

Mayoral Report **Final Report**
File No: 787355

As this is my last mayoral report for this term of council I have taken the opportunity to reflect on the last 4 yrs and provide an overview the experience.

To say the role of Mayor has been challenging is an understatement. The last four and a half years have been exciting and rewarding as well as sometimes frustrating and hurtful. But for me it has been a major learning process and personal journey.

As Mayor I have been proud to represent the community and be invited into the lives of residents including some that I was not familiar with and this has been both informative and rewarding. I have been able to attend the celebrations of our residents as well being informed of their concerns and needs. This has increased my respect, admiration and appreciation for the diverse and committed community that we live in. I have learnt more about how local government operates and the complexities that sometimes complicate the ability for council to deliver outcomes for the community. My time as Mayor has served to enhance my appreciation of Local Government as the sphere of government that serves the needs of communities on a day to day basis and where the decisions that are made affect people we know personally.

In 2006 I was honoured to preside over the Centenary of Local Government celebrations that also included the Centenary of Byron Shire Council. I have also enjoyed the Australia Day and Survival Day ceremonies and found the regular Citizenship ceremonies to be joyous and emotional experiences as people take the final step in their affirmation of a new home. In 2004 there was the Civic Reception and celebration for our local Olympians.

As Mayor I have opened, launched and participated in many of our community celebrations and events from the Mullumbimby Skatepark to the West Byron STP openings, launching art exhibitions, Surf Carnivals, conferences, fundraisers and festivals, Germaine Greer, Bangalow Billy Cart Derby, FEHVA, the opening of the new ANZ bank in Mullumbimby, the Zelfo factory and the Mullumbimby Community Garden and many more.

I have been invited to speak at the LGSA Tourism Conference, the ARTC Tourism Conference, the SCU Human Rights Conference and the NSW Disability Conference.

One highlight was being asked by the Premier's office to MC the ceremony for the signing of the second Indigenous Land Use Agreement between the Arakwal and the NSW Government in 2007.

External representation – Local, Regional, State, National and International

I have represented Byron Council on the Arakwal National Park Advisory Committee and the Cape Byron Headland Trust, Northern Rivers Tourism organisation, NOROC and the Far North Coast Regional Strategy planning group. Council resolved to join the NSW Mayors Climate Change group and I was invited to join the state regional advisory committee, which is a virtual committee, operating on email and the web.

I was also elected to the state Local Government Association Executive and served on the DIPNR committee for planning reform. In 2004 I became one of two NSW representatives on the inaugural Seachange Taskforce Executive. In 2006 I was invited to be a representative on the NRT Board and in 2007 applied independently to be on the new board and was appointed to represent the interests of local government. In 2007 I was appointed by the Minister for Agriculture to the Organic Agriculture Advisory Committee. I am the LGA representative on the Environment Trust A2A sub committee. Recently I was appointed as the LGA representative on the NSW Rural Fire Service Advisory Committee.

I signed up for the International Mayors for Peace group, in support of the long record of community campaigning against war and for peace.

This report is for submission to **Ordinary Meeting** Date of Meeting:

Signed:
(DIRECTOR)

Signed:
(GENERAL MANAGER)

With ten councillors there has been comment about the use of the Mayoral **casting vote**. There have been many times when I have had to make difficult decisions and I have not taken them lightly. Some of the crucial decisions have involved some of the philosophical divisions we are facing. I feel comfortable with the votes I have taken, they have been well considered and include important issues such as Biodiversity, Climate Change, Planned Retreat, Tourism Management Plan, Woolworths refusal and the purchase of the Telstra site in Mullumbimby.

The experience of being Australia's first popularly elected Green Mayor and Byron Shire's first female Mayor has been a great honour and I thank the electorate for the opportunity and would be proud to serve in the role again.

Changed world view – Climate Change and Aboriginal issues

Byron Shire an early initiator

The world seems to have changed greatly since 2004, with broad acceptance of the challenge of climate change for the planet and the recognition of the value of the natural environment and our collective responsibility to protect and enhance and in many cases repair it. In 2006, Tim Flannery travelled the country and pitched his presentation of 'The Weathermakers' to a packed house at Byron Bay High School. That event raised awareness and initiated community action. By 2007 and Al Gore's international campaign with "The Inconvenient Truth", the Byron Shire community was already activated and were calling for council to take action. We were already committed to an adaptation and mitigation model.

For Byron Shire, the change has reinforced that many of our policies and philosophies have been vindicated. The innovation of Byron Shire **Greenprint for a Sustainable Future**, which was adopted by BSC in 1996, is now recognised as an early initiator program. The principles of *ESD and the Precautionary Principle* were embedded into the Shire's planning document, the LEP as a first for local government and it wasn't until 1998 that it became a state legislative requirement. The Greenprint identified the programs that were required for sustainability, it set us on a path to develop the Biodiversity Conservation Strategy, the Affordable Housing Strategy and to develop Social Impact Assessment tools. This initiative was able to build on some of the positive policies and planning that were embedded in the innovative 1988 LEP, when Byron Shire introduced environmental zones, planned retreat and restricted building heights.

The change in the Federal Government last year resulted in Australia signing up to the Kyoto Protocol and an Apology to Aboriginal people. The sorry by the new Prime Minister has changed this country's view on the relationship we have with Aboriginal people and how we move forward. Byron Shire was the first council in NSW to adopt a formal agreement with local Native Title claimants. The **Heads of Agreement with the Arakwal** in 1998 was a groundbreaking document that addressed priority issues for a respectful relationship. In 2002 Council supported the progression of the ILUA (Indigenous Land Use Agreement) process. As a result of negotiations the transfer of a prime site in Byron Bay was made possible for the location of a new library for the community. This has been recently finalised and the land transferred to council.

On behalf of the community I offer thanks and appreciation to the Arakwal people for making the land for the library available to the community and for the strong commitment to the protection of the natural environment including the dedication of the Arakwal National Park. Their successful ILUA negotiations with the State Government have benefited the whole community. Council has resolved to continue with its respect for Aboriginal people, the Cultural Plan has actions that address cultural heritage and continued steps for reconciliation. Council will develop a Statement of Commitment and review the Heads of Agreement, establish a shire wide Aboriginal committee and develop councillor and staff cultural training. Another resolution of council is to acknowledge 'Country' in our address and on signage.

I have introduced an acknowledgement of Bundjalung Country at the beginning of council meetings.

These actions have served Byron Shire well. The area remains an amazingly beautiful and vibrant place, that has preserved and protected much that is essential for quality of life for residents.

The Council

The elected body represents an exciting and engaged community and so we are also reminded of our failings or inaction. The process of engagement is proof that our residents treasure their lifestyle and it is a great example of the worth of local government.

In 2005 in a meeting with the Minister for Local Government, the Hon Tony Kelly I requested a **Best Practice Review** of Byron Shire Council by the Department of Local Government team. The review was done and identified areas of council's operations that could be improved, so council undertook the necessary actions to comply with recommendations made by the review team. This was very different to the threat of an inquiry that we faced during the previous council when we were under scrutiny due to complaints and identified high legal expenditure and delays in development assessment.

In this term we have restructured to implement greater integration in the workings of council and have developed a **Sustainability Framework** that guides our Management Plan and all operations of Council.

We have been subject to changes in how we operate brought on by changes in legislation and a more financially focussed State Government. The state planning law changes have seen major development taken out of council's control and that has created inconsistency in approvals and the loss of developer contributions as well as the cost of staff time to prepare submissions to ensure that we get the best result. Some of the approvals given by the Minister for Planning have left us with difficult consequences that have and will continue to cost the community in terms of staff time and energy to monitor or manage.

State Government has also changed the local approval planning system and introduced the Private Certifier approvals that have also generated local complaints and non compliance that becomes the work of council.

Despite the lack of action by the State to adopt the Plans of Management for the crown caravan parks since 2000, in 2006 the Council was dismissed as manager of those parks.

Council has attempted to explain the changing responsibilities of local government and produced a **Governance Guide** for the community.

Last year I was involved with Byron Community College in a Federally funded project under the Flexi Learning program that trialed a new model of doing consultation with the community using technology. Myself and Director, Richard Vinnycomb presented at a national conference in Cairns what was achieved, it is another first for local government. Currently there is a Stage 2 project that involves eight staff members including the General Manager and myself learning the new technology tools that may be able to be utilised by council. The goal is to deliver a more transparent, interactive and informative engagement program with the community as well as a new integrated technology based work place for the organisation.

In the next term of council there will direction from the State Government to implement a new process for long term management that will require the development of a long term strategy (which we have commenced) with a strong focus on asset management. We will see a change in the management planning of local government with a strong focus on sustainability.

Debt , Rates and Federal funding

In 2004 Council was still in debt. The seven years and \$7m debt was a difficult burden for the community, but as a community we endured it. There was acceptance that there were things that just could not happen, it affected maintenance and made it impossible to venture into new programs. The debt was retired in 2005, creating the opportunity for Council to fund new programs. We now sit comfortably with a \$1m reserve for emergencies or unforeseen circumstances and this is a responsible and sound practice, considering the nature of local government.

The period of debt resulted in decreased infrastructure maintenance, especially for roads and community buildings and Council has prioritised the urgent works and delivered on many. It is worth noting that in that time the cost of these programs has risen dramatically and therefore the burden was greater. But with responsible planning and strategic action there is now the ability for council to deliver the maintenance programs and new works.

We have also survived the sewerage moratoriums for Byron Bay and Bangalow with plants now completed and operating. The Mullumbimby and Brunswick plants will now become the Brunswick Valley Sewerage Project with planning finalised and construction due soon. The West Byron Integrated Water Management Reserve was recognised as the National Local Government Award winner for Natural Resource Management in 2005 and the United Nations Australian World Environment Day Awards, Special Commendation in 2007.

Previously Byron Shire was much maligned for its high legal costs and slow development application times. Both these aspects of Council business have been turned around. Both these areas of council business became contentious as the council sought to protect its planning instruments against challenges.

With rate pegging in NSW, it has a difficult but necessary action of council to apply for rate increases. Every year council has applied for additional rate increases and has been successful. This has been an important initiative to ensure that council can meet the needs of the community and the approvals from the State Government and support from the community is evidence of the sound applications that were made.

Council has been disadvantaged financially by the current formula for the delivery of federal funds through the Financial Assistance Grants program. As property prices have increased, despite there being no correlation with the raising of funds, Byron Shire Council has seen a reduction in the funding that it receives.

On a national level, local government is committed to the establishment of Constitutional Recognition and with this a campaign to ensure that a greater share of federal funding is delivered to councils.

Community Group financial support

With the improved financial position it was possible to make annual allocations to community groups and projects. Council has committed to ongoing funding of organisations such as the Brunswick Valley Emergency Rescue, NR Arts and the North Coast Sports Institute. For the last three years council has established a Community Grants program and community groups have been able to make application to council to seek funding, with over \$80,000 per annum allocated.

ACHIEVEMENTS

Infrastructure

There have been many achievements within this term of council that we can all be proud of. The sewerage upgrades have been significant but also the installation of the Mullumbimby drought management pipeline and the South Golden Beach pump station. An extension and rehabilitation of the Myocum tip and new waste services were achieved. This is a long way from the position in 1999 when the tip was declared full and our waste was being trucked to Queensland. The upgrade of Council's First Sun Holiday Park has meant that council as a provider of an important tourism facility in Byron Bay can deliver a diverse range of accommodation at a much improved standard. In the tourist icon town of Byron Bay, council has also upgraded the Railway Park, established new landscaping around the town. New garbage bins and seats have been installed in all towns.

The upgrade of Mullumbimby and Byron Bay swimming pools is currently underway. Council has also been able to meet the best practice standards implemented by the State Government for water and sewerage management including a Strategic Business Plan.

Childcare Services

As a provider of child care services council is delivering a vital service to the community. The Sandhills Child Care Centre was re-accredited receiving high scores in all areas. Council also provides the OOSH (Outside of School Hours) care program and CARE (Creating, Access, Respect & Equity) parent and children programs.

Sporting needs

The completion of the skate park in Mullumbimby and the delivery of a new sports field in Suffolk including a skate park, tennis courts and sports fields and the upgrade at the Byron Bay Recreation Grounds which included a new amenity building and croquet hall have provided well for community sporting needs. Planning work on the new Ewingsdale Sport and Cultural site and the Northern Shire Sporting Fields Draft Strategy have also been important outcomes for the community. Progress has been made on delivering new sporting fields in New Brighton, with assessments undertaken and now a lease to the land is being investigated with the State to allow the development of sporting facilities. A new Bangalow Sporting Field has been planned and is soon to commence, assisted by \$200,000 from the NSW Government. Also many new playgrounds have been installed across the shire.

Community buildings

Council has completed the upgrade and maintenance of many community buildings but most spectacular has been the upgrade of the Mullumbimby Civic Hall. It can now stand proudly in service of the community as an important cultural icon, providing much needed space for the variety of community events.

Council was fortunate to gain ownership of a prime site in Byron Bay for the development of the new area library and much planning work has been undertaken. The building of the library will be commenced in 2008 with funds already dedicated. The Suffolk Park Childcare Centre has been through the planning stages and will also be able to commence construction soon. The Youth Activity Centre in Byron Bay is also being repaired and this should be completed by the end of the year to enable the centre to again hold events for the youth of the shire.

Council property

The development of the Roundhouse, Ocean Shores, subdivision has been progressed and the sale of the lots should be ready next year. There is a planned study on the Bayshore Drive, Byron Bay property and the disused South Byron STP site has been considered for future use. The purchase of land at Mullumbimby will be assessed for its development potential and end use. Council has also progressed the feasibility planning for an affordable housing project at it's Station Street site in Mullumbimby. In Suffolk Park the status of the caravan park land has been contentious since 1996 when it was identified for sale and raised concerns in the community about the possible loss of the land that was 'gifted' to the community. The options for this land are being investigated again and the matter will have to be resolved by the new council as to whether it becomes Operational or stays as Community land.

Roads, footpaths, bikeways, carparks, roundabouts and bridges

Major road works were undertaken within this term of council including the dangerous section at Talofa. Last year major work was completed on Repentance Creek Road, over 1km of road and guttering which provides a safer access for residents and for visitors who travel to Minyon Falls. Also work on Main Arm Road, Broken Head Road, Mafeking Road, Myocum Road, Federal Drive, Bangalow Road, Upper Coopers Creek, River Street, Mullumbimby Road, Cemetery Road, Orana Road and Wirree Drive and many more. Two new roundabouts were installed in Byron Bay to improve traffic circulation.

There is more to do, it is an ongoing process but council must deliver on projects based on need and safety priority and this is an ongoing program.

Intersections, footpaths and bikeways were repaired and installed across the shire also. Bridge repairs in Brunswick, Mullumbimby and the hinterland were a safety priority and council was also able to work in partnership with the CMA and government agencies to provide a fish passage program over causeways, recognising biodiversity outcomes.

Carparks have been upgraded in Byron Bay at the Lawson Street north area, Main Beach and Clarkes beach and parking meters were installed.

The provision of access in our towns and villages on corners and footpaths for those with special needs are critical outcomes and more work is proposed under the Access and Inclusion Strategy. The Helen Street footbridge is another project that has gone through teething problems but should also be commenced soon

2008 Winner of NSW Local Government Cultural Award for Creative Industries Development

This award was received this year for the work that was being done to prepare the Cultural Plan, the commitment to research for the development of a Regional Creative Industries Strategy and the support given for the ABC production 'East of Everything' that was filmed and produced in the shire, providing employment to 84 people and injecting substantial funds into the region.

During this term I presented a number of opportunities to council for support for community events. These have resulted in Council being a sponsor of both the Byron Bay Writers Festival and FEHVA and support for a number of other community based events.

PLANNING ACHIEVEMENTS– moving forward

Many new planning projects were completed in this term of council, they provide the framework for the implementation of actions and define the values and vision for the shire.

LEP

Council has undergone difficulties in resolving to prepare new LEPs. The State Government has continued to change the goal posts and there has been uncertainty since 2002. The new template for planning that was announced in 2005 has undergone many revisions by the state and that has delayed the development of the shire wide plan. Council recently received a report and the draft LES and LEP and resolved that the plan be reported to the Department of Planning for comment to be reported to the new council.

New Section 94 – Developer Contributions Plan

The development of a new plan for developer contributions has been ongoing but has also been delayed and complicated by new legislation. It is important to review and update this document to meet the contemporary needs of the community and to ensure that the appropriate levels of infrastructure and funding are derived from the impact of new development. This is due to be reported to council soon.

Coastline Management Plan

This project has also been a controversial and major planning project. It is now in a draft stage and will hopefully be reported to council by the end of the year.

Sustainable Agriculture Strategy

The adoption and implementation of this strategy has delivered support for Farmers Markets. There are now three operating in the shire, Byron Bay, Bangalow and New Brighton. Council also produced a rural landholders brochure entitled ' Farmers Farm and Cows do Moo!'. The document was developed in consultation with rural landowners and real estate agents to better inform new rural residents of the responsibilities of rural life and the activities of farmers. This was done in an attempt to reduce neighbour conflict.

Integrated Waste Management Strategy

The development of the strategy informed the new contract for waste management services and the provisions for recycling, including the two bin system. The new system dramatically improved recycling levels. Council has also adopted a trial on construction and demolition waste recycling and considered a voluntary food and garden organics collection program. During this term there have been occasional bulky waste pick ups which have proven a great success in limiting the dumping of goods.

Pesticide Notification Plan

This plan provides clear guidelines for the notification of pesticide use in the shire and respects the rights of residents who have health reasons or requests for avoidance of pesticides.

Bikeways Action Plan

This document is the tool for ensuring Byron Shire becomes a 'Bike Friendly Shire'. An adopted plan will provide guidance and the opportunity to apply for grants to implement. Council has a commitment to provide transport opportunities and bikeways are a priority need for the youth of the shire and also increasing popular as an alternative, more climate change responsible form of transport. There are many opportunities for the bikeways to link to economic outcomes such as events and tourism as well.

Social Plan and Community Safety Plan

Both of these important documents are regularly reviewed and inform the Management Plan regarding priorities for the community. They have provided the support required for grant assistance to support the Street Cruise program, Expect Respect and Safe Event projects.

Cultural Plan

The finalisation of this document is an important step toward the understanding of who we are as a community and what we value and how we develop as a community. It sets out clear actions to progress a whole of council approach to support our community's needs to sustain a vibrant, diverse lifestyle and also identifies economic opportunities, especially in relation to recreation and creative industries.

Community Heritage Study

Council adopted the study so it can progress the protection of significant buildings, places and environmental attributes.

Access and Inclusion Plan

The adoption of the plan that informs council of the needs of the community to ensure equity to all our residents is essential. The plan will deliver both services and infrastructure to support the community.

Tourism Management Plan

The development of the TMP has been undertaken with the work of SCU and ARTC undertaking extensive research and consultation. Council has made a financial commitment of \$100,000 to implement the plan and recognises its responsibilities in providing important support to our major industry. A tourism levy is one proposal.

Draft Homelessness Policy

An increasing problem exists in Australia for people experiencing hardship that results in homelessness. Council adopted a draft policy for exhibition to address local issues.

Updated Greenhouse Action Strategy

This has become a key area for local government and council was able to review and audit the previous work and update the document, producing a new version of the strategy to guide us in our commitment to reducing greenhouse emissions.

Estuary Management Plans

The development of plans for the Brunswick River, Belongil Creek and Tallow Creek have been developed to ensure the management of our important coastal ecosystems and the urban areas that surround them.

Events Policy

With the area being a creative hub, the many events that occur in the shire encouraged the development of this draft policy. It was reported to council but deferred for further work. It will be another issue that will be dealt with in the near future.

Emergency Risk Management Study

After the impact of the June 2005 Flood, acknowledged by the State Government as a Natural Disaster, Council has developed a Risk Management Study to provide the analysis required to guide the management of risk in the shire. This is an important responsibility for council and ensures the ability of council to respond in times of risk to protect public safety and vital infrastructure.

Draft Planning Agreements Policy

This policy flows from new state legislation and has developed the processes that must be followed to provide the transparency for the possibility of voluntary contributions made by developers. The draft policy will soon be on public exhibition.

New Staff Positions

In this term of Council there has been the establishment of a number of new positions that meet the increasing needs of the community.

Sustainability Officer – implementing the GAS, SOE and Sustainable Agriculture Strategy

Youth Development Officer – focussing on youth in the north and developing a policy

Grants Officer – to support council and the community in accessing grants

Community Economic Development Officer – to investigate economic opportunities

Community Disability Officer – to implement the Disability Access and Inclusion Plan

Community Safety Officer – to oversee the Community Safety Plan and projects

The establishment of a **Natural Resources Unit** to service the organisation is relatively new but should deliver integration and consistency.

Regional Partnerships

We have forged new partnerships with NOROC, Northern Rivers Arts, Northern Rivers Tourism, Southern Cross University, Northern Rivers Catchment Management Authority, Seachange Taskforce and the Cancer Council. It is of increasing importance that we have a strong regional voice and the region now operates under a new planning system, the Far North Coast Regional Strategy.

We continue our regional relationships with Rous Water, the Tweed Regional Library service, Far North Coast Weeds, North East West Forum and many other professional associations.

The Seachange phenomenon has united coastal councils nationally and has provided the opportunity for local government to join forces and undertake collective research into some of the critical issues that are faced with the population growth and changes. The organisation has also undertaken substantial lobbying of government in support of financial responsibilities and particularly infrastructure management.

In 2004 Council joined ICLEI an international environmental program for local government and last year completed Milestone 4. This also resulted in the development of the Byron Shire Greenhouse Action Strategy, which was reviewed and updated in 2008.

OTHER COUNCIL BUSINESS

For the first time council has undertaken **community and business surveys** in 2008. The process has provided council with information about community priorities that will help guide council's future priorities.

There are a number of projects that remain unresolved or unfinished and this is a disappointment. But there has been substantial work done in many areas to support the new council in progressing programs that are identified in the Management Plan.

Regional Strategy

I spent over a year in regular meetings to have input to the process and maintained a strong position on the importance of environmental protection, a precautionary approach in relation to climate change and particularly coastal hazards and recognition of the importance of tourism. The unique character of Byron Shire as a tourist destination was an important point for retaining our focus on ecological enhancement and a low development growth to maintain the scale and character of the area for which it is famed and the recognition that those aspects are part of the attraction.

Climate Change

In 2007 Council resolved a proactive position on climate change. The adoption of Climate Change Parameters for Strategic Planning has meant that we are adopting the precautionary principle in terms of planning for the future, using the best possible scientific advice.

Through the Sustainability Committee there is a community based focus on the actions can take to support residents in living a more sustainable life. The development of Carbon Footprint audit and monitoring program will assist the community in how we are progressing with reducing our greenhouse emissions. The current commitment is defined by the NSW Mayors Agreement on Climate Change that has an adopted 30% reduction by 2020.

This year council initiated a program to encourage residents to switch to solar hot water. In negotiation with local suppliers council was able to provide inform the community of discounts that were being offered for installation during a BSC media and information campaign. It was a pleasure to have the council chambers overflowing for an information session that was about a positive issue. The program finished recently and approx 100 residents taking up the offer with an estimated reduction in greenhouse gas emissions annually of 380 tonnes..

In the same period a campaign by Beyond Building brought together residents to establish group purchasing and installation discounts for solar panels that are grid interactive. So far, this has

resulted in the roll out of 50 households in Mullumbimby and more planned for the shire. The initial project has placed Byron Shire as the highest per capita solar shire in Australia and a celebration of this is taking place on the 6th September with the Getup climate change torch relay coming to town.

Biodiversity

I am proud that my first action as Mayor was to initiate the Biodiversity Levy for four years to implement the award winning **Biodiversity Conservation Strategy**. This levy has now been embedded in the council rate structure as a permanent 2% Environment Levy. In 2005 Council received the National Local Government for "Integrating Biodiversity Conservation into Planning and Management" and in 2007 was the inaugural winner of the NRAC Northern Rivers Regional Landcare Local Government Community Partnerships award.

The levy has enabled council to employ bush regenerators, provide extension services to landowners as well as undertaken priority actions to preserve and protect the shire's significant biodiversity values. A Biodiversity working group was established to oversee the implementation of the BCS.

Affordable Housing

The struggle for many of our low income residents to find affordable housing has been recognised by Byron Shire Council since 1996. The development of an Affordable Housing policy and strategy have been priorities. Now council has also adopted a policy for Planning Agreements to encourage developers to provide this important social need. Council is in the process of investigating how it can provide affordable housing on land it owns. This will be a critical program for the next term of council. The inability to provide housing for our residents either through public or private ventures will have a dramatic effect on our community if we are not able to deliver. It is already having a social cost, with Byron Shire being identified as the most unaffordable regional area in NSW and the most residents suffering housing stress. There is also an economic issue with the lack of housing for essential workers.

Public Safety and NYE

Council has increased its focus on community safety and risk management and produced actions and projects. There is a need to upgrade lighting and make public spaces safer. This will be an ongoing program. In 2005 Council hosted a Drug and Alcohol Forum and has continued to support programs that help reduce risk and is a member of the Liquor Accord.

The management of New Years Eve in Byron Bay has been an ongoing management issue for the community since 1994. After involvement in the early years of the NYE Safety Committee I once again got involved in 2005 in attempt to change the focus back to a more community and family friendly theme. The new approach was met with some opposition but with the implementation of alcohol prohibitions and the reduction of the area of the event, it has proven successful. For the last two years, the approach has worked well and there has been a low key, safe event that has now been supported by both residents and business.

Youth Services

With new staff there is greater action on youth issues. Council resolved on introducing a Youth Advisory Council and has committed to developing a youth policy. Forums with young people have been undertaken and have identified areas where council can better provide for young people.

The renovation of the YAC for the approval of a POPE (Place of Public Entertainment) licence will be completed by the end of the year to allow events to recommence. The YAC coordinator has worked closely with youth to provide Youth Week events and support programs.

Council maintains a close relationship with the Byron Youth Service and has financially supported the street cruise program. I have been proud to sit on a working group that has facilitated a Youth Campus to provide education for young people who for many reasons have been unable to complete school. This program has had the support of the local schools, TAFE and the Department of Education.

Tourism

In this term Council for the first time in ten years was able to provide funding for marketing in the Tourism NSW , North Coast Holiday Planner. A two page promotion outlined the diversity of experiences that are available across the shire. This was distributed in hard copy but also available on the website.

A regional program that was facilitated by SCU and financially supported by BSC and State Government funding developed the Farm and Nature Tourism program. This provided information and support to landowners who might consider tourism opportunities on their land. Staff were able to assist the participants with information to assess the suitability of their land for tourism purposes that included more than just accommodation. The program supported the development of options for tours, education, environmental work and food tasting or purchasing.

I failed in a motion to employ a tourism officer but Council did proceed with an allocation of \$80,000 for the development of the Tourism Management Plan.

This year Council also provided financial support for tourism trade shows in NZ and WA that were promoting the area. Both the promotions provided consistent messages about the diverse assets of the area ; the natural environment, health and well being, food and produce, culture and the arts. The aim is to continue to market Byron Shire for the attributes that the community appreciate and to attract those visitors who appreciate and respect the environment and the community.

Development

In this term of Council we have seen a change in the relationship between Council and the development industry. Council offers the a valuable service to those undertaking development. The Development Assessment Panel process provides pre DA lodgement advice to applicants and those who take advantage of it find it useful and are often amazed at how much relevant information can be made available to them to assist in the preparation of applications.

There have been some developments that achieved strong support from council. They have been those that work with council to work within the rules and provide sympathetic development. Some examples of high quality applications that have been supported included; Seagrass at Ocean Shores, Norco Building upgrade in Byron Bay, Seacliffs and Cyprus Pine in Suffolk Park and Marvel Street commercial development. There is a new approach from these developers where they are supportive of council's objectives and are also able to meet market demand for more sustainable buildings.

Council has also resolved to establish design awards to continue to encourage high quality development in the shire.

BRSS - Multiple Occupancies to Community Title

The implementation of the Byron Rural Settlement Strategy has predominantly focussed on the adaptation of existing Multiple Occupancy developments to Community Title. There have been 22 properties that have taken on the conversion. This has been a difficult task and time consuming task but has delivered improved outcomes for the community, the environment and has also added to the overall economic benefit of the shire by increasing the number of rateable properties.

There have also been a few new Community Titles approved that provide not only new dwelling opportunities but significant environmental outcomes.

Festivals

Byron Shire is home to many festivals and the development of the Events Strategy is critical. The shire is home to two major festivals, Blues Festival and Splendour in the Grass which have both had complex issues to deal with. For many the ideal situation would've been one festival site to house all the festivals but it has ended up that the two commercial festivals have both secured their own sites.

As well there are many fantastic community based festivals and these are well supported by the community and too many to name but have all been included in the Cultural Plan and the production of a cultural calendar is of great value to assist in the planning and avoidance of double bookings. There is an action for council to define clear guidelines for the management of festivals and especially for the community the ability to provide approvals that span a number of years, rather than an annual approval process.

Contentious issues

After many years, a complicated history and a State Government interest in the flooding issues in the north of the shire and the impacts on Tweed Council has seen the **Kallaroo Circuit Bund**

issue resolved. It was a difficult and time consuming process to determine the possible changes to the bund and Council worked closely with DECC to ensure the protection of the Billinudgel Nature Reserve wetlands in the DA approval for the augmentation. An outcome of this has resulted in the commitment by all parties to a Marshalls Creek Floodplain Joint Study.

Holiday letting is another issue that has been contentious and unresolved by council since 2003. With many meetings, forums, consultations and reports it remains an unregulated activity that doesn't require approval, pay contributions or commercial rates despite planning staff clarity about it not being an approved use in residential zones. The real impact of this tourism activity has been the loss of community amenity for those who reside near premises used for this purpose. The Census conducted in August 2006 revealed that in Byron Bay there has been a reduction in the permanent resident population of 260 people and in the shire an increase of 263 in the number of unoccupied dwellings. This impact can be attributed to holiday letting and with the ongoing loss of population an unanticipated outcome has been the loss of teaching staff from Byron Bay High School. The principal anticipates that by the end of 2009 the school will have lost 1 Deputy Principal position, 2 Head Teacher positions and 12 teaching positions between 2005 – 2009.

Lighthouse Road and walkway repairs

The Natural Disaster event of June 2005 resulted in damage to Lighthouse Road and the walkway. This has been a complex issue involving slope instability, access issues and costs. Council sought tenders and when only one responded and the tender was almost twice what was anticipated the RTA sought a review. The State Government has authority over the approval process based on their funding of the upgrade project. There is now a closer working relationship with the RTA to progress the rehabilitation of the road and pedestrian access.

Byron Bay Bypass

Despite a DA being developed by council there has been no action on this project due to the lack of approval by the State. The lack of support for a second rail crossing and resolution of compensatory habitat has left the issue stalled. Council has written to the Government and BSC staff have been in ongoing contact with the state.

Trains

The State Government without any community consultation took the decision to take away the Casino to Murwillumbah train service in 2004. This was a short sighted view, taken with an economic focus but without consideration of the needs of the regional community and the need for transport services that are equitable and environmentally responsible. Council has resolved to lobby the Government for the return of the trains, particularly in light of population growth, climate change and the opportunities to provide the community and visitors with a public transport system that allows for residents to travel in the region for work, education and training and recreational purposes. There is a lost opportunity for tourism as many believe that a rail based service that provides transport throughout the region would be a great asset. Community opposition to the closure of the track has galvanised community support for the return of the train service.

Planned Retreat

The history of Byron Shire coastline informs us that there has been over a century of coastal erosion, with the loss of jettys, ships, houses and streets over that time. In 1978 a major study was undertaken by the State Government and 'planned retreat' was introduced into Byron Shire planning documents in 1988. In the 1990's there were a number of storm events that eroded the coastline. Residents at the Belongil sought to have a rock wall approved and when refused it ended up in a court case that upheld councils position. A few years later a rock wall was built by residents. The status quo position of planned retreat has been retained by council as a position for the development of the Coastline Management Plan. There have been many court cases over the years on this matter relating to development and council has been successful in every case. More recently there have been threats of renewed legal action and the plan is not finalised. This will be another challenge for the new council. However, the current awareness about climate change has resulted in all spheres of government considering adaptation and mitigation actions and the planned retreat model is the subject of much interest as an adaptive strategy.

Staff recognition and thanks and some new faces

Council staff are the people charged with the responsibility of implementing the decisions of council and I thank them all for their dedication to the community.

Many times they have gone beyond the call of their positions to provide for the needs of the community and my thanks to all of the team.

In 2005 when we experienced the June floods, staff worked tirelessly to provide for the needs of the residents in difficult circumstances, some even delayed holidays to secure safety for those affected. The staff that service committees have provided the support and assistance to the community members to achieve outcomes. This has not always been easy as the constraints of council are often difficult to explain to enthusiastic community members. But with professionalism and good humour they have done their job.

In this term, Council has had many new staff members and at the beginning of the term Ray Darney joined us in the challenging role of Director of Planning and this year Mark Arnold as Director of Governance and Community Services and Phil Holloway as Director Asset Management Services. Council was also fortunate to see the return to Byron Council of Phil Warner as Director of Water and Recycling Services.

In June, Graeme Faulkner became the new General Manager of Byron Shire Council and is now leading a strong management team that will deliver a positive, dynamic future for the Shire.

Thanks especially to the Administration staff and particularly the Councillor support team who look after us. They produce the agendas and service the meetings, manage the mail and the requests of councillors. This has been a huge task and largely undertaken by Mila Jones, Lorraine Ellis and Lisa Brennan, many thanks to you. Also to Noreen Scott who is Ray Darney's PA and Melissa Moore who support the GM position.

Councillors

It has been an honour to serve on council with such dedicated community representatives. Whilst we don't always agree and I acknowledge that it would be boring if it was the case and something would be amiss if we did. We represent different sections of our community and I have learned so much from all councillors as they have brought their experiences and differing views to the chamber. I respect the dedication and commitment that they offer in serving their community. It is often not reported how often we work well and agree on the delivery of many of the core objectives, I suppose this is not the stuff of news. But I can assure the community that the role of an elected representative is at times an exhausting and exhaustive task. There is an enormous amount of work that goes into being a councillor. Being available to those you represent can often be time consuming and sometimes difficult but most often and in the most part a great honour. Councillors give a great deal of time energy to stay informed and represent those who elected them. I especially want to thank councillors for the time they give to committees.

Leaving Council – Crs Kestle and Westheimer

There are two councillors who are not standing for election again, Westheimer and Kestle. To both of them I offer appreciation and thanks. They have both worked tirelessly for their community, together they worked closely on the redevelopment of the Mullumbimby Civic Hall and it wouldn't have made it to completion with their dedication.

Peter has also been a strong advocate for the environment and the arts and served as Deputy Mayor for two years. He was a member of the Biodiversity working group, Sustainability Committee, the Bikeways Committee and Social Plan Committee and made a great contribution to the development of the Cultural Plan.

Ray was a Bangalow resident and served that community well, sitting on many of the local committees including the A&I Hall, Heritage House, Bangalow Chamber of Commerce and the Bangalow Pool committee as well as the Waste committee. He also dedicated himself to the development of the sporting fields for Bangalow and made representations that supported the application for the grant funding. Even when he moved from Bangalow he retained his involvement and commitment to that community.

Community and Committee Volunteers

The community of Byron Shire have a reputation for being outspoken and engaged. This is true and we are all grateful for the hard work and long hours that many in Byron Shire dedicate to being involved in the workings of Council. The contributions made by way of submissions and representations has been of great assistance to both Councillors and the organisation in the delivery of outcomes.

Special thanks go to those individuals who present themselves for membership of Council committees and also to those who have attended Council meetings to make their views known. Byron Shire Council operates Advisory Committees, Working Groups and 355 Committees and over 200 people in our community contribute on a voluntary basis for the wellbeing of the shire. This commitment deserves our respect and appreciation and on behalf of Council I offer that to all those who serve the community.

Challenges

There are many challenges ahead for Byron Shire Council. With increasing responsibilities and community expectations and difficult financial times, Local Government everywhere will face many challenges. Climate change and social issues will be particularly onerous tasks.

I believe that Byron Shire Council is well placed for the challenges that it confronts. This term of Council has set us to meet those difficult times. There are unresolved and unfinished issues but much work has been done to Council and the community to move forward.

Again thank you to all the staff and to the community. It has been a great honour to serve as Mayor of Byron Shire and I am proud to have had the experience of serving the community and what has been achieved.

I hope this document serves to inform the community and the new council in continuing with the program of delivering improved services and outcomes for the community and fulfilling the vision for a **Sustainable Future for Byron Shire**.

Yours in service of Byron Shire

Mayor Jan Barham