road	Traffic management	75	37.5
	New Brighton Road	Traffic management	75	18.75
All areas	Remaining funds to be collected	Various	100	1,624
TOTAL				9784.6

Note: Traffic growth has been based on projected population growth and distributed on roads according to existing use patterns. Figures may be affected by rounding.

7.6 Rural Roads

7.6.1 Existing Road Network

The majority of the road links in the balance of the study area include rural roads of varying condition and capacity. Major rural roads are shown in Figure 3.17.

The main rural villages in the Shire and access roads are:

- Upper Main Arm/Main Arm – Main Arm Road
- Federal/ Coorabell – Federal Rd, Monte Collum Rd, Coolamon Scenic Dr, Charltons Rd, Coorabell Rd
- Eureka/Clunes – Federal Rd, Binna Burra Rd, Coorabell Rd, Eureka Rd
- Natural Lane – Coopers Shoot Road, Natural Lane
- Broken Head – Broken Head Road
- Coopers Shoot/Ewingsdale – Coopers Shoot Road, McGettigans Lane

These roads are of varying standards and conditions. These have been taken into consideration in the assessment of future road needs.

7.6.2 Rural Roads Works Program

While the Council has a rolling annual works program, it does not have a set program for upgrading of rural roads. Upgrading is based on needs and the likelihood of development occurring. The current Section 94 works program is shown in Table 7.8. All works subject to contributions have been completed.

Table 7.8: Current Section 94 Works Program: Rural Roads

Road	Proposed Works	Cost (\$'000)	Works Status
Tinderbox Road	Seal	1.8	Complete
Kooyum Road	Upgrading	12.0	Complete
Possum Shoot Road	Seal	10.1	Complete
Myocum Road	Upgrade	16.5	Complete
Friday Hut Road	Upgrade	3.8	Complete
Binna Burra Road	upgrade	66.4	Complete
Coolamon Scenic Drive	upgrade	108.3	Complete
Wilsons Creek Road	upgrade	55.5	Complete
Main Arm Road	upgrade	32.7	Complete
Friday Hut Road	upgrade	0.5	Complete
Coopers Shoot Road	upgrade	23.1	Complete
Left Bank Road	upgrade	0.7	Complete
Federal Drive	upgrade	43.8	Complete
Tyagarah Road	upgrade	28.5	Complete

Source: Byron Shire Council, 2001

The rural road upgrading proposals in the existing CP were required to meet the need of rural development. At that time, rural development displayed a dispersed pattern as Council did not have a specific development policy for rural settlement.

7.6.3 Future Rural Development

The *Byron Rural Settlement Strategy* (1998) indicated that there were to be a number of areas of future rural settlement. In addition, there are existing undeveloped lots that are capable of accommodating new development.

These areas were selected after extensive assessment of the rural area of the Shire. One of the selection criteria was the lower cost of road upgrading compared with other candidate areas. A total of

approximately 669 lots have been released under the Settlement Strategy. In addition, there are existing lots that have a dwelling entitlement (assumed to be around 150) which will also be developed.

Based on the population increase of 2,295 persons to reach the population capacity, this would equate to 8,190 additional residential trips. Predicted traffic increases in traffic in the period 2001-06 are given in Table 7.9.

This shows the main rural roads that are predicted to have the majority of traffic growth, however, there are also many local roads that will have traffic increases and to which the Council will be required to expend funds to cater to traffic growth.

7.6.4 Rural Road Upgrading Plan

As outlined above, the growth in the period 2001-2006 will provide for around one third of the facilities in the proposed facilities plan for the CP. That is, this population will proportionally pay for the facilities that they create demand for. Consequently, the works program provided in Appendix C relates only to the period 2001-2006.

Table 7.9: Predicted Traffic Growth: Major Rural Roads, 2001 - 2006

Roads	Hierarchy Level	Traffic 2001	Predicted Traffic 2006	Traffic Change 2001-2006 (%)
Myocum Road	Distributor	1500	1725	25%
Main Arm Road (east)	Distributor	1791	890	15%
Bangalow Road	Distributor	2310	2657	15%
Coopers Shoot Rd	Distributor	559	600	15%
Coolamon Scenic Dr (north)	Collector	3811	4764	25%
Coolamon Scenic Dr (south)	Collector	1260	1575	25%
Federal Dr	Collector	858	1075	25%
Coorabell Rd	Collector	970	1215	25%
Tyagrah Road	Collector	314	395	25%
Eureka Rd	Collector	864	1080	25%
Wilsons Creek Road (east)	Collector	152	895	15%
Binna Burra Rd	Collector	387	484	25%
Wilsons Creek Road (west)	Local	150	173	15%
Main Arm Road (west)	Local	775	891	15%

Source: Byron Shire Council, 2001

7.6.5 Location of Improvements and Design Standards

An assessment has been made to determine the future road upgrading needs for the rural areas of the Shire. This has been based on the traffic growth predictions based on Council's current program of works for rural roads.

The majority of the rural roads in the study area were constructed by about the mid 1960's to conform to road designs that have now been largely superseded. Byron Shire has adopted the following rural road standards:

- Access, < 150 AADT: formation width 7m, sealed pavement width 5m, 1m shoulders
- Local, 151-500 AADT: formation width 8m, sealed pavement width 6m, 1m shoulders

- Collector, 501-1000 AADT: formation width 9m, sealed pavement width 7m, 1m shoulders
- >1000 AADT: formation width 11m, sealed pavement width 9m, 1m shoulders

It is desirable to build roads to a common standard that is acceptable to the community and which achieves the desired level of traffic service. However, it is important to ensure that any standards adopted are not set too high as this may impose an unacceptable financial burden on the community.

7.6.6 Evaluation and Costing of Improvements

For the purposes of this study, the study area has been further subdivided into traffic zones that approximate the existing urban areas. These will allow Council to differentiate specific road upgrading improvement programmes as and when they arise.

Road requirements/upgrading to meet future traffic needs are set out in Table 7.10.

Table 7.10: Rural Road Upgrading Needs

Settlement Area	Road	Proposed Works	% S94	Cost (\$'000)
Upper Main Arm/Main Arm	Main Arm Road	Widening/shoulder improvements	100	1,076
Federal/ Coorabell	Federal Rd	Widening/shoulder improvements	100	862.5
	Monte Collum Rd	Widening/shoulder improvements	100	725
	Coolamon Scenic Dr	Widening/shoulder improvements	100	2,213
	Charltons Rd	Widening/shoulder improvements	100	357
	Coorabell Rd	Widening/shoulder improvements	100	1,095
Eureka/Clunes	Federal Rd	Widening/shoulder improvements	100	870
	Binna Burra Rd	Widening/shoulder improvements	100	777
	Eureka Rd	Widening/shoulder improvements	100	762
Natural Lane	Natural Lane	Widening/shoulder improvements	100	905
Broken Head	Broken Head Rd	Widening/shoulder improvements	100	382
Coopers Shoot/Ewingsdale	McGettigans Lne	Widening/shoulder improvements	100	137
Total				10,161.5

Note: Rural residential development is assumed to generate 10 trips per lot. Rural residential development typically has a higher trip generation because vehicles are heavily relied upon and there is also a higher occupancy level

The majority of roads are adequate for the existing population and development in the Shire. Where future development has solely created the demand for the works, there will be no apportionment of costs. The following table shows the apportionment rates adopted.

7.6.7 Rural Road Works Priorities and Program

Table 7.10 sets out this proposed program for the period 2001 to 2006 which is the life of this Section 94 Plan. This is based on a population growth of approximately 40% which has been projected as the increase in this period. Beyond that time, road needs and expenditure will be based on future projections.

The total works program for rural roads is set out in Appendix C for the period 2001-2006.

7.7 Roads Contribution

All local roadworks are the responsibility of Council to fund. The formula for road contribution plans is as follows:

$$C = \frac{TC}{NT}$$

Where:

- C is the Section 94 levy expressed as a per trip contribution
- TC is the total cost of the work (apportioned including funds to be collected)
- NT is the total number of new trips in the Shire

Based on the works program for the area, the priorities and costings contained in Section 3.0, it is proposed that the Section 94 contributions for urban road upgrading be as follows:

$$TC = \$19,946,099$$

$$NT = 32,735$$

Thus,

$$C = \frac{19,946,099}{32,735}$$

$$= 609.32/\text{trip}$$

Based on the likely future trip generation, the rate adopted is \$609.32 per trip.

The contribution will be sought for the following types of development that generates traffic and leads to demand for improvement or upgrading of the road system or the need for new roads including all ancillary road network needs (such as traffic management measures, lighting, pedestrian facilities):

- Residential development of all types.
- Commercial and retail development.
- Industrial development.
- Rural development.

The levy is proposed to be imposed according to the demand generated (viz new trips) by each of the uses. This will be based on traffic generation figures that are used by the NSW Roads and Traffic Authority for the various land use types noted in the *Guide for Traffic Generating Developments* (refer Table 7.2)

7.8 Road Upgrading: Extractive Industries

7.8.1 Establishing Demand for Road Upgrading

There are currently two major quarries operating in the Byron Shire at present and additional quarries could establish as the area grows.

Road pavement deterioration associated with quarries is caused largely by the passage of heavy vehicles. Extractive industries typically cause and exacerbate the deterioration of the road surfaces which then requires the need for considerable expenditure to maintain, repair and, where necessary, reconstruct the roads. There have been a number of Land and Environment Court cases on the issue of Section 94 contributions. The courts have established that Section 94 can be used to levy for the maintenance, repair and, where necessary, reconstruction of roads that carry quarry traffic.

It is well established that damage to road surfaces is caused by heavy vehicles and is to be measured by equivalent standard axles (ESA's). It is also widely accepted that the damaging effect of a 4 axle vehicle on road pavement is non-linear (eg double the load causes 16 times the damage – $2 \times 2 \times 2 \times 2$).

This load equivalence results in high potential levels of damage to Shire roads. Therefore, a section 94 contribution is reasonable for new quarries or quarries that expand production to cover the increased level of road deterioration. Such a levy is appropriate for new construction, maintenance and rebuilding of any road that is used by quarry traffic.

7.8.2 Section 94 Policy

The existing Section 94 policy of Council for contributions for extractive industry is detailed in 1993 *Byron Council Section 94 Contributions Plan – Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads, Street Tree Planting*. This embodies the above principle of requiring new quarries or quarries that expand production to cover the increased costs to Council of road construction, maintenance and reconstruction of any road that is used by quarry traffic.

As future development of quarries is unknown until the time of expansion/development, all that can be provided at this stage is a formula for the calculation of the levy. The formula for road upgrading and maintenance is as per the existing CP with an increased tonnage rate of 4 cents per tonne to reflect inflation and increase material/labour costs)

7.8.3 Extractive Industries Contributions

The formula for road upgrading and maintenance is as per the existing CP:

$$\text{Contribution per tonne (cents)} = 4(L_1 \times P_1 + L_2 \times P_2 \dots \dots L_n + L_n)$$

Where:

- L₁ Length of road route 1 in the Shire between the extractive industry and its customer (or end point) or the Pacific (whichever is the closer)
- P₁ Estimated percentage of extractive material trucked along route 1
- 4 4 cents per tonne as the contribution towards pavement rehabilitation, restoration, repair and/or maintenance
- L₂ Length of road route 2
- P₂ Estimated percentage of extractive material trucked along route 2

8. Car Parking

8.1 Nexus Issues

The 1993 *Byron Council Section 94 Contributions Plan – Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads, Street Tree Planting* assessed demand for car parking in Byron Bay, Mullumbimby, Bangalow and Brunswick Heads. These are the only centres where there are larger retail and commercial centres and, consequently, where there is demand for car parking to be provided.

The link between the expected types of development in these areas and the need for additional car parking required is based upon:

- The total projected incoming population
- Commercial and retail development that supports the existing and projected population (including tourists)
- Assessment of the capacity of existing car parking facilities
- Analysis of the extent of car parking to meet the needs generated by the incoming population.

A major resource in establishing nexus is the existing 1993 *Byron Council Section 94 Contributions Plan – Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads, Street Tree Planting*, previous Council reports and studies, various documents produced by the NSW Roads and Traffic Authority as well as the results of community consultation and assessment of needs undertaken as part of this review.

8.2 Existing Car Parking Provision

Each of the urban centres has street parking within the commercial centre as well as car parking associated with major uses (such as the Council administrative centre, sports facilities, larger shopping centres). A comprehensive car parking study has not been prepared for the major centres although it is understood that Council will be undertaking an assessment in the near future under the auspices of the Traffic and Parking Sub-committee. The following information is extracted from a previous traffic study of Byron Bay as well as discussion with Council officers.

8.2.1 Byron Bay

Within Byron Bay up to 1200 vehicles are parked in the town centre at any one time (Veitch Lister, 1997). The parking accumulation is progressive over the day with the peak accumulation around the lunch period. During peak holiday period this peak extends from around 12.00 pm to 2.00 pm although there is almost saturation from 10.00 am and after 2.00 pm.

Most streets in Byron Bay provide on street car parking. There are some areas with time limits in the main town centre area. There are also car parking areas at strategic locations such as at Tallow Beach Drive, The Pass, Captain Cook Lookout, Marine Parade (Wategos) and at the lighthouse.

The current off street car parks provided by the Council in Byron Bay are:

- Bay Street – around the existing swimming pool area (150 spaces)
- Lawson Street – adjacent to the caravan park (95 spaces)
- Lawson Street – adjacent to railway (57 spaces)
- Butler Street – temporary on market site and railway land (50 spaces)

Other major uses have car parking as follows:

- Woolworths shopping centre – car park off Jonson Street
- The Services Club – car park off Jonson Street
- Butler Street – railway land

There may be opportunities to undertake a joint venture opportunity with redevelopment of commercial or retail uses within the town centre which could yield public car parking spaces. There are no specific proposals in this regard at this stage.

8.2.2 Suffolk Park

On street car parking is the only form of parking provision in Suffolk Park. At this stage, there is little apparent demand for additional car parking in the area as there is limited commercial development. Demand for parking near to beach areas is typically provided in street parking areas that appear to be sufficient at this time.

8.2.3 Mullumbimby

Most streets in Mullumbimby provide on street car parking. There are some areas with time limits in the main town centre area.

Apart from the car parking provided in conjunction with the Civic Centre and the small parking area on Station Street (north of Burringbar Street), there are no Council provided off street car parking areas in Mullumbimby. There are a number of smaller informal off street car parking areas around the town centre that provide for some car parking demand. Angle car parking is provided in a number of streets within the main town centre area.

Demand in holiday periods appears to create some short term problems in car parking availability and the on street parking in Burringbar Street appears to have high demand regardless of the season.

8.2.4 Bangalow

Most streets in Bangalow provide on street car parking. There are some areas with time limits in the main town centre area. An informal car parking area exists behind the hotel in Byron Street and at the southern end of Station Street, and car parking is allowed in the Showground roads.

Due to the historic nature of the town, demand in holiday periods has increased and appears to create some short term problems in car parking availability. Byron Street outside peak periods appears to have adequate parking supply although the lunch period has the highest demand.

8.2.5 Brunswick Heads

All streets in Brunswick Heads provide on street car parking. There are some areas with time limits in the main town centre area. Car parking areas exist include those adjacent to Banner Park, The Terrace the area near to Torakina Beach that provides access to the beach.

Since the bypassing of Brunswick Heads there has been a reduction in parking demand particularly along Tweed Street. However, demand in holiday periods does increase the parking demand.

8.2.6 Ocean Shores/New Brighton/South Golden Beach

Apart from the off street car parking associated with the shopping centre in Ocean Shores, on street car parking is the main form of parking provision in the Ocean Shores/New Brighton/South Golden Beach area. At this stage, there is little apparent demand for additional car parking in the area as there is limited commercial development. Demand for parking near to beach areas is typically provided in street parking areas which appear to be sufficient at this time.

8.3 Car Parking Section 94 Plan and Policies

Council has a long established practice of requiring car parking to be provided on site as required by *Development Control Plan No. 1*. However, where this cannot be provided contributions have been required under the *Byron Shire Car Parking Contributions Plan*. Car parking contributions are only accepted in Byron Bay, Bangalow, Brunswick Heads and Mullumbimby.

Table 8.1 shows the existing CP program for provision of car parking areas as well as the contributions collected to date (this includes contributions collected prior to 1993). The contributions have been based on a standard cost of construction plus purchase of land where required. The land requirement has been assessed at 35m² per space which allows for vehicles, ingress/egress and circulation.

Apart from contributions in Byron Bay and Mullumbimby, the total quantum of contributions in other areas is very low and the works would require considerable Council funding to be completed in the next 5 years.

Table 8.1: Existing Section 94 Program – Car parking

Location	Car Parking Works	Land Identified	Cost	Contributions Collected	Status of Works
Byron Bay	2 car parks: 95 car spaces, 57 car spaces	Land adjacent to caravan park; railway land	\$1.9m	\$1.47m	Land purchased, works incomplete
Mullumbimby	1 car park in commercial centre	Off Gordon Street	\$0.109m	\$0.05m	Not completed
Brunswick Heads	1 car park at rear of commercial zone	Existing land purchase	\$0.450m	\$0.027m	Not completed
Bangalow	1 car park in commercial centre	Land at rear of hotel	\$0.406m	\$0.04m	Not completed

Source: Byron Shire Council, 2001

8.4 Car Parking Demand

Demand for car parking is a function of increased population growth and new retail/commercial development. Table 8.2 shows the projected housing and retail/commercial development anticipated in each urban area where Council provides car parking.

Byron Bay township has the highest demand for car parking in the local government area although there demand remains for off street car parking in Mullumbimby, Bangalow and Brunswick Heads.

Byron Bay township has been subject of recent traffic and parking studies that provide some estimation of demand for parking and circulation within the town (Veitch Lister, 1997, 1998). However, the parking studies were not aimed at producing a car parking strategy. Future population and commercial/tourist/residential growth in the town centre now require a strategy to be prepared. The

following provides a summary of information to date and suggests an interim strategy until the detailed traffic assessments can be made.

Table 8.2: Car Parking Demand

Location	Population Capacity	Additional dwelling units to capacity			Additional commercial floorspace ¹ (m ²)	Car Parking Demand ²
		Detached	Town-houses, etc	Medium density		
Byron Bay	9100	512	235	98	11750	510
Mullumbimby	4650	311	143	29	3000	125
Brunswick Heads	3200	312	137	51	3000	125
Bangalow	2050	271	120	15	1500	65

Notes:

1. Assumed that 75% of future floorspace comprises retail development
2. Based on 1 space per 50 m² of commercial floorspace; 5 spaces per 100 m² of retail floorspace

Within Byron Bay, the car parking areas proposed under the 1993 CP have been purchased which have provided a total of approximately 152 spaces. Other Council car parks (ie around the swimming pool) and on-street car parking spaces also provide short term car parking. Veitch Lister estimates that there are approximately 1400 car parking spaces in the town centre area.

The Veitch Lister reports estimate that current off-peak demand in the town centre is approximately 1,189 spaces with a peak demand of 1,232. This indicates a surplus of approximately 200 spaces. The demand assessment was based on the demand from the development of existing zoned commercial and residential land in the town centre catchment.

The *Byron Bay/Suffolk Park/Ewingsdale Settlement Strategy 2001* indicated a current deficiency of 300-350 car parking spaces in peak demand periods. This was apparently based on estimations by Council staff and local resident groups. However, these figures are at odds with the Veitch Lister work and it may well be that the car parking deficiency relates to the very high peak times during holidays and is not reflective of demand from commercial and residential development. This underlines the need for a comprehensive car parking study and strategy.

Veitch Lister has estimated that there will be demand for around 500 additional spaces based on future capacity population growth and the development of commercial and tourist uses. Table 8.2 indicates the requirements for all urban areas.

Council has decided to review car parking needs in the town centre area and is preparing a brief for these investigations. Whilst not pre-empting this process, the current investigations and discussions with Council officers have identified a number of potential options to increase the off street car parking in the Byron Bay township. These include parking in the town centre and parking on the fringe of the town centre (or possibly remote parking). These options together do not make up the 500 spaces suggested by Veitch Lister although the 250 spaces that would be provided would provide for the likely demand in the period 2001-2006.

There are opportunities to purchase further land in Byron Bay both near the town centre or on the fringes of the town centre. The overall costs of each option are assessed to provide a basis for the contribution.

The car parking demand in Mullumbimby could be partly met by the provision of the proposed car parking area and no further car parking is proposed.

No land has been identified in Brunswick Heads for car parking although the existing CP indicates that Council will purchase commercial land behind shops for construction of a car park. This is unlikely to occur due to the increases in land costs and another acquisition strategy will be pursued.

8.5 Car Parking Strategy Plan

8.5.1 Mullumbimby

The demand for structured car parking (ie multi-level) does not exist and the proposed car park behind the police station is yet to be constructed. This is included in the future works.

There is also a car park in Station Street that could also be improved and the supply increased through line marking. The existing street car parking supply could also be increased through such measures as angle parking in all streets within the town centre.

8.5.2 Byron Bay

As outlined above, there are various options for provision of car parking to meet the existing shortfall and future demand. The design of the car parking will be dependent on the type provided (ground versus multi-level) and this will also influence the overall cost of provision.

The demand for additional car parking in the town centre will be from increased commercial development (or redevelopment that creates higher demand) and growth in tourism particularly day trippers. The costs for provision of future additional car parking will therefore be borne by future development.

8.5.3 Bangalow

The informal car parking area behind the hotel in Byron Street and at the southern end of Station Street can be formalised which would assist in maximising the car parking supply (informal parking areas are inherently inefficient). Ground level car parking will conform to standard RTA suggested layout with a sealed surface and lane marking. There are a total of 95 spaces in these car parks which will provide for existing and some future needs.

8.5.4 Brunswick Heads

The existing Section 94 Plan indicates that Council will purchase commercial land behind shops for construction of a car park. However, this purchase has not occurred to date and is unlikely given land costs have increased beyond the allocation from Section 94.

The preferred strategy is to formalise and increase parking supply along the northern and eastern road of town. This would be achieved by marking existing spaces fronting existing parks and making the layout more efficient through lane marking and use of log barriers to identify car parking areas. Another car parking land acquisition is also required on the fringes of the town centre.

8.6 Car Parking Contributions

8.6.1 Apportionment

The car parking facilities in the 1993 CP for all Mullumbimby, Brunswick Heads and Bangalow have not been constructed although some funds have been collected. The majority of funds have been collected in Byron Bay. Future development will only be required to fund additional facilities created by growth. As the car parking facilities are As a consequence, an apportionment factor has been used to reflect the situation in each case (funds collected divided by the original cost).

8.6.2 Evaluation and Costing of Improvements

The following standard rates have been applied to the development of car parking (exclusive of land costs):

- Ground level - \$2500 per space
- Multilevel - \$15,000 per space

Table 8.3 outlines the potential costs for the various options discussed above. The costs are inclusive of the existing CP car parking facility costs which are included in Table 8.4. Appendix F discusses costs for acquisition and development of land for car parking.

Table 8.3: Car Parking Acquisition and Construction Costs¹.

Area	Works	New Development Responsibility (%)	Apportioned Cost (\$ '000)	Number of new spaces
Byron Bay	Lawson Street upgrade; new land acquisition	100%	\$8,182.9*	250
Mullumbimby	Station Street upgrade; Gordon Street	80%	\$460.8*	50
Brunswick Heads	Tweed Street; street parking upgrade	100%	\$1,496.9*	100
Bangalow	Seal, mark and upgrade Station Street and Byron Street car parks	60%	\$824.9*	86

Notes:

1. All costs are preliminary and subject to detailed review after concept plans prepared. Includes land costs where indicated * as well as costs of works to complete

The formula for car parking contribution plans is as follows:

$$C = TC/NC$$

Where:

- C is the Section 94 levy expressed as a per trip contribution
- TC is the total cost of the work including land acquisition and construction
- NC is the total number of new car parking spaces created

Contributions are set out in Table 8.4. The contribution will be sought for the following types of development that generates car parking demand and leads to demand for improvement or upgrading of existing or future car parks:

- Residential development of all types.
- Tourist facilities.

- Commercial and retail development.
- Industrial development.
- Rural development.

Table 8.4: Contributions – Car Parking

Catchment	New spaces	Contribution Rates (per space)
Byron Bay	250	\$32,731.60
Mullumbimby	50	\$9,215.52
Brunswick Heads	100	\$14,969.21
Bangalow	86	\$9,592.04

Note: includes incomplete works and land acquisition

The levy is proposed to be imposed according to the demand generated (viz car parking demand) by each of the uses. This will be based on car parking figures that are used by the NSW Roads and Traffic Authority for the various land use types noted in the *Guide for Traffic Generating Developments*.

9. Cycleways

9.1 Nexus Issues

The 1993 *Byron Council Section 94 Contributions Plan – Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads, Street Tree Planting* adopted a series of population catchments for the provision of bikeways. These catchments relate to the demand for cycleways within these catchments. It is also noted that many cycleways in the Shire have a dual use as pedestrian walkways.

The link between the expected types of development in the area and the need for additional cycleways required is based upon:

- The total projected incoming population
- The spatial distribution of this incoming population
- Community consultation and needs assessments
- Community leisure and recreation preferences
- Assessment of level of capacity of existing bikeway facilities
- Analysis of the types of facilities required for incoming population.

A major resource in establishing nexus is the existing 1993 *Byron Council Section 94 Contributions Plan – Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads, Street Tree Planting*, information published by the Commonwealth Department of Arts, Sport, the Environment, Tourism and Territories as well as the results of community consultation and assessment of needs undertaken as part of this review.

9.2 Establishing Demand for Facilities

The establishment of demand for cycleways requires consideration of the likely use of such facilities by the population. Since cycleways often serve a dual role as pedestrian networks, demand for walkways and bikeways can be assessed on the potential demand for pedestrian access as well as use by those riding bicycles.

As outlined in Section 3, the population of Byron is ageing in line with NSW and Australian trends and the needs for walking trails is increasing as older people tend to walk as a means of recreation. Observations of bicycle use in Byron also indicated high use levels.

The community consultation undertaken during review of the 1993 CP show that there is demand for improved cycleways in most areas of Byron Shire. Such facilities are seen as a baseline facility by most of the population.

9.3 Recreation and Leisure Demand

In 1989 and 1991 the Commonwealth Department of Arts, Sport, the Environment, Tourism and Territories undertook a series of major Australia wide surveys on participation in sport and leisure activities. Table 9.1 provides a summary of two of the more important measures of the relative significance of leisure activities. The results of the survey remain valid although the further ageing of the population is likely to have led to a decrease in structured sports activities.

'Walking for pleasure' and 'walking the dog' are activities that have high levels of participation as well as high frequency levels. Almost one third of the population stated they walked for pleasure. Although around 13% of people stated walking the dog was a primary activity, the frequency of walking was high.

Riding bicycles is also a popular past time with around 9% of the population reporting this as a regular activity. Visiting parks is also another popular activity with over 9% of the survey reporting this as a regular activity.

Table 9.1: Australian Participation in Recreation and Leisure Activities

Activity	Persons Participating ¹	Frequency ²
Visiting friends/relatives	65.4	159.1
Dining/eating out	31.8	50.6
Walking for pleasure	30.5	62.3
Socialising at pubs/clubs	22.0	44.3
Driving for pleasure	19.7	33.3
Church activities	14.0	22.5
Walking the dog	13.2	110.9
Spectator at sport	9.6	NA
Dancing/going to disco	9.4	NA
Visiting parks	9.2	16.5
Bicycle riding	9.0	26.1

Source: DASETT, 1989

Notes:

1. Per 100 of population
2. Per 100 population - based on number of times participated x total number of respondents taken over the past 7 days

Based on the community consultation and recreation preference studies, it is clear that demand will be created for additional bicycle paths and walkways future residents. At a minimum, it is considered that the DASETT ratios are a minimum likely demand factor although give the demographic and socio-economic profile of Byron Shire the ratios are likely to be higher. That is, roughly 30% of the incoming population will walk for pleasure while 10% will ride bicycles for leisure. There is also the increased demand from people walking and cycling to work.

9.4 Bikeway Section 94 Plan and Policies

Council has required contributions for construction of cycleways to connect cycleways required to be provided as part of a subdivision consent. Cycleway contributions are only accepted in Byron Bay, Bangalow, Brunswick Heads, Ocean Shores/New Brighton/South Golden Beach and Mullumbimby.

The 1993 *Byron Council Section 94 Contributions Plan – Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads, Street Tree Planting* sets out a works program for future works which shows expansion on existing cycleways and creation of new facilities. Figures 3.11-3.16 show the existing and proposed bikeway system in all major urban centres in the Shire.

This system currently accommodates bike paths combined with the road system while others are segregated from the road system and are themselves combined with pedestrian paths. Council has a long term strategy to expand these cycleways considerably within and between all major urban areas.

Table 9.2 shows the existing CP program for provision of cycleways as well as the contributions collected to date (this includes contributions collected prior to 1993). The contributions have been based on a standard cost of construction. There are no land costs as the cycleways are all located on public lands.

Table 9.2: Section 94 Program – Cycleways¹

Location	Route/s Identified	Remaining funds to be collected (\$)
Byron Bay / Sunrise Beach	Bangalow Rd(Mackey to Keas St), Tennyson St (Browning to Carlyle St), Middleton St (Carlyle to Bay St), Bay St (Middleton to Jonson St), Lawson St (Middleton to Jonson St), Lighthouse Rd (Messenger to Lighthouse), Butler/Burns St, Cemetery Road	453,098
Suffolk Park	Shirley St(Railway to Kendall St), Ewingsdale Rd (Kendall to Belongil), Bridge at Belongil, Ewingsdale Rd (Belongil to Bayshore Dr) Clifford St,Alcorn St, Alcorn to Broken Head Rd, Jarman St, Tallow Beach Resort Area, Broken Hd Rd(Baywood Chase to High School), Two pedestrian crossings Broken Hd Rd	
Mullumbimby	Argyle St (Manns Rd), Morrison Avenue, Crown St, Queen St, Station St, Tincogan St, Coolamon Scenic Drive, Main Arm Rd, Brunswick Terrace/River Terrace, Jubilee Avenue, Left Bank Rd	225,751
Brunswick Heads	Park St(Nana/Mullumbimby), Fawcett St, South Beach Rd, Pacific Highway(Fawcett to Bridge), Bayside Way to Bowling Club, Bowling Club to Tennis Courts	125,979
Bangalow	Raftons Rd/Leslie St, Deacon St, Roundabout to Tennis Crts Via School, Pacific Highway (South)	92,393
Ocean Shores	Pacific Highway (Brunswick to Bridge), Bridge to Rajah Rd, Rajah Rd, Orana Rd, Shara Boulevarde, The Esplanade/River St, Redgate Rd/Beach Avenue, Rangal Rd/Kallaroo Circuit, Kolora Way/Shara Boulevarde, Lookout Walkway	106,417

Notes:

The total cost is the apportioned cost for the incoming population

9.5 Cycleway Contributions

The capacity of all urban and rural areas in Byron Shire will increase by population by approximately 27% which will increase demands on existing cycleways requiring improvement to cater to demand. In addition, there will be demand for additional facilities as a result of the population increase.

It is proposed that the existing cycleway plan be used as the basis for the future Cycleway Strategy Plan. This will improve facilities for the existing population and to provide for additional population demands. The works proposed in each urban area are detailed in Table 9.2. These works have been based on an estimated \$72,450 per km rate of construction of bikeways.

The formula for cycleways is as follows:

$$C = \frac{CW}{P}$$

Where: C is the Section 94 levy
 CW is the total cost of the work (apportioned)
 P is the additional new population

Based on the works program for the area, the Section 94 contributions are:

- Byron Bay/ Suffolk Park – \$453,098/2327 = \$194.71/person
- Mullumbimby - \$225,751/1200 = \$188.13/person
- Brunswick Heads – \$125,979/1205 = \$104.55/person
- Bangalow - \$92,393/1044 = \$88.50/person
- Ocean Shores/ New Brighton/South Golden Beach - \$106,417/1650 = \$64.50/person

The contributions are shown in the following table.

Table 9.3: Contributions – Cycleways

Catchment	Population Increase	Contribution Rates Per person
Byron Bay/ Suffolk Park	2327	\$194.71
Mullumbimby	1200	\$188.13
Brunswick Heads	1205	\$104.55
Bangalow	1044	\$88.50
Ocean Shores/ New Brighton / South Golden Beach	1650	\$64.50

The contribution will be sought for the following types of development that generates demand for improvement or upgrading of existing or future car parks:

- Residential development of all types.
- Tourist facilities.
- Rural development.

10. Civic and Urban Improvements

10.1 Nexus Issues

The link between the expected types of development in the area and the need for civic and urban improvements to meet the need of the future population requires an assessment of:

- The total projected incoming population
- Future development of commercial, retail and industrial development which generates employees
- The spatial distribution of this incoming population and employment base
- Community consultation and needs assessments
- Assessment of existing civic improvements and facilities
- Analysis of the types of improvements and facilities required for incoming population and employment base.

A major resource in establishing nexus is the existing 1993 *Byron Council Section 94 Contributions Plan – Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads, Street Tree Planting*. In addition, the community consultation activities also provided input to the assessments.

The 1993 CP had a street tree planting contribution that is paid by all development which is used to plant trees in new subdivisions. Existing funds for street tree planting are brought forwards into the Section 94 accounts.

10.2 Assessment of Demand

10.2.1 Nexus Issues

Civic improvement covers a variety of facilities that are required in urban areas to support the population. This will include:

- Public toilets
- Walkways/footpaths
- Landscaping and urban design improvements
- Street furniture including seating, rubbish bins, bike racks, notice boards and signage
- Fencing and public safety facilities
- Street lighting

There are currently provided by the Council in strategic locations mainly around town centres but also in potential high use areas (eg, well used roads and walkways). As the population growth outlined above will increase demand for additional facilities and place pressure on existing facilities, Council will seek from new development the proportion of the costs of provision of new facilities required for the incoming population.

10.2.2 Existing Facilities

The main town centres in Byron Bay, Mullumbimby, Brunswick Heads, Bangalow and Ocean Shores have a range of public services and amenities including those outlined in Section 10.2.1. The Council has provided these facilities over many years and assesses these facilities as being adequate for the current population.

Community consultation has indicated there is a current perceived need for some additional facilities such as public toilets and street lighting.

10.2.3 Demand for Facilities

Council has made an assessment of the various urban centres and existing civic amenities and has proposed further improvement or embellishment of facilities to cater to population growth and the increase in employees in the various town centres around the Shire. This growth is outlined in Table 10.1.

Population and employee growth in the Shire will require a range of public facilities which will be largely concentrated in the main commercial areas.

Table 10.1: Population and Employee Growth

Location	Population Increase	Additional retail/commercial floorspace ¹ (m ²)	Estimated retail/commercial employees ²	Additional industrial floorspace (m ²)	Estimated industrial employees ²
Byron Bay	1975	11500	359	6750	84
Suffolk Park	352	250	8	0	0
Mullumbimby	1200	3000	94	4500	56
Brunswick Heads	1205	3000	94	2250	28
Ocean Shores	436	0	0	0	0
New Brighton / SG Beach	1214	0	0	0	0
Bangalow	1044	1500	47	1500	19
Rural North	617	0	0	0	0

Notes:

3. Assumes 75% of floorspace is retail

4. Rates adopted are 1 employee per – 40 m² for retail; 20 m² for commercial; 80 m² for industrial

To cater to this growth, the following civic improvements will be required:

- **Byron Bay/Suffolk Park/Ewingsdale:**
 - Street furniture: additional seating, rubbish bins, bike racks, notice boards and signage
 - Upgrade public toilets
 - Walkways and footpath improvements
 - Increased lighting along Bay Street and town centre areas
 - Landscaping within town centre
- **Suffolk Park:**
 - Street furniture: additional seating, rubbish bins, signage, fencing
 - Walkways and footpath improvements
- **Mullumbimby:**
 - Street furniture: additional seating, rubbish bins, notice boards and signage
 - Upgrade public toilets
 - Improve walkways and footpaths
 - Landscaping within town centre

- **Brunswick Heads:**
 - Street furniture: additional seating, rubbish bins and signage within town centre and Beach Road area
 - Walkways and footpath improvements
 - Landscaping within town centre
- **Bangalow:**
 - Street furniture: additional seating, rubbish bins, notice boards and signage
 - Provide public toilets
 - Walkways and footpath improvements
- **Ocean Shores/New Brighton/South Golden Beach:**
 - Street furniture: additional seating, rubbish bins and bike racks in local shops
 - Walkways and footpath improvements
 - Street landscaping
- **Rural Areas:**
 - Street furniture: additional seating, rubbish bins, bike racks, notice boards and signage in villages
 - Walkways and footpath improvements
 - Street landscaping

These works are costed in the following section and the relevant contribution calculated.

10.2.4 Costing of Works

The costs of the above works are included in Table 10.2.

Table 10.2: Civic and Urban Improvement Costing

Centre	Works	Cost (apportioned)
Byron Bay/Suffolk Park	• Town centre Works: seating, lighting rubbish bins, bike racks, notice boards and signage	\$450,000
	• Jonson Street upgrade	\$672,500
	• Upgrade public toilets	\$100,000
Mullumbimby	• Additional seating, rubbish bins, notice boards and signage	\$300,000
	• Upgrade public toilets	\$100,000
	• Improve walkways and footpaths	\$225,000
Brunswick Heads	• Additional seating, rubbish bins and signage within town centre and Beach Road area	350,000
	• Improve walkways and footpaths	\$250,000
Bangalow	• Additional seating, rubbish bins, notice boards and signage	\$200,000
	• Provide public toilets	\$100,000
	• Improve walkways and footpaths	\$225,000
Ocean Shores/New Brighton/Sth Golden Beach	• Improve walkways and footpaths	\$250,000
	• Street landscaping	\$175,000
Rural Villages	• Walkways and footpaths, street landscaping	\$220,000
TOTAL		\$3,617,500

10.2.5 Calculation of Contributions

The formula for civic and urban improvements is as follows:

$$C = \frac{TC}{NP + EMP}$$

Where: C is the Section 94 levy
 TC is the total cost of the work
 NP is the additional new population including tourist numbers
 EMP is the estimated employees in each urban centre based on future commercial and retail development

The contribution rates are set out in Table 10.3.

Table 10.3: Contributions for Civic and Urban Improvements

Centre	Cost (\$'000)	Population /tourist Growth	Employee Growth	Residential (per person)	Contribution		
					Com (per m ²)	Retail (per m ²)	Indust (per m ²)
Byron Bay/Suffolk Park	\$1,222.5	2477	451	\$417.52	\$20.88	\$10.44	\$5.22
Mullumbimby	\$625	1225	150	\$454.55	\$22.73	\$11.36	\$5.68
Brunswick Heads	\$600	1230	122	\$443.79	\$22.19	\$11.09	\$5.55
Bangalow	\$525	1069	66	\$462.56	\$23.13	\$11.56	\$5.78
Ocean Shores/New Brighton/South Golden Beach	\$425	1675	0	\$253.73	\$0	\$0	\$0
Rural Areas	\$220	1001	0	\$219.78	\$0	\$0	\$0

Notes:

1. Rates adopted are 1 employee per – 20 m² for commercial; 40 m² for retail; 80 m² for industrial
2. Rates for commercial, retail and industrial development based on gross leasable area.

The contribution will be sought for the following types of development that generates demand for urban and civic improvements:

- Residential development of all types.
- Commercial development that involves the accommodation of persons on a temporary or permanent basis (eg tourist accommodation facilities, cabins, hotels, motels, caravan parks).
- Commercial and retail development
- Industrial development
- Rural development

The levy will be imposed according to the demand generated by each of the uses. This will be based on the occupancy rates for various dwelling types as established by the Australian Bureau of Statistics census figures or by the additional gross leasable area for commercial, retail and industrial development.

11. Shire Support Facilities

11.1 Nexus Issues

The link between the expected types of development in the area and the need for shire support facilities to meet the need of the future population requires an assessment of:

- The total projected incoming population
- Future development of commercial, retail and industrial development which generates employees
- The spatial distribution of this incoming population and employment base
- Community consultation and needs assessments
- Assessment of existing civic improvements and facilities
- Analysis of the types of shire support facilities required for incoming population and employment base.

The following discusses existing facilities and future demands for Shire support facilities. The 1993 CP had a bushfire fighting contribution that is paid by all rural development. Existing funds are brought forwards into the Section 94 accounts.

11.2 Bushfire Protection

11.2.1 Nexus Issues

At present, Council provides a bushfire fighting service to the rural areas of the Shire. These operate from brigades located at Byron Bay, Mullumbimby, Billinudgel, Wilsons Creek, Federal, Goongerry and Main Arm. Fire services in the urban centres is provided through the NSW Fire Brigades.

As noted in Section 2.0, the rural areas of the Shire have large population bases and make up around 33% of the total population of the Shire. Section 2.0 also indicated that this population was very dispersed and is spread through dispersed many localities and villages which is a significant difference between Byron Shire and other surrounding Shires. The future growth of rural areas is anticipated to account for over 11% of the future population growth.

As a consequence, there is an increased burden on Councils provision of rural fire services as it must be spread very widely and not concentrated. This results in Council spending a proportionally higher amount on rural fire services. Future rural development will increase the demand for fire fighting services as the density of rural dwellers increases.

11.2.2 Current Section 94 Policies and Plan

Council outlined its policies with regard to bushfire facilities in the existing 1993 *Byron Council Section 94 Contributions Plan – Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads, Street Tree Planting*. In addition, the community consultation activities also provided input to the assessments.

Table 11.1: Bushfire Brigade Augmentation – Existing Plans

Fund	Area/Works	Plan Amount (\$)	Remaining Funds to be Collected (\$)	% Section 94
Shire/ Rural	New equipment and facilities	672,800	13,566	11%

Source: Byron Shire Council, 2001

Council has required contributions for construction the upgrading of rural fire services to provide new equipment and facilities. Table 11.1 shows the current Section 94 funds for bushfire facilities in the Shire.

The contributions have been based on provision of new facilities and equipment at all the brigades mentioned above. There are no land costs as all these facilities are located on existing public lands.

11.2.3 Existing Services

At present, Council provides a bushfire fighting services which comprises:

- Byron Bay – headquarters
- Mullumbimby – local brigade
- Billinudgel – local brigade
- Wilsons Creek – local brigade
- Federal – local brigade
- Goongerry – local brigade
- Main Arm – local brigade

These provide bushfire fighting services throughout all areas of the Byron Shire.

11.2.4 Future Provision of Bushfire Facilities

Discussions with Councils fire control officer have indicated that there are changes to the manner in which rural fire services are being provided within the local government area.

The *Rural Fires Act 1997* and *Rural Fire Amendment Act 2000* will require the transfer of staff and administrative functions of rural fire services to the State Government. This will also require Service Level Agreements to be established for each local government area. However, Council will still be responsible for the costs of a proportion of the administrative costs that are provided in the Shire as well as the facilities that house these services. Consequently, the provision of these services and facilities will remain a cost to the Council and section 94 contributions can still be levied.

Although the Service Level Agreement has not been negotiated with the State Government, around 13.3% of the total capital costs of the service will be borne by the Council. The Council will continue to fund capital expansion to cater to future population growth.

11.2.5 Future Provision of Bushfire Facilities

Discussions with Council have indicated that the following capital expenditure will be required to meet the demand of the future population:

- Upgrading equipment in all brigades - \$150,000
- Additional vehicle - \$100,000

These facilities are only required for rural areas and, accordingly, only rural areas will be levied.

11.2.6 Calculation of Contributions

The formula for bushfire fighting facilities is as follows:

$$C = \frac{CW}{P}$$

Where: C is the Section 94 levy
 CW is the total cost of the work (apportioned including works brought forward)
 P is the additional new population in the relevant catchment

Thus,

$$C = \frac{263,566}{951}$$

$$= \$277.15 \text{ per person}$$

The contribution will be sought for the following types of development that generates demand and leads to demand for improvement or upgrading of existing or future rural fire fighting services:

- Tourist facilities (rural areas).
- Rural development.

The levy will be imposed according to the demand generated by each of the uses. This will be based on the occupancy rates for various dwelling types as established by the Australian Bureau of Statistics census figures.

11.3 Surf Lifesaving Facilities

11.3.1 Nexus Issues

As noted in Section 2.0, the urban areas of the Shire have large population bases and account for almost 67% of the total population of the Shire. Section 2.0 also indicated that this population was to increase to around 75% of the total population.

As a consequence, there is an increased burden on Councils provision of surf lifesaving facilities as it must provide these services to a number of beaches. The demand for improved facilities and services will also require a higher level of expenditure by Council.

11.3.2 Existing Facilities and Services

Council also provides surf lifesaving services on the following beaches:

- Main Beach, Byron SLSC – Surf club and building
- Watego's Beach – Patrolled beach
- Tallow Beach – Patrolled beach
- South Beach, Brunswick SLCC – Surf club and building

Visitation to the Beaches of Byron Bay by residents and tourists alike is high with large crowds during the holiday periods. There is also an increasing use of beaches during non-holiday periods as the area becomes a more popular tourist venue. The increase in beach use has led to an attendant increase in the need for beach supervision and facilities.

11.3.3 Future Provision of Surf Lifesaving Facilities

Council has indicated that the following will be required to meet the needs of the future population:

- Byron SLSC – upgrade emergency facilities and administrative equipment: \$40,000
- Brunswick SLCC – emergency gear and facilities and administrative equipment: \$40,000

11.3.4 Calculation of Contributions

The formula for surf lifesaving facilities is as follows:

$$C = \frac{CW}{P}$$

Where: C is the Section 94 levy
CW is the total cost of the work (apportioned)
P is the additional new population in the relevant catchment

Thus,

$$\begin{aligned} C &= \frac{80,000}{7426} \\ &= \$10.77 \text{ per person} \end{aligned}$$

The contribution will be sought for the following types of development that generates demand for provision or surf lifesaving facilities:

- Residential development of all types.
- Tourist facilities.

The levy will be imposed according to the demand generated by each of the uses. This will be based on the occupancy rates for various dwelling types as established by the Australian Bureau of Statistics census figures.

The contribution rates for bushfire fighting and surf lifesaving facilities are set out in Table 11.2.

Table 11.2: Contributions – Bushfire Fighting and Surf Lifesaving Facilities

Catchment	Population Increase	Contribution Rates (per person)	
		Bushfire Fighting	Surf Lifesaving
Byron Bay/Suffolk Park	2327	\$0	\$10.77
Mullumbimby	1200	\$0	\$10.77
Brunswick Heads	1205	\$0	\$10.77
Bangalow	1044	\$0	\$10.77
Ocean Shores/ New Brighton / South Golden Beach	1650	\$0	\$10.77
Rural North	617	\$277.15	\$0
Rural South	334	\$277.15	\$0

12. Administration

12.1 Nexus Issues

There are various means by which Byron Council supports the Section 94 Plan. This includes the direct capital costs associated with the administration of Section 94 functions (staff, studies) as well as the infrastructure that supports these functions. This latter item includes the Shire offices that have been built in Mullumbimby.

The capital costs for the administration of the Section 94 plan includes:

- The direct capital costs associated with the administration of the Plan including staff time (capitalised) and provision of office space for these functions
- The capitalised costs for professional fees such as for Plan investigations and studies, and land valuations for the purposes of adjusting contributions rates
- The capitalised costs associated with the execution of legal documents for works-in-kind agreements
- The capital cost for land acquisition including administration and legal costs

These costs are the direct result of the administration of the Section 94 Contributions Plan. As these are a capital cost to the Council, the Council has the ability to recoup some or all of these through Section 94 levies.

12.2 Administration Costs

There are significant costs associated with administering Section 94 funds. Council staff are involved in preparation of the CP, its review and implementation. In accordance with the directive of the Department of Urban Affairs and Planning, the staff administration costs that have been used to calculate the contribution are comprised of those expenses relative only to those personnel directly responsible for the formulation and/or administration of the CP. These costs have been capitalised over the life of the plan to arrive at a total capital cost to the Council.

In addition to the capital costs associated with staff, it is necessary to provide office space and support facilities for Council staff directly involved in administration of the CP. This not only relates to the space used for administration of the Section 94 CP but also in providing for all the required services and facilities that the Council provides to serve the incoming population.

The Council is also required to manage, monitor and maintain the Contributions Plan. The effective co-ordination and administration of the Contributions Plan will require additional work by Council officers which is outside the work required for normal day to day activities. The types of administrative roles which the Council will have to undertake includes:

- Provide advice to applicant and the general public regarding the operation the plan.
- Administration of the Contributions Plan and ensure that the contributions are used to provides the public facilities for which they were intended.
- Monitor the receipt and authorise the expenditure of cash contributions in respective trust accounts and the recoument of costs already met.
- Assess the merit of land proposed for dedication.

- Assess any “works in kind” proposed in partial or full satisfaction of a contribution.
- Monitor the dedication and development of land contributions.
- Recommend to the Council the appropriate interim use and ultimate development of dedicated land, the acquisition of appropriate land for the identified public purpose, the reuse of existing Council facilities (including land) for an alternative public purpose or the use of funds for the purposes of provision through joint venture or other arrangement.
- Monitor and program works identified in the works schedule.
- Regularly review the works program in accordance with the levels of contribution received and expended, and seek Council’s adoption of these.
- Regularly review the rates for contribution in accordance with construction costs, land valuations, levels of demand, population and demographic changes and recommend to Council amendments where necessary.
- Determine the appropriate time for provision of public facilities having regard to the works schedule, the availability of funds, demand generated by development, the time funds have been held, expected additional funds, alternative funding sources and maintenance implications.
- Monitor the implications arising from development including the demands created for additional facilities for which contributions are not currently sought, the needs of specific one off developments, the costs of development and land acquisition, the extent and type of development and the effect of this on the works program.
- Advise Council of appropriate management, expenditure and policy implications regarding development contributions including those arising from legal decisions and State Government policy.
- Determine the extent of recurrent costs and assess the implications to council to provide these.
- Assess whether a credit or reassessment of the contribution may be appropriate and how that may be determined.
- Prepare and make available the necessary information required by the Regulations including the Contributions Register, input to Councils annual financial report and the annual statement for the Contributions Plan in force.
- Seek legal advice, provide evidence and attend to Land and Environment Court hearings on appeals relating to the imposition of contributions.

12.3 Professional Costs

The cost of assistance in plan review/preparation, studies to ascertain demand and to ensure fair and equitable apportionment as well as the costs for obtaining independent valuation and legal documents associated with land acquisition are all costs to the Council in the administration of the Section 94 Contributions Plan. While the land acquisition costs can be effectively included in the costs of individual

facilities, the costs of professional fees are less predictable. Therefore, the costs of these works have been capitalised over the life of the Plan.

12.4 Strategy Plan for Administration

Council outlined its policies with regard to the recoupment of funds expended for its expanded administrative centre in the 1997 *Byron Council Section 94 Contributions Plan – Council Offices*. This set out the rationale for the contributions and the amounts to be levied.

The previous sections outlined the requirement of Council to administer the CP. This section outlines the means that Council will employ to administer the CP.

12.4.1 Catchment Areas

The costs for administrative facilities are a result of all development in the Shire. Consequently, this will be considered a shire wide facility and all new development will be required to contribute their proportional share of the costs of the facility.

12.4.2 Provision of Facilities

To provide for the needs of the incoming population there has been a cost to Council of provision of a new administrative centre. This has been provided in Mullumbimby and the facility was completed in 1996. Consequently, Council will seek to recoups costs incurred for providing enhanced facilities for the future population.

12.4.3 Other Services and Administrative Costs

As noted above, there are staff costs in administrating the CP as well as professional costs for services to support the review and updating of the CP. These will be sought from new development as part of the contribution for administration.

12.5 Administration of Contributions

The costs for the administration of the Section 94 CP is as follows:

- Administrative centre - \$3,719,986
- Salaries and administrative costs - \$140,000 per annum x 5 years = \$700,000
- Professional costs - \$100,000 per annum x 5 years = \$500,000

The formula for the administrative contribution is as follows:

$$C = \frac{R + S + P}{N}$$

Where:

C	is the Section 94 levy expressed as a per person contribution
CAC	is the total cost of administration
R	is the remaining funds to be collected
S	is the salaries and administrative cost
P	is the professional costs
N	is the additional new population (including tourist beds) and employment growth

Thus,

$$C = \frac{1,577,677 + 775,000 + 500,000}{9466}$$

$$= 301.36$$

Based on the likely incoming population, this would equate to a rate of \$301.36 per person.

Table 11.1: Contributions – Administration

Location	Population Increase	Tourist Beds	Employment Growth	Contribution			
				Residential (per person)	Com (per m ²)	Retail (per m ²)	Indust (per m ²)
Byron Bay / Suffolk Park	2,327	150	451	\$301.36	\$15.07	\$7.53	\$3.77
Mullumbimby	1,200	25	150	\$301.36	\$15.07	\$7.53	\$3.77
Brunswick Heads	1,205	25	122	\$301.36	\$15.07	\$7.53	\$3.77
Bangalow	1,044	25	66	\$301.36	\$15.07	\$7.53	\$3.77
Ocean Shores/ New Brighton / Sth Golden Bch	1,650	25	0	\$301.36	\$15.07	\$7.53	\$3.77
Rural North	617	25	0	\$301.36	\$15.07	\$7.53	\$3.77
Rural South	334	25	0	\$301.36	\$15.07	\$7.53	\$3.77

Notes:

1. Rates adopted are 1 employee per – 20 m² for commercial; 40 m² for retail; 80 m² for industrial
2. Rates for commercial, retail and industrial development based on gross leasable area.

The contribution will be sought for the following types of development that generates demand for the administration of the Section 94 Plan:

- Residential development of all types.
- Commercial development that involves the accommodation of persons on a temporary or permanent basis (eg tourist accommodation facilities, cabins, hotels, motels, caravan parks).
- Commercial and retail development
- Industrial development
- Rural development

The levy will be imposed according to the demand generated by each of the uses. This will be based on the occupancy rates for various dwelling types as established by the Australian Bureau of Statistics census figures or by the additional gross leasable area for commercial, retail and industrial development.

13. Supporting Documents and References

13.1 Overview

The legal requirements for the preparation of a Section 94 Plan are set out in the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation*, the requirements set out in various manuals prepared by the NSW Department of Urban Affairs and Planning as well as legal precedent.

The Plan has been supported by extensive assessment of population growth and development in the Byron Shire local government area. This, in turn, has assisted in determining the long term needs of the future population to fulfil the nexus and reasonableness criteria.

The following sets out the documents used to support the Byron Shire Development Contributions Plan 2001-2006.

13.2 Key Supporting Documents

This CP has been compiled with reference to the guidelines provided from the following key documents:

- Department of Urban Affairs and Planning, *Section 94 Manual*, 1997
- DUAP Review of Section 94, 1999
- Urban Development Institute of Australia, *Review of Section 94, Submission to the Department of Urban Affairs and Planning*.
- Local Government and Shire Association of New South Wales, *Review of Section 94, Submission to the Department of Urban Affairs and Planning*.
- Department of Urban Affairs and Planning, *Outdoor Recreation and Open Space Planning Guidelines for Local Government* (NSW DUAP, 1992).
- Byron Shire Council, *Byron Shire Local Environmental Plan 1997*,
- Byron Shire Council, *Byron Council Section 94 Contributions Plan – Open Space, Community Facilities, Bikeways, Bushfire Brigade, Car Parking, Road Upgrading, Rural Roads, Street Tree Planting*, Byron Shire Council 1993
- Byron Shire Council, *Byron Council Section 94 Contributions Plan – Council Offices*, Byron Shire Council 1997
- Byron Shire Council, *Byron Social Plan 1999-2000*, Byron Shire Council 1998
- Byron Shire Council, *Byron Rural Settlement Strategy*, Byron Shire Council 1998
- Byron Shire Council, *Development Control Plan No 1*, Byron Shire Council 1999
- Byron Shire Council, *Byron Bay, Suffolk Park and Ewingsdale Settlement Strategy*, Byron Shire Council 2000
- Byron Shire Council, *Brunswick Heads Settlement Strategy*, Byron Shire Council 2000
- Byron Shire Council, *Mullumbimby Settlement Strategy*, Byron Shire Council 2000
- Byron Shire Council, *Bangalow Settlement Strategy*, Byron Shire Council 2000
- Byron Shire Council, *Management/Budget Plan 2000/2001 – 2004/2005*, Byron Shire Council, 2001
- Department of Planning, *Non Metropolitan Population Projections*, 1998

13.3 Other References

- Abnett Consulting & Realty Research, *Final Report on the Byron Bay, Suffolk Park, Ewingsdale and Brunswick Heads Tourism Capacity Study*, June 1999
- Veitch Lister Consulting Pty Ltd, *West Byron to Ewingsdale Traffic Impact and Management Study*, 1997 (Parts 1 & 2)

- Veitch Lister Consulting Pty Ltd, *Review and Update of Councils Parking Schedules in DCP No 1 Part G*, 1997
- Geolink, *Jonson & Lawson Streets Feasibility Study Summary*, 1998
- PPK, *Byron Bay Town Centre Bypass EIS*, November 1998
- TTM Consulting Pty Ltd, *Byron Bay Traffic Study: Town Centre By pass and Road Network Investigations*, 1993
- Balanced Systems Planning Consultants, *Comparative Feasibility Assessment of Two Nominated Sites for Sporting Field Development at North Byron Shire*, June 2000