



# Byron Shire Council



## Minutes

Extraordinary Meeting

Thursday, 30 July 2015

# BYRON SHIRE COUNCIL

Extraordinary Meeting Minutes  
30 July 2015

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## INDEX OF ITEMS DISCUSSED

*The following items are listed in the order in which they were dealt with.*

Report No. 4.1	Byron Bay Parking Study - Pay Parking exemptions and Butler Street Reserve.....	4
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# BYRON SHIRE COUNCIL

EXTRAORDINARY MEETING MINUTES

30 July 2015

<b>MINUTES OF THE BYRON SHIRE COUNCIL EXTRAORDINARY MEETING HELD ON THURSDAY, 30 JULY 2015 COMMENCING AT 11.45AM AND CONCLUDING AT 1.50PM</b>
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I2015/800

**PRESENT:** Cr S Richardson (Mayor), Cr B Cameron, Cr C Cubis, Cr A Hunter, Cr S Ibrahim, Cr P Spooner, Cr R Wanchap and Cr D Woods

Staff: Ken Gainger (General Manager)  
Mark Arnold (Director Corporate and Community Services)  
Phil Holloway (Director Infrastructure Services)  
Shannon Burt (Director Sustainable Environment and Economy)  
Shannon McKelvey (Executive Manager Organisation Development)  
Lisa Brennan (Minute Taker)

*The Mayor opened the meeting and acknowledged that the meeting is being held on Arakwal Country and that we pay our respects to the elders past and present and extend our respect to the Bundjalung clans whose lands and waters are part of the Shire.*

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## PUBLIC ACCESS

Prior to dealing with the circulated reports and associated information, a Public Access Session was held and Council was addressed on the following:

### 4.1 Byron Bay Parking Study - Pay Parking exemptions and Butler Street Reserve

*Gary Chigwidden addressed Council against the recommendation (residents and businesses paying for parking).*

*Barry Wallace addressed Council in favour of the recommendation (except pricing structure for locals).*

*Jason Lasky addressed Council against the recommendation (in favour of public discussion).*

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## APOLOGIES

There was a previously approved leave of absence from Cr Dey.

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## DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

Cr Spooner declared a non-pecuniary interest in Report 4.1. The nature of the interest being that his employer, the Byron Bay Community Centre, currently manages the Byron Bay Community Market. Cr Spooner elected to stay in the meeting, not participate in discussion and not vote.

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## PROCEDURAL MOTION

**15-365 Resolved** that Council move into Committee to allow for free debate. (Richardson/Woods)

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

PROCEDURAL MOTION

**15-366 Resolved** that Council move out of Committee and resume the Ordinary Meeting. (Cubis/Woods)

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

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**STAFF REPORTS - INFRASTRUCTURE SERVICES**

**Report No. 4.1**            **Byron Bay Parking Study - Pay Parking exemptions and Butler Street Reserve**

**File No:**                I2015/550

**15-367 Resolved** that points 5 to 7 in the Recommendation of this report be dealt with separately to allow Cr Spooner to participate in debate on points 1 to 4. (Richardson/Woods)

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

**15-368 Resolved:**

1. That Council confirm its intention to introduce a system of paid parking to the Byron Town Centre during the 2015/16 financial year as outlined in resolution 15-235 and that this system is based upon a pay by number plate approach.
2. That Council set a yearly Shire Resident or Ratepayer exemption fee of \$50 per annum for fee paying coupon recipients and receive a report on establishing the costs, benefits and other criteria of pay parking exemptions including that:
  - a) for an annual fee an exemption is provided for two categories of end user, one being a shire resident/ratepayer and the second being for a business operator, or an employee of one, located within the pay parking area
  - b) the exemption benefit is for 12-months from date of purchase, can be transferred to another vehicle if needed and not based on date or jurisdiction of registration;
  - c) investigate implications of payment options including an annual fee as a single fixed amount, or providing an option of periodic payments;
  - d) no refunds be provided for or towards cost of exemptions except that those wishing to upgrade their fully paid exemption be provided credit of their unused amount, calculated at a daily pro-rate rate, toward such upgrade;
  - e) changing the exemption criteria; and
  - f) considering businesses with multiple vehicles.
3. That Butler Street Reserve be made available as an all day car park, operating 6am to 6pm daily with an hourly rate of \$4.00 per hour, up to a maximum of \$20 all day, with the Shire Resident or Ratepayer exemption applying and a \$40/month non-Shire worker/business operator fee.
4. That, to provide incentive to park outside the town centre, Clarkes Beach carpark, Jonson Street (south of Kingsley Street) and on-street, east of Middleton, operate as all day carparks with an hourly rate of \$4.00 per hour, up to a maximum of \$20 all day, with the Shire Resident or Ratepayer exemption applying, and operating hours of 9am to 6pm.
5. That 4P areas (not including Main Beach carpark and Bay Street between Jonson Street and Fletcher Streets) have an hourly rate of \$4.00 per hour with a maximum rate of \$12.00 for 4 hours. (Richardson/Cameron)

RESCISSION MOTION LODGED (31/7/15)

AMENDMENT

Moved:

1. That Council confirm its intention to introduce a system of paid parking to the Byron Town Centre during the 2015/16 financial year as outlined in resolution 15-235 and that this system is based upon a pay by number plate approach.
2. That Council set a yearly Shire Resident or Ratepayer exemption fee of \$50 per annum for fee paying coupon recipients and receive a report on establishing the costs, benefits and other criteria of pay parking exemptions including that:
  - a) for an annual fee an exemption is provided for two categories of end user, one being a shire resident/ratepayer and the second being for a business operator, or an employee of one, located within the pay parking area
  - b) the exemption benefit is for 12-months from date of purchase, can be transferred to another vehicle if needed and not based on date or jurisdiction of registration;
  - c) investigate implications of payment options including an annual fee as a single fixed amount, or providing an option of periodic payments;
  - d) no refunds be provided for or towards cost of exemptions except that those wishing to upgrade their fully paid exemption be provided credit of their unused amount, calculated at a daily pro-rate rate, toward such upgrade;
  - e) changing the exemption criteria; and
  - f) considering businesses with multiple vehicles.
3. That Butler Street Reserve be made available as an all day car park, operating 6am to 6pm daily with an hourly rate of \$3.00 per hour, up to a maximum of \$20 all day, with the Shire Resident or Ratepayer exemption applying and a \$40/month non-Shire worker/business operator fee.
4. That, to provide incentive to park outside the town centre, Clarkes Beach carpark, Jonson Street (south of Kingsley Street) and on-street, east of Middleton, operate as all day carparks with an hourly rate of \$3.00 per hour, up to a maximum of \$20 all day, with the Shire Resident or Ratepayer exemption applying, and operating hours of 9am to 6pm. (Cubis/Wanchap)

*The amendment was put to the vote and declared tied.*

*Crs Richardson, Cameron, Hunter and Woods voted against the amendment.*

*The Mayor used his casting vote and declared the amendment lost.*

*The motion (Richardson/Cameron) was put to the vote and declared tied.*

*Crs Wanchap, Spooner, Cubis and Ibrahim voted against the motion.*

*The Mayor used his casting vote and declared the motion carried.*

*Cr Spooner moved to the Public Gallery at 1.47pm.*

**15-369 Resolved:**

1. That Council provide written advice to the Community Association and Farmers Markets that their temporary licence to occupy the Butler Street Reserve, Byron Bay may not be re-issued after its expiry on 31 March 2016 for the Butler Street Reserve location.

**BYRON SHIRE COUNCIL**

EXTRAORDINARY MEETING MINUTES

30 July 2015

- 2 That Council enter into discussions with the market operators to pursue an agreement on the future location of these markets.
- 3 That Council offer assistance to the market operators in seeking and facilitating a suitable long term markets venue in or around Byron Bay. (Richardson/Woods)

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

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*There being no further business the meeting concluded at 1.50pm.*

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I hereby certify that these are the true and correct Minutes of this Meeting  
as confirmed at Council's Ordinary Meeting on 27 August 2015.

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Mayor Simon Richardson