

BYRON SHIRE COUNCIL

Extraordinary Meeting Minutes
3 April 2012

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MINUTES OF THE BYRON SHIRE COUNCIL EXTRAORDINARY MEETING HELD ON TUESDAY 3 APRIL 2012 COMMENCING AT 9.18AM AND CONCLUDING AT 10.13AM

#1212646

PRESENT: Cr B Cameron (Deputy Mayor), Cr T Heeson, Cr P Morrisey, Cr R Staples, Cr T Tabart, Cr R Tucker and Cr D Woods

Staff: Mark Arnold (Acting General Manager)
Ray Darney (Executive Manager Environment and Planning)
Phil Holloway (Executive Manager Community Infrastructure)
Shannon McKelvey (Executive Manager Organisational Support)
Mila Jones (Minute Taker)

The commencement of the meeting was delayed to allow for public access on Rescission Motion No 3.1. Lighting at New Brighton.

Michael Sherington addressed Council in favour of the rescission motion. Ted Kabbout and Mark Patten, President of Shores United Soccer Club, spoke in relation to this matter.

The meeting opened at 9.18am.

APOLOGIES: There was an apology from Cr Barham.

12-225 Resolved that the apology from Cr Barham be accepted and a leave of absence granted. (Staples/Tucker)

The motion was put to the vote and declared carried.

REQUESTS FOR LEAVE OF ABSENCE

There were no requests for leave of absence.

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

NOTICE OF RESCISSION MOTION

Notice of Rescission Motion No. 3.1. Lighting at New Brighton

COR4030000#1211545

Moved: That Council rescind Resolution No. 12-169 from its Ordinary Meeting held on 22 March 2012 which reads as follows:

- 1. That Council approve the use of lighting for 2 nights per week, being Tuesdays and Thursdays for the month of April to allow training to occur for the New Brighton Soccer Club with lights off by 8.30pm*
- 2. That a review of the Review of Environmental Effects (REE) be done to determine any negative impacts on fauna and amenity during the month.*
- 3. That Council ensure the floodlights in the canteen are removed immediately.*
- 4. That if immediate impacts on fauna are made known then the use ceases.*

(Woods/Barham)

(Staples/Morrisey)

The motion was put to the vote and declared lost.

Crs Tucker, Woods, Heeson and Tabart voted against the motion.

ITEM DEFERRED FROM THE ORDINARY MEETING OF 22 MARCH 2012

Report No. 4.1 **PLANNING - DA 10.2011.117.1 - Stage 2 Tallowood Estate 27 residential allotments and associated civil infrastructure and access road at Tuckeroo Avenue, Mullumbimby**

File No: 241677 / #1201728

12-226 Resolved that pursuant to Section 80 of the Environmental Planning & Assessment Act 1979 development application 10.2011.117.1 - 27 residential lots and a residual lot, associated civil infrastructure and access roads, being Stage 2 of staged development consent 10.2009.314, be granted consent subject to the conditions listed in Annexure 8(c)#1202718 with the following addition to the conditions of consent:

That the applicants stockpile topsoil with adequate erosion prevention measures as part of the cut and fill being proposed for reuse on the lots which have been the subject of cut. (Morrisey/Woods)

*The motion was put to the vote and declared carried.
Cr Staples voted against the motion.*

FORESHADOWED MOTION

12-227 Resolved that Council negotiate lot layout and vegetation links for future stages of the development originally approved in the Land & Environment Court that include better links between the shelter belt and the riparian zone including proposed Koala Management Plan and combining Management Zones 7a, 7b and 8 and fence off, remove cattle and rehabilitate in stage 2. (Morrisey/Staples)

*The motion was put to the vote and declared carried.
Crs Tucker, Woods and Heeson voted against the motion.*

URGENCY MOTION

1. Byron Bay BluesFest

12-228 Resolved that the matter of the Byron Bay BluesFest traffic management arrangements be discussed as a matter of urgency. The urgency being that the event is being held this weekend and Council needs to empower staff. (Tabart/Cameron)

The Chair determined the matter satisfied the requirements of urgency.

The motion was put to the vote and declared carried.

12-229 Resolved:

1. The Council note that the Byron Bay BluesFest's (the proponent) series of Traffic Control Plans have been approved by the Roads and Maritime Services (RMS) regarding:
 - a) the Blues Festival event to be held at Tyagarah from 5 to 9 April 2012;
 - b) the temporary closure of the southbound off-ramp at Pacific Highway interchange at Tyagarah and the right-turn entry into Grays Lane; and

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- c) a temporary 60kph speed limit on the Pacific Highway between Kennedys Lane and the Brunswick Heads interchange for traffic control plan set up (3 to 4 April) and removal (12 to 13 April).
2. That in regard to the proponent's Traffic Control Plans, Council:
 - a) note the temporary speed limit reduction within Tanner Lane / Yarin Road, Tyagarah from "Derestricted to 40kph"; and
 - b) endorse the installation and enforcement of "No Camping" and "No Stopping" signs including those on:

Gulgan Road, from Mullumbimby Road intersection to the Pacific Highway interchange at Tyagarah;

Foxy Lane, Tyagarah;
Tanner Lane and Yarin Lane, Tyagarah; and
Grays Lane, Tyagarah
3. That the changes to traffic conditions be advertised in both the local weekly newspaper (Byron Shire News) and the regional paper (Northern Star) prior to the event and at cost to the proponent.
4. That from 2013 onwards Council require the proponent to provide Traffic Control Plans by the 31 January of each year. (Tabart/Woods)

The motion was put to the vote and declared carried.

There being no further business the meeting concluded at 10.13am.

I hereby certify that these are the true and correct Minutes of this Meeting as confirmed at Council's Ordinary Meeting on 12 April 2012.

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Mayor Jan Barham