



**Byron Shire Council**



**Minutes**

**Extraordinary Meeting**

**Thursday, 13 August 2015**

# BYRON SHIRE COUNCIL

Extraordinary Meeting Minutes  
13 August 2015

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## INDEX OF ITEMS DISCUSSED

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

Notice of Rescission Motion No. 4.1	Byron Bay Parking Study - Pay Parking exemptions and Butler Street Reserve .....	3
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# BYRON SHIRE COUNCIL

EXTRAORDINARY MEETING MINUTES

13 August 2015

<b>MINUTES OF THE BYRON SHIRE COUNCIL EXTRAORDINARY MEETING HELD ON THURSDAY, 13 AUGUST 2015 COMMENCING AT 10.53AM AND CONCLUDING AT 1.05PM</b>
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I2015/829

**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)  
Simon Bennett (Traffic and Transport Planner)  
James Brickley (Finance Manager)  
Mila Jones (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 the commencement of the Extraordinary Meeting 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

*Clint Coker, Chris Moyes and Michael O'Grady addressed Council in favour of the rescission motion.*

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## APOLOGIES

Cr Dey has previously been granted a leave of absence.

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## DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

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## NOTICES OF MOTION AND RESCISSION

<b>Notice of Rescission Motion No. 4.1</b>	<b>Byron Bay Parking Study - Pay Parking exemptions and Butler Street Reserve</b>
<b>File No:</b>	I2015/806

**15-370 Resolved** that Council rescind Resolution No. 15-368 from its Extraordinary meeting held on 30 July 2015 which reads as follows:

- 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*

# BYRON SHIRE COUNCIL

*\$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)*  
(Cubis/Woods)
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## PROCEDURAL MOTIONS

**15-371 Resolved** that Cr Woods be granted a two minute extension to her speech. (Richardson/Cubis)

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

**15-372 Resolved** that Cr Wanchap be granted a two minute extension to her speech. (Woods/Cubis)

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

**15-373 Resolved** that Cr Cubis be granted a two minute extension to his speech. (Woods/Ibrahim)

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

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*The motion (Cubis/Woods) was put to the vote and declared carried.  
Crs Richardson, Cameron and Hunter voted against the motion.*

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**NOTE:** The following motion was originally adopted, however following a recommitment of the vote (at Resolution 15-377) this motion was then lost. Refer to Resolution 15-378 for the adopted resolution.

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 \$75 per annum for fee paying coupon recipients, a non Shire resident worker exemption fee of \$150 per annum 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 and a maximum of \$10 for 4P parking, 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.
5. That these models be analysed and introduced financially into the FFF reporting.
6. That after 6 months an evaluation report be brought to Council including impacts on residents and businesses. (Cubis/Woods)

## 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, a non Shire resident worker/volunteer exemption fee of \$100 per annum and receive a report on establishing the costs, benefits and other criteria of pay parking exemptions including that:

# BYRON SHIRE COUNCIL

- 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 and appropriate form of proof of residence/employment status requirements.
  - 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 for both residents and non Shire workers/volunteers, 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) considering businesses with multiple vehicles.
3. That Butler Street Reserve:
- a) 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 and non Shire resident worker/volunteer exemption applying
  - b) Be considered for continued use as a markets site.
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 and non Shire worker/volunteer exemption applying, and operating hours of 9am to 6pm.
5. That 1P, 2P and 4P areas have an hourly rate of \$3.00 per hour.
6. That after 6 months an evaluation report be brought to Council including impacts on residents and businesses including Butler Street Markets. (Richardson/Spooner)
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## PROCEDURAL MOTIONS

**15-374 Resolved** that Cr Richardson be granted a two minute extension to his speech. (Cameron/Wanchap)

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

**15-375 Resolved** that Cr Spooner be granted a two minute extension to his speech. (Richardson/Cameron)

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

**15-376 Resolved** that Cr Ibrahim be granted a two minute extension to his speech. (Wanchap/Richardson)

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

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*The amendment (Richardson/Spooner) was put to the vote and declared lost.  
Crs Ibrahim, Cubis, Woods, Wanchap and Hunter voted against the amendment.*

*The motion (Cubis/Woods) was put to the vote and declared carried (however it was later lost due to a recommittal of the vote. See Resolution 15-378 for the adopted resolution).  
Crs Ibrahim, Cameron and Wanchap voted against the motion.*

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## FORESHADOWED MOTION

Moved: That limited paid parking schemes (at the same rate) be considered for Mullumbimby, Bangalow, and Brunswick Heads the year after the roll out in Byron Bay. (Cubis/Woods)

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

*Crs Ibrahim, Richardson, Cameron, Wanchap, Spooner and Hunter voted against the motion.*

*The meeting adjourned at 12.30pm for a lunch break and resumed at 12.55pm.*

## PROCEDURAL MOTION

**15-377 Resolved** that the vote on the Cubis/Woods motion on page 5 of these minutes be recommitted. (Richardson/Spooner)

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

*Cr Cubis voted against the motion.*

*As per Resolution 15-377 above, the Cubis/Woods motion (reproduced below) was recommitted and lost. Refer to Resolution 15-378 on page 8 of these minutes for the adopted resolution:*

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 \$75 per annum for fee paying coupon recipients, a non Shire resident worker exemption fee of \$150 per annum 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 and a maximum of \$10 for 4P parking, 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 car parks 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.
5. That these models be analysed and introduced financially into the FFF reporting.

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## EXTRAORDINARY MEETING MINUTES

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6. That after 6 months an evaluation report be brought to Council including impacts on residents and businesses. (Cubis/Woods)

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

*Crs Ibrahim, Richardson, Cameron, Wanchap, Spooner and Hunter voted against the motion.*

### FORESHADOWED MOTION

#### **15-378 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, a non Shire resident worker/volunteer exemption fee of \$100 per annum 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 and appropriate form of proof of residence/employment status requirements.
  - 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 for both residents and non Shire workers/volunteers, 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) considering businesses with multiple vehicles.
3. That Butler Street Reserve:
  - a) 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 and non Shire resident worker/volunteer exemption applying
  - b) Be considered for continued use as a markets site.
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 and non Shire worker/volunteer exemption applying, and operating hours of 9am to 6pm.
5. That 4P areas have an hourly rate of \$3.00 per hour with a maximum of \$10 and 1P and 2P areas have an hourly rate at \$3.00.
6. That after 6 months an evaluation report be brought to Council including impacts on residents and businesses including Butler Street Markets. (Richardson/Spooner)

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

*Crs Ibrahim and Cubis voted against the motion.*



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EXTRAORDINARY MEETING MINUTES

13 August 2015

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*There being no further business the meeting concluded at 1.05pm.*

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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