



**Byron Shire Council**



# **Minutes**

**Ordinary Meeting**

**Thursday, 7 April 2016**

# BYRON SHIRE COUNCIL

Ordinary Meeting Minutes

7 April 2016

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# BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

7 April 2016

<b>MINUTES OF THE BYRON SHIRE COUNCIL ORDINARY MEETING HELD ON THURSDAY, 7 APRIL 2016 COMMENCING AT 9.00AM AND CONCLUDING AT 4.55PM</b>
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I2016/303

**PRESENT:** Cr S Richardson (Mayor), Cr B Cameron, Cr C Cubis, Cr D Dey, 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)  
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 dealing with the circulated reports and associated information, a Public Access Session was held and Council was addressed on the following:

### **13.2 PLANNING - 26.2013.2.1 - Ewingsdale Seniors Housing and Commercial Uses Planning Proposal**

Nick Brunton (Belbeck Investments Pty Ltd) addressed Council in favour of the recommendation. Catherine Coorey (Byron Residents Group) and Fae Flick (Ewingsdale Progress and Public Hall Association) addressed Council against the recommendation.

#### PROCEDURAL MOTION

- 16-113 Resolved** that Catherine Coorey (Byron Residents Group) be allowed 5 minutes to address Council. (Spooner/Cameron)

*The motion was put to the vote and declared carried.  
Crs Cubis and Hunter voted against the motion.*

### **13.4 PLANNING - Submissions Report on Draft LEP Amendment 26.2015.5.1 Planning Proposal for Short Term Rental Accommodation**

David Wallace (VOHL) addressed Council in favour of the recommendation.  
Doug Luke (VOHL) addressed Council against the recommendation.

### **13.5 Draft Coastal Zone Management Plan Byron Bay Embayment**

Kate Akkerman (Positive Change for Marine Life) and Donald Maughan (CABS) addressed Council against the recommendation.

#### PROCEDURAL MOTIONS

- 16-114 Resolved** that both Kate Akkerman (Positive Change for Marine Life) and Donald Maughan (CABS) be allowed 5 minutes to address Council. (Richardson/Cameron)

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

**16-115 Resolved** that Public Access be extended to 10.30am. (Richardson/Cameron)

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

**13.8 Status Report - Footpath at Marine Parade, Wategos**

Mike Worrall (Wategos Beach Protection Association) addressed Council regarding the report.

**13.9 Byron Bay Pay Parking Scheme - criteria for 6 month review**

Kurt Rettenmaier addressed Council regarding the report.

PROCEDURAL MOTION

**16-116 Resolved** that Public Access be extended to 10.35am. (Richardson/Cameron)

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

**Submission No. 1 22 Marvel Street Byron Bay Development**

Kurt Rettenmaier made a submission to Council regarding the approved development next to his property.

**Submission No. 2 Wicked Vans Slogans and Camping**

Paul McCarthey made a submission to Council regarding the rental company hiring campervans which displays offensive slogans and his letter of request to Minister Baird to take action.

*The meeting adjourned at 10.38am and reconvened at 11.04am.*

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**APOLOGIES**

There were no apologies.

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**REQUESTS FOR LEAVE OF ABSENCE**

There were no requests for leave of absence

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**DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY**

There were no declarations of interest.

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**TABLING OF PECUNIARY INTEREST RETURNS**

In accordance with Local Government Act 1993 Section 450A(2), a Section 449(1) First Return is tabled for:

- Fiona Sinclair, Town Planner
- Simone Reeves, Planner
- Andrew Pearce, Development Engineer

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**ADOPTION OF MINUTES FROM PREVIOUS MEETINGS**

- 16-117 Resolved** that the minutes of the Ordinary Meeting held 17 March 2016 be confirmed.  
(Woods/Cubis)  
*The motion was put to the vote and declared carried.*
- 

**RESERVATION OF ITEMS FOR DEBATE AND ORDER OF BUSINESS**

The Mayor suspended standing orders to allow for items to be reserved for debate, being:

**STAFF REPORTS****Corporate and Community Services**

Report No. 13.1 National General Assembly of Local Government 2016

**Sustainable Environment and Economy**

Report No. 13.2 PLANNING - 26.2013.2.1 - Ewingsdale Seniors Housing and Commercial Uses Planning Proposal

Report No. 13.4 PLANNING - Submissions Report on Draft LEP Amendment 26.2015.5.1 Planning Proposal for Short Term Rental Accommodation

Report No. 13.5 Draft Coastal Zone Management Plan Byron Bay Embayment

**Infrastructure Services**

Report No. 13.8 Status Report - Footpath at Marine Parade, Wategos

Report No. 13.9 Byron Bay Pay Parking Scheme - criteria for 6 month review

The remaining Recommendations and Committee Recommendation were adopted as a whole, being moved by Cr Woods and seconded by Cr Cubis. Each recommendation is recorded with a separate resolution number commencing at Resolution No. 16-118 and concluding with Resolution No. 16-150.

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**STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY**

**Report No. 13.3 PLANNING - 26.2013.3.1 Planning Proposal for Rezoning of Land at Tallowood Ridge Estate, Mullumbimby**

**File No:** I2015/1584

**16-118 Resolved:**

1. That Council send the Planning Proposal to amend Byron LEP 2014 (Attachment 1) including the Sustainability Criteria Assessment and relevant technical reports (Attachment 2), to the NSW Department of Planning and Environment for a Gateway Determination.
2. That Council request the Department of Planning and Environment retain delegated authority to make the LEP Amendment, as the subject land is not identified as a future urban release area and is outside the Town and Village Growth Boundary for Mullumbimby in the Far North Coast Regional Strategy.
3. That Council include the areas proposed for environmental protection purposes in this planning proposal in any shire wide E zone criteria assessment that Council undertakes in the future relevant to the Minister for Planning and Environment's Section 117(2) Direction



regarding the application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs. (Woods/Cubis)

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

*Crs Ibrahim, Dey, Cubis, Woods, Richardson, Cameron, Wanchap, Spooner and Hunter voted in favour of the motion.*

*Nil voted against the motion.*

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**Report No. 13.6**      **Report of the Planning Review Committee Meeting held on 10 March 2016**

**File No:**              I2016/222

**16-119 Resolved** that the report be noted. (Woods/Cubis)

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**STAFF REPORTS - INFRASTRUCTURE SERVICES**

**Report No. 13.7**      **Potential Bulk Closure of Road Reserves Suffolk Park DP11632 to be held by Council as operational land for sale to adjoining landowners**

**File No:**              I2016/117

**16-120 Resolved:**

1. That Council endorses the closure of all remaining Council road reserves / lanes in DP11632 as one application to Crown, so they can be held by Council as operational land for sale to adjoining landowners.
2. That Council endorses all fees associated with the application to Crown, including but not limited to:
  - a) advertising costs associated with application
  - b) Crown application fees
  - c) Council's surveyors fees, sub division, survey and valuation
3. That Council ascertain market value per square meter of Council owned Road Reserve in DP11632 by retaining a suitably qualified Valuer and delegate to the General Manager the authority to enter into a contract for the sale of each lot, once created, for a value no less than the highest value placed on per square meter by the independent Valuer.
4. Without limiting the delegation to the General Manager to negotiate a contract suitable to the Council, terms and conditions of any contract will include requirements for:
  - a) the applicant to pay all costs associated with the individual purchase of lots in DP11632 once operational land, including but not limited to:
    - i) Council application fees
    - ii) all registration fees
    - iii) legal costs
  - b) that lots, once created and sold, be consolidated into corresponding property parcel numbers.
5. An easement over portions of each lot for the purposes of providing Stormwater Discharge is to be created, with each lot being determined individually. This will be done within the guidelines of 'Building over Pipelines and Other Underground Structures' Policy No 4.20.

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6. That Council authorise the affixing of the Council seal to and the signing of all documents necessary to affect any sale and transfer of lots in DP11632 of Council operational land at Suffolk Park. (Woods/Cubis)
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**Report No. 13.10**      **Bridge replacement priorities**  
**File No:**              I2016/161

- 16-121** **Resolved** that detailed investigation commence for the deployment of the recently purchased surplus 25m and 35m Australian Defence Force (ADF) bridges for the replacement of James and O'Meara's Bridges respectively. (Woods/Cubis)
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**Report No. 13.11**      **Refund of Trade Waste Non Compliant Charges**  
**File No:**              I2016/232

- 16-122** **Resolved** that a refund of \$13,741.97 of Trade Waste charges be made to Ginger Pig premises assessment. (Woods/Cubis)
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## COMMITTEE REPORTS - CORPORATE AND COMMUNITY SERVICES

**Report No. 14.1**      **Report of the Arakwal Memorandum of Understanding Advisory Committee Meeting held on 1 March 2016**  
**File No:**              I2016/217

- 16-123** **Resolved** that Council note the minutes of the Arakwal Memorandum of Understanding Advisory Committee Meeting held on 1 March 2016. (Woods/Cubis)

- 16-124** **Resolved** that Council adopt the following Committee and Management Recommendation:

**Report No. 5.1**      **Arakwal Identified Area in the Byron Bay Cemetery**  
File No: I2016/42

### Committee Recommendation 5.1.1

That the progress of the investigations into the establishment of an identified area for Arakwal People in the Byron Bay Cemetery and request for the provision of further details from the Arakwal Corporation regarding scope and size be noted. (Woods/Cubis)

- 16-125** **Resolved** that Council adopt the following Committee and Management Recommendation:

**Report No. 5.2**      **Ti Tree Lake PoM Update**  
File No: I2016/44

### Committee Recommendation 5.2.1

1. That Council note that the Arakwal MoU Advisory Committee:
  - a) Considered the draft signage proposed to be installed on Council land in the Ti Tree Lake Aboriginal Place area;
  - b) Approved the locations for this signage to be installed in the Ti Tree Lake Aboriginal Place area.

2. That the progress in the matter of Taylors Lake Road restricted access be noted.
3. That the Council, as a stakeholder, support the National Parks and Wildlife Service Ti Tree Lake Plan of Management. (Woods/Cubis)

**16-126 Resolved** that Council adopt the following Committee and Management

**Report No. 5.3 Indigenous Projects Grant Applications Updates**

File No: I2016/45

Committee Recommendation 5.3.1

1. That the successful grant application for the "Singing Up Country" for Aboriginal language and arts projects in the Byron Shire be noted.
2. That Council note that staff have reapplied to NSW Department of Heritage for funding to undertake an Aboriginal Cultural Heritage Planning Study for the Byron Shire. (Woods/Cubis)

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**COMMITTEE REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY**

**Report No. 14.2 Report of the Heritage Advisory Committee Meeting held on 16 February 2016**

**File No:** I2016/219

**16-127 Resolved** that Council note the minutes of the Heritage Advisory Committee Meeting held on 16 February 2016. (Woods/Cubis)

**16-128 Resolved** that Council adopt the following Committee Recommendation(s):

**Report No. 5.1 Heritage Strategy**

File No: I2015/1590

Committee Recommendation 5.1.1

That the Committee note the comments/notes discussed at the meeting held 16 February 2016, and the discussions on the development of the Heritage Strategy for Byron Shire inclusive of the 4 points as follows:

Identify

- Missing Potential Items – Further Assessment
- Aboriginal Study
- Natural Heritage
- Pioneers Heritage – Risk of Loss
- Bangalow Conservation
- Social Heritage
- Vulnerable non-listed in each area
- Trees and Stumps
- Orchards Arboretums
- Additional Listings
- Green Frog – (Steam Locomotive)



### Protect

- National and State Laws
- Local Level
- Byron LEP 2014
- DCP Provisions
- Notification
- Transparency
- Heritage Item v Conservation Area
- Concern about Irreversible Loss
- Demolition by Neglect
- Community vigilance
- State Level Heritage Listings

### Enhance

- Grants – Local Fund
- Correct Use of Materials Colours
- Adaptive Re-Use
- Heritage Rebate Valuations
- Sympathetic Extension – Investment and Retention of Item
- Restoration/Reconstruction
- Secondary Dwellings , Good neighbour development– Complementary Designs – DCP Controls
- Dual Occupancy Infill
- Curtilage

### Promote

- Awareness of Consent - Regulations
- Information Kits
- Frequently asked Questions
- Press Release
- Bangalow Colour Schedules
- Researched with Options
- Education
- Masterplans
- Interpretation
- Murals
- Location relevance
- Ongoing maintenance
- Content
- Apps – Trails Information
- Walk of Fame – The people Social Significance – Each Community

### Committee Recommendation 5.1.2

That all Committee members are welcome to send in suggestions or comments for the draft Heritage Strategy content to Council, and these comments will be combined and forwarded to the Heritage Advisor.

### Committee Recommendation 5.1.3

That the Heritage Advisor bring back a draft Heritage Strategy to the next Committee meeting scheduled for the 12 April, 2016 for further discussion.

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## Committee Recommendation 5.1.4

That June Grant be appointed as the alternate Community Representative for Leonard Bates.

## Committee Recommendation 5.1.5

That the "WW1 Memorial Coastal Cypress Pines, at the Terrace Crown Reserve at Brunswick Heads", be assessed for heritage significance and added as a local heritage item to the LEP.

(Woods/Cubis)

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## COMMITTEE REPORTS - INFRASTRUCTURE SERVICES

**Report No. 14.3**      **Report of the Community Infrastructure Advisory Committee Meeting held on 3 March 2016**

**File No:**            I2016/214

**16-129**   **Resolved** that Council note the minutes of the Community Infrastructure Advisory Committee Meeting held on 3 March 2016. (Woods/Cubis)

**16-130**   **Resolved:** that Council adopt the following Committee Recommendation:

**Report No. 5.1**   **Status report on 2015/16 Local Roads Capital Works Program**

File No: I2015/1503

### Committee Recommendation 5.1.1

That Council notes the actions taken to implement the 2015/16 Local Roads Capital Works Program. (Woods/Cubis)

**16-131**   **Resolved** that Council adopt the following Committee Recommendation:

**Report No. 5.2**   **Capital Renewal and Maintenance of Rural Drainage Assets**

File No: I2016/40

### Committee Recommendation 5.2.1

That Council use the information in the report about 'Capital Renewal and Maintenance of Rural Drainage Assets' to inform future budget planning and the provision of additional funds for rural drainage assets in conjunction with funding for other asset classes. (Woods/Cubis)

**16-132**   **Resolved** that Council adopt the following Committee Recommendation:

**Report No. 5.3**   **Level of Service - Sealed Road Network**

File No: I2016/108

### Committee Recommendation 5.3.1

That Council undertake community consultation on Levels of Service for the road network, in association with the Community Satisfaction Survey due in June 2016. (Woods/Cubis)

**16-133**   **Resolved** that Council adopt the following Committee Recommendation:

**Report No. 5.4**   **Update Report on Restoration of 2012 & 2013 Landslips.**

File No: I2016/115

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## Committee Recommendation 5.4.1

That Council notes that 11 of the landslips from the 2012 and 2013 Declared Natural Disasters are complete and the restoration of the one (1) remaining landslip at Upper Wilsons Creek (end of road) will be complete in March 2016. (Woods/Cubis)

**16-134 Resolved** that Council adopt the following Committee Recommendations:

### **Report No. 5.5 Update report about Federal Drive, Goonengerry**

File No: I2016/118

## Committee Recommendation 5.5.1

That Council note:

1. The status of the planning and preconstruction activities for the Federal Drive, Goonengerry Road reconstruction project.
2. The expected start date for the road works as mid 2016. (Woods/Cubis)

**16-135 Resolved** that Council adopt the following Committee Recommendation:

### **Report No. 5.6 Quality Control in Road Construction Works and Pothole Filling**

File No: I2016/119

## Committee Recommendation 5.6.1

That Council note the information contained in the report about 'Quality Control in Road Construction Works and Pothole Filling'. (Woods/Cubis)

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### **Report No. 14.4 Report of the Transport Advisory Committee Meeting held on 10 March 2016**

**File No:** I2016/227

**16-136 Resolved** that Council note the minutes of the Transport Advisory Committee Meeting held on 10 March 2016. (Woods/Cubis)

**16-137 Resolved** that Council adopt the following Committee Recommendation:

### **Report No. 5.1 Outstanding Resolutions - Transport Advisory Committee**

File No: I2016/193

## Committee Recommendation 5.1.1

That Council note that the Transport Advisory Committee regard the following as completed:

- a) Resolution 14-409, on the proviso it informs the development of Council's bike plan which is to be drafted and subject of consultation during 2016 and to be concluded during the 2016/17 financial year
- b) Resolution 14-565, on the basis that Part 2 is continued and superseded as follows:
  - i) Broken Head Road, Suffolk Park (bike plan project no. 73, between the Beech Drive roundabouts) is given priority for design, costing, consultation and funding, with options to be reported back to the Committee at the next meeting for the development of a

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- continuous cycleway link between Suffolk Park and Byron Bay which follows the road corridor
- ii) Bangalow Road (from Browning Street to Old Bangalow Road) and Broken Head Road (from Old Bangalow Road to Beech Drive) continues to be pursued
  - iii) two Bangalow projects, being Rafton's Road for an off-road path (bike plan project no. 43) and a path adjacent to Lismore Road, from Rifle Range Road to town (project no. 40), are developed with a project scope to assist determine their priority, cost and community acceptance, plus assist with the Bangalow master plan (place making) process to be undertaken in 2016
  - iv) the bike plan review includes a revision of those projects within Council's s94 contributions plan
  - v) those projects to be undertaken as per Resolution 15-131
- c) Resolution 13-649, subject to the undertaking of the pedestrian and cyclist counts and inclusion of crash data described and reported back to the next Committee meeting
- d) Resolution 15-528, the completion of which will be subject of the Council report which reviews the first six months of Byron Bay pay parking
- e) Resolutions 16-037, 16-038, 16-040 and 16-041 (Woods/Cubis)

**16-138 Resolved** that Council adopt the following Committee Recommendation:

## **Report No. 5.2 Proposed Development and Contents of a Council Transport Strategy**

File No: I2016/194

### Committee Recommendation 5.2.1

That Council notes the Transport Advisory Committee is working toward the development of a Shire-wide Transport Strategy. The following should be considered for Objectives in the Strategy:

- a) the desire to move toward zero emissions
- b) telecommunications
- c) access issues
- d) improvement of public transport
- e) addressing inter town gaps
- f) the 'measuring' of outcomes
- g) efficiency and costs
- h) sustainability
- i) quadruple bottom line assessment
- j) feasibility
- k) anticipation and acknowledgement of land use and corridor analysis
- l) renewable energy, rapid transport backbone system (Woods/Cubis)

**16-139 Resolved** that Council adopt the following Committee Recommendation:

## **Report No. 5.3 Byron Transport Information Day**

File No: I2016/195

### Recommendation

That Council notes that Northern Rivers Social Development Council (Transport Development Officer) is planning a 'Byron Transport Information Day', (funded by Transport NSW) in Mullumbimby in May 2016. (Woods/Cubis)

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**Report No. 14.5**      **Report of the Water, Waste and Sewer Advisory Committee Meeting held on 3 March 2016**

**File No:**                      I2016/225

**16-140 Resolved** that Council note the minutes of the Water, Waste and Sewer Advisory Committee Meeting held on 3 March 2016. (Woods/Cubis)

**16-141 Resolved that Council adopt the following Recommendation:**

**Report No. 5.1 Updates of Previous Action Items**

File No: I2015/1403

Committee Recommendation 5.1.1

1. That Council notes the information and updates in relation to Action Items 1 – 5 from the Water, Waste and Sewer Advisory Committee meeting held 8 October 2015.
2. That Council recognise the Committee's preference that three (3) bin stations be part of at least some bin stations, in particular Main Beach and Railway Park, and a report be provided to Council outlining the value and viability of such a service.
3. That Council investigate alternatives to using potable water (e.g. recycled water) as the Additional Flow, cited on page 21 (page 13 of #E2015/62158) of attachment 1 to report 5.1. (Woods/Cubis)

**16-142 Resolved** that Council adopt the following Committee Recommendation:

**Report No. 5.2 Ongoing supply of Kitchen Caddies**

File No: I2015/1404

Committee Recommendation 5.2.1

1. That Council advertise the fee of \$5 (plus GST) for a kitchen caddy, for a period of 28 days seeking submissions from the public in accordance with clause 610F of the NSW Local Government Act 1993.
2. That if no submissions are received against the fee during the exhibition period, Council adopt the fee of \$5 (plus GST) for a replacement kitchen caddy.
3. That if submissions are received during the exhibition period against the fee, a report be brought to Council. (Woods/Cubis)

**16-143 Resolved** that Council adopt the following Committee Recommendation:

**Report No. 5.3 Policy for Water Leaks**

File No: I2016/8

Committee Recommendation 5.3.1

1. That the Agenda for the next Water, Waste and Sewer Advisory Committee meeting include a report on uptake under Sections 2.2 to 2.5 of Policy 12/006. The report is to include a redacted list with columns:

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- date applied
- date determined
- water consumed
- average water consumed over previous 2 years
- \$ paid for water
- \$ waived for sewer
- nature of leak and repair
- average water consumed since repair

2. That the following matters be considered for a revision of the Policy:

- a) Council's response time (2.2e) and consistency of ongoing communication between Council and the resident
- b) what happens if the owner has owned the property for less than two years (2.2g)?
- c) consider redefining leakage (2.2c) (Woods/Cubis)

*The motion was put to the vote and declared <<carried/lost>> .*

**16-144 Resolved** that Council adopt the following Committee Recommendation:

**Report No. 5.4 Introduction of Price On Application fee for bulk loads of putrescible waste deposited at the Byron Resource Recovery Centre**

File No: I2016/138

Committee Recommendation 5.4.1

1. That Council advertise the fee 'Price On Application for Bulk Volumes of Putrescible Waste (subject to staff approval)' for a period of 28 days, seeking submissions from the public in accordance with clause 610F of the NSW Local Government Act 1993.
2. That if no submissions are received during the exhibition period against the fee, Council adopt the fee of 'Price On Application for Bulk Volumes of Putrescible Waste (subject to staff approval)'.
3. That if submissions are received against the fee during the exhibition period, a report be brought to Council. (Woods/Cubis)

**16-145 Resolved** that Council adopt the following Committee Recommendation:

**Report No. 5.5 Review of Council's Waste Disposal Strategy 2009**

File No: I2016/141

Committee Recommendation 5.5.1

That Council endorse the development of a revised 'Waste Disposal Strategy', utilising the recommended short, medium and long term options presented in the following report 'Review of Council's Waste Disposal Strategy 2009'. (Woods/Cubis)



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**16-146 Resolved** that Council adopt the following Committee Recommendation:

**Report No. 5.6 Brunswick Valley Sewage Treatment Plant Daily Flows from Dec 2010 to Feb 2016**

File No: I2016/148

Committee Recommendation 5.6.1

1. That Council note Average Dry Weather Flow (ADWF) for Brunswick Valley STP is of the order of 1.1 ML/day (eg November 2014).
2. That Council note the three highest Wet Weather Flows on record for Brunswick Valley STP since its commissioning at the end of 2010 were:  
  
23.4 ML/day in April 2013;  
19.6 ML/day in February 2015; and  
17.3 ML/day in March 2013.
3. That Council receive annual updates of the above figures (ADWF, PWWF) via its Water, Waste and Sewer Committee, or equivalent.
4. That Council receive similar data via its Water, Waste and Sewer Committee, or equivalent, for its other three STPs. (Woods/Cubis)

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**Report No. 14.6 Report of the Belongil Catchment Advisory Committee Meeting held on 8 March 2016**

**File No:** I2016/262

**16-147 Resolved** that Council note the minutes of the Belongil Catchment Advisory Committee Meeting held on 8 March 2016. (Woods/Cubis)

**16-148 Resolved** that Council adopt the following Committee recommendation(s):

**Report No. 5.1 Proposed Committee Meeting Dates 2016**

File No: I2016/197

Committee Recommendation 5.1.1

That the Committee seek to meet on the following Mondays in 2016 at 9.00am:

18 April, 30 May, 27 June (Woods/Cubis)

**16-149 Resolved** that Council adopt the following Committee recommendation(s):

**Report No. 5.2 Belongil Swamp Drainage Union Negotiations**

File No: I2016/198

Committee Recommendation 5.2.1

That a report be brought to the next Belongil Catchment Advisory Committee Meeting outlining possible Union Drain management options including:

1. Council supporting drain management by the Drainage Union, which may include the Union

operating in a more conforming manner (DPI letter of 10 February 2015 E2016/15181)

2. Dissolving the existing Drainage Union management and Council establishing a new body
3. Dissolving the existing Union management and Council taking over management responsibilities (Woods/Cubis)

**16-150 Resolved** that Council adopt the following Committee recommendation(s):

**Report No. 5.3 Belongil Creek Fate of the Effluent Alternative Flowpath Project**

File No: I2016/200

Committee Recommendation 5.3.1

That a report about the 'Belongil Creek Fate of the Effluent Alternative Flowpath Project' be brought to the next Belongil Catchment Advisory Committee Meeting. (Woods/Cubis)

PROCEDURAL MOTION

**16-151 Resolved** that Council change the order of business to deal with Reports 13.2, 13.4, 13.5, 13.8 and 13.9 next on the Agenda. (Richardson/Woods)

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

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**STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY**

**Report No. 13.2 PLANNING - 26.2013.2.1 - Ewingsdale Seniors Housing and Commercial Uses Planning Proposal**

**File No:** I2015/1582

Moved: That Council not proceed with the amended planning proposal for Lot 101 DP 1140936 in Ewingsdale, for the following reasons:

- a) the proposal has been exhibited twice and community feedback on both occasions has been mostly opposed, with the top issues being traffic and congestion, impacts on Ewingsdale character and quality of life, density and height of buildings, and excessive number of dwellings;
- b) lack of a holistic review of the Ewingsdale locality, of how this site will influence the future of Ewingsdale or of how it will interact with the new urban area at West Byron;
- c) lack of consideration of highest and best use of the land, as will be provided when an urban growth strategy is completed in the near future (shire-wide Residential Strategy);
- d) the number and degree of changes now needed to the Planning Proposal (as outlined in in Report 13.2 to today's Ordinary meeting) resulting in a Proposal which is substantially different from the original Proposal. (Cameron/Richardson)

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

*Crs Dey, Richardson, Cameron and Spooner voted in favour of the motion.*

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

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### PROCEDURAL MOTIONS

**16-152 Resolved** that Cr Cameron be granted a two minute extension to his speech. (Richardson/Woods)  
*The motion was put to the vote and declared carried.*

**16-153 Resolved** that Cr Ibrahim be granted a two minute extension to his speech. (Woods/Richardson)  
*The motion was put to the vote and declared carried.*

**16-154 Resolved** that Cr Richardson be granted a two minute extension to his speech. (Cameron/Woods)  
*The motion was put to the vote and declared carried.*

**16-155 Resolved** that Cr Cubis be granted a two minute extension to his speech. (Woods/Richardson)  
*The motion was put to the vote and declared carried.*

**16-156 Resolved** that Cr Dey be granted a two minute extension to his speech. (Richardson/Woods)  
*The motion was put to the vote and declared carried.*

**16-157 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.*

### FORESHADOWED MOTION

Moved: That Council proceed with amending the planning proposal as detailed in Report 13.2 for Lot 101 DP 1140936, Ewingsdale subject to the following:

1. That under this planning proposal the major and dominant land use of this site is "Seniors Housing" as defined in the Byron LEP 2014.
2. That the combined maximum floor area of commercial use and medical centre be limited to 2000m<sup>2</sup>, and be considered an ancillary use.
3. That Council reserves its right to exercise all necessary planning controls during the development application stage after permissible use has been established.
4. That the voluntary planning agreement between Council and the proponent that was put on public exhibition, be executed before the planning proposal is forwarded to the Minister. (Cubis/Woods)

### PROCEDURAL MOTIONS

**16-158 Resolved** that Cr Cubis be granted a two minute extension to his speech. (Woods/Richardson)  
*The motion was put to the vote and declared carried.*

**16-159 Resolved** that Cr Wanchap be granted a two minute extension to her speech. (Woods/Richardson)  
*The motion was put to the vote and declared carried.*

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**16-160 Resolved** that this matter rest on the table. (Woods/Wanchap)

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

*The meeting adjourned at 12.35pm for lunch and reconvened at 1.21pm.*

**16-161 Resolved** that Report No. 13.2 be lifted from the table. (Cubis/Woods)

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

## AMENDMENT

Moved:

1. That Council defer proceeding with the Planning Proposal.
2. That a Councillor workshop be held with staff, the proponents and community representatives to assist in the development of the DCP drafting.
3. That a draft DCP be brought to Council expeditiously for consideration for public exhibition with the staff recommendation contained within Report 13.2 of 7 April 2016 containing any subsequent staff amendments for resolution by Council.
4. That Council write to the Minister asking for an extension of 3 months. (Ibrahim/Richardson)

## PROCEDURAL MOTIONS

**16-162 Resolved** that Cr Cubis be granted a two minute extension to his speech. (Woods/Richardson)

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

**16-163 Resolved** that Cr Ibrahim be granted a one minute extension to his speech. (Richardson/Woods)

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

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

## PROCEDURAL MOTION

**16-164 Resolved** that the vote on the amendment above be recommitted. (Cameron/Richardson)

*The motion was put to the vote and declared carried.  
Crs Cubis, Spooner and Hunter voted against the motion.*

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

*The foreshadowed motion (Cubis/Woods) was put to the vote and declared lost.  
Crs Cubis, Woods, Wanchap and Hunter voted in favour of the motion.  
Crs Ibrahim, Dey, Richardson, Cameron and Spooner voted against the motion.*

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**Report No. 13.4**      **PLANNING - Submissions Report on Draft LEP Amendment  
26.2015.5.1 Planning Proposal for Short Term Rental  
Accommodation**

**File No:**                      I2016/146

**16-165 Resolved:**

1. That Council modify the planning proposal in relation to the exempt provisions as proposed in the NSW Rural Fire Service submission to state:
  6. *Prior to commencement, where the dwelling is located on mapped bushfire prone land, a bushfire safety authority under Section 100B of the Rural Fires Act 1997 shall be obtained and all conditions of the Bushfire Safety Authority must be complied with.*
2. That Council forward the modified planning proposal to amend Byron LEP 2014, as included in Attachment 1 of this report, to NSW Parliamentary Counsel's Office requesting that a draft LEP instrument be prepared, under section 59(1) of the Environmental Planning and Assessment Act 1979 with the following additional changes:
  - a) Incorporate item 18 and 19 (amend item 19 from "10pm" to "12 midnight") contained on page 514 of Attachment 1 of Report 13.4 being "controls relating to exempt provisions for use of outdoor areas and visitor number and hours"
3. That Council liaise with Parliamentary Counsel's Office (PCO) as necessary to finalise the content of the draft LEP and to enable PCO to issue an Opinion that the plan can be made.
4. That Council make the draft LEP under delegated authority and forward the plan to the NSW Department of Planning and Environment for notification on the NSW Government legislation website.
5. That a security bond be required of no less than \$250 per adult per letting and that a provision be added to the exempt clause. (Ibrahim/Dey)

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

*Crs Ibrahim, Dey, Cubis, Richardson, Cameron, Wanchap, Spooner and Hunter voted in favour of the motion.*

*Crs Woods voted against the motion.*

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**PROCEDURAL MOTION**

- 16-166 Resolved** That Council recommit the vote on the Cameron/Richardson motion at Report 13.2. (Cameron/Richardson)

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

*The Cameron/Richardson motion was put to the vote again and declared lost.*

*Crs Dey, Richardson, Cameron and Spooner voted in favour of the motion.*

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

**PROCEDURAL MOTION**

- 16-167 Resolved** that Council recommit the vote on the Cubis/Woods motion at Report 13.2. (Cubis/Woods)

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

*Crs Dey, Richardson, Cameron and Spooner voted against the motion.*

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*The Cubis/Woods motion was put to the vote again and declared lost.  
Crs Cubis, Woods, Wanchap and Hunter voted in favour of the motion.  
Crs Ibrahim, Dey, Richardson, Cameron and Spooner voted against the motion.*

## PROCEDURAL MOTION

- 16-168 Resolved** that Council recommit the vote on the Ibrahim/Richardson amendment at Report 13.2.  
(Ibrahim/Richardson)

*The motion was put to the vote and declared carried.  
Crs Dey, Cubis and Spooner voted against the motion.*

*The Ibrahim/Richardson amendment was put to the vote again and declared lost.  
Crs Ibrahim, Richardson, Cameron and Wanchap vote in favour of the amendment.  
Crs Dey, Cubis, Woods, Spooner and Hunter voted against the motion.*

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**Report No. 13.5**      **Draft Coastal Zone Management Plan Byron Bay Embayment**  
**File No:**              I2016/216

### **Moved:**

1. That Council note the revised Coastal Hazard Management Study – Byron Bay Embayment Final Revision 1.0, prepared by the consultants Water Research Laboratory in 2016 (WRL Technical Report 2013/28).
2. That Council adopt the following management strategies for incorporation into the draft coastal zone management plan Byron Bay Embayment:
  - a) planned retreat.
  - b) Jonson Street Protection Works - upgrade works, remove spur groynes and improve beach access and amenity, as per Council resolution 14 – 66, and monitor impacts.
  - c) Revise and update coastal hazard land use and development planning controls - for development at The Pass to Clarkes Beach, Main Beach, Cavvanbah (First Sun Caravan Park to Border Street), and North Beach, providing for adaptation of development.
  - d) Dune revegetation and ‘soft’ dune stabilisation - for all precincts, as a ‘supporting’ coastal hazard risk management strategy.
  - e) Emergency action sub plan for coastal erosion emergencies - applicable to all precincts, as a ‘supporting’ coastal hazard risk management strategy.
  - f) Coastal hazard investigation Lighthouse Road and Captain Cook Car Park - investigation of future coastal hazard risks and bedrock levels at and adjacent to Lighthouse Road and Captain Cook Car Park.
  - g) Coastal hazard investigation Marine Parade, Wategos Beach - investigation of future coastal hazard risks (inundation) and integrity of existing ad hoc coastal protection works at, Wategos Beach.
  - h) Monitor coastal processes and impacts on the mouth of Belongil Creek, the shorebird nesting area and North Beach.
3. That the timeframe set under Council Resolution 16-028 be relaxed to the extent necessary for redrafting of those Parts of the Coastal Zone Management Plan Byron Bay Embayment (Draft CZMP) affected by Part 2 above.
4. That Council receive a new and complete draft CZMP to consider for public exhibition after that draft has been reviewed by the CZMP Project Reference Group.



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5. That the timeframe set under Council resolution 16-028 be amended to allow 8 weeks of public exhibition of the draft CZMP. (Dey/Spooner)

## AMENDMENT

### **16-169 Resolved:**

1. That Council note the revised Coastal Hazard Management Study – Byron Bay Embayment (Final Revision 1.0)', prepared by the consultants Water Research Laboratory (2016).
2. That Council adopt the following management strategies for incorporation into the draft coastal zone management plan Byron Bay Embayment:
  - a) an adaptive 'seawall with walkway' strategy for managing coastal hazard risks at Belongil Beach, with seven main components:
    - i) Develop funding Model.
    - ii) Develop impact monitoring program.
    - iii) Design 'seawalls with walkway'.
    - iv) Develop planning and development controls and conditions for 'seawalls with walkway'.
    - v) Construct 'seawalls with walkway' – incorporating two public beach accesses (plus the Manfred Street access) and dune revegetation works.
    - vi) Revise and update coastal hazard land use and development planning controls – providing for adaptation of development.
    - vii) Compliance and enforcement.
  - b) Jonson Street Protection Works - upgrade works, remove spur groynes and improve beach access and amenity, as per Council resolution 14 – 66, and monitor impacts.
  - c) Revise and update coastal hazard land use and development planning controls - for development at The Pass to Clarkes Beach, Main Beach, Cavvanbah (First Sun Caravan Park to Border Street), and North Beach, providing for adaptation of development.
  - d) Dune revegetation and 'soft' dune stabilisation - for all precincts, as a 'supporting' coastal hazard risk management strategy.
  - e) Emergency action sub plan for coastal erosion emergencies - applicable to all precincts, as a 'supporting' coastal hazard risk management strategy.
  - f) Coastal hazard investigation Lighthouse Road and Captain Cook Car Park - investigation of future coastal hazard risks and bedrock levels at and adjacent to Lighthouse Road and Captain Cook Car Park.
  - g) Coastal hazard investigation Marine Parade, Wategos Beach - investigation of future coastal hazard risks (inundation) and integrity of existing ad hoc coastal protection works at, Wategos Beach.
  - h) Monitor coastal processes and impacts on North Beach.
3. That Council note the draft Coastal Zone Management Plan Byron Bay Embayment (Draft CZMP) as attached to this report and the review status of the draft CZMP by the CZMP Project Reference Group, as detailed at Table 1 of this report. (Ibrahim/Wanchap)

## PROCEDURAL MOTIONS

- 16-170 Resolved** that Cr Ibrahim be granted a two minute extension to his speech. (Cubis/Woods)

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

- 16-171 Resolved** that Cr Richardson be granted a two minute extension to his speech. (Woods/Cameron)

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

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**16-172 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.*

**16-173 Resolved** that Cr Cameron be granted a two minute extension to his speech.(Richardson/Woods)

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

**16-174 Resolved** that Cr Spooner be granted a two minute extension to his speech. (Richardson/Woods)

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

**16-175 Resolved** that Cr Dey be granted a two minute extension to his speech. (Richardson/Cameron)

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

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

*Crs Dey, Richardson, Cameron and Spooner voted against the amendment.*

*The amendment upon becoming the substantive motion was put to the vote and declared carried.*

*Crs Dey, Richardson, Cameron and Spooner voted against the motion.*

## FORESHADOWED MOTION

Moved: That Council recognise:

1. that the so-called 'adaptive strategy' in the draft CZMP of rockwalls now and dealing with their impacts later is designed to protect private real estate while failing to protect public assets such as the 1.6km strip of beach with which the real estate conflicts plus the significant stretch of beach and dune north-west of the end of the seawall.
2. that the draft comprising Attachments 2 to 6 of today's Report 13.5 is not a complete draft of a Coastal Zone Management Plan (CZMP) for the Byron Bay Embayment.
3. that the Cost Benefit Analysis for this draft uses present real estate values which have risen 40% in recent years and that this rise may reflect anticipation of a CZMP favourable to real estate speculation. (Dey/Richardson)

## PROCEDURAL MOTION

**16-176 Resolved** that Cr Ibrahim be granted a two minute extension to his speech. (Richardson/Cubis)

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

*The motion (Dey/Richardson) was put to the vote and declared lost.*

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

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## STAFF REPORTS - INFRASTRUCTURE SERVICES

**Report No. 13.8**

**File No:**

**Status Report - Footpath at Marine Parade, Wategos**

12015/1422

**16-177 Resolved:**

1. That in relation to the Marine Parade Pedestrian and Traffic Impact Assessment Report a

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Shared Zone that provides better vehicle speed regulation in a highly pedestrianized environment (Option 4) is endorsed.

2. That the resident group and the progress association be consulted during the process  
(Woods/Cubis)  
*The motion was put to the vote and declared carried.*

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**Report No. 13.9**      **Byron Bay Pay Parking Scheme - criteria for 6 month review**  
**File No:**              I2016/46

16-178 Resolved:

1. That the following criteria be applied in the 6-month review:
  - a) e-PERMITS (i.e. pay parking exemptions): total; type; postcode and registration analysis; use/occupancy; method of obtainment and proof; plus provide audit at 6-month review to determine fraudulent use/ineligibility, and where applicable, consider restricting the postcode options on the online application form to Byron shire only.
    - Consider implications of extending e-permits (at a non resident business rate) for those with licenses showing residences in Lennox Head, Clunes, Newrybar and Rosebank/ Repentance Creek.
    - Consider implications of not requiring e-permit holders to use meters.
  - b) METER: turnover/use; permit (free) Vs paid use; merchant fees; use/demand of printing tickets; faults and complaints; revenue - cash Vs card; additional costs beyond contract; value of comprehensive maintenance agreement (as per tender) versus actual hours/duties, e.g. calls to fault line, number of automated faults, response times, time to fix a fault, etc. Language selected and issue of 'sleeping' meters to save battery.
  - c) INFRINGEMENTS: review pre and post pay parking infringement type, number issued and revenue; types of meter infringements; Road Rules and related implications (if any).
  - d) TIME LIMITS: review adequacy and mix; survey/review areas that are subject of requests received; consider changes in holistic fashion not via ad-hoc changes with report to Local Traffic Committee/Council.
  - e) PARKING CHANGES: for example dedicated motorcycle spots, use/demand/options for Butler Street Reserve and other all day areas, such as change from 4P to all day at Lawson Street south and north car parks.
  - f) Consideration of additional paid parking areas within the Byron Bay parking envelope.
  - g) PERIPHERY: consider the impact of paid parking on non-metered areas on the periphery of the scheme
  - h) RESIDENT PERMITS: Effectiveness and geographical footprint
2. That the proposed survey be directed to the staff communications officer for redraft and any business surveys be directed to all businesses in Byron Bay.
3. That The results of the survey and review be reported back to Council in June 2016.  
(Cubis/Woods)  
*The motion was put to the vote and declared carried.*

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## MAYORAL MINUTE

There was no Mayoral Minute.

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NOTICES OF MOTION

**Notice of Motion No. 9.1 Support for Mens Shed at Bangalow**  
**File No:** I2016/196

**16-179 Resolved** that Council:

1. Support in principle, the initiative by Lions and others to establish and operate a Men's Shed at Bangalow; and
2. Consider, at the time it considers all s356 Donation requests (expected to be in May 2016), allocating up to \$10,000 to the Mens Shed project in Bangalow. (Dey/Richardson)

*Cr Wanchap left the meeting at 4.26pm.*

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

*Cr Wanchap was not present for the vote.*

*Cr Wanchap returned to the meeting at 4.28pm.*

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**Notice of Motion No. 9.2 Trial of temporary traffic calming**  
**File No:** I2016/230

**16-180 Resolved:**

1. That Council undertake counts of traffic speed and volume, and of pedestrian usage along the Massinger and Paterson Street route from Lawson Street to Bangalow Road.
2. That the consideration of traffic calming be deferred until staff have provided an "options report for footpaths" along the Massinger to Paterson Street route, which is expected to be finalised in June 2016.
3. That options for temporary or permanent traffic calming (including the option of sand-bag chicanes) be considered in reports to Council and the Local Traffic Committee. (Cubis/Ibrahim)

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

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PETITIONS

**Petition No. 10.1 Against kitchen and showers at the Girl Guides Hall, Byron Bay**  
**File No:** I2016/126

**16-181 Resolved:**

1. That the petition regarding the kitchen and showers at the Girl Guides Hall, Byron Bay be noted.
2. That the petition be referred to the Director Corporate and Community Services. (Richardson/Woods)

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

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**Petition No. 10.2**      **Against the Development Plan for Lot 101 Ewingsdale**  
**File No:**                **I2016/218**

**16-182 Resolved:**

1. That the petition regarding Development Plan for Lot 101 Ewingsdale (Lot 101 DP 1140936) be noted.
2. That the petition be referred to the Director Sustainable Environment and Economy.  
(Richardson/Woods)

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

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**SUBMISSIONS AND GRANTS**

There were no submissions or grants.

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**DELEGATES' REPORTS**

There were no delegates' reports.

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**STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES**

**Report No. 13.1**      **National General Assembly of Local Government 2016**  
**File No:**                **I2016/223**

**16-183 Resolved:**

1. That Council authorise Crs Hunter and Ibrahim to attend the 2016 National General Assembly of Local Government to be held at the National Convention Centre in Canberra from 19 to 22 June 2016:
2. That Cr Hunter will be the voting delegate.
3. That Council endorse the following motions for submission to the National General Assembly:

Submission A:

That this National General Assembly call on the Federal government to:

- a) restore indexation to local government financial assistance grants, and
- b) consider funding on needs bases other than resident population (eg visitor density).

Submission B:

That this National General Assembly call on the Federal government to hold a referendum to amend the Commonwealth Constitution to recognise local government.      (Hunter/Dey)

PROCEDURAL MOTIONS

**16-184 Resolved** that Council move into Committee to allow for free debate. (Dey/Richardson)

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

**16-185 Resolved** that Council move out of Committee and resume the Ordinary Meeting. (Woods/Richardson)

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

*The motion (Hunter/Dey) was put to the vote and declared carried.*

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**QUESTIONS WITH NOTICE**

**Question With Notice No. 15.1 Herbicide Use**  
**File No:** I2016/220

*Cr Duncan Dey asks the following questions:*

1. *What is the format in which Council records the volumes of herbicides it uses within the Shire?*
2. *Is such data broken down into types or brands of herbicide?*
3. *Does the data include the sectors of Council using the herbicide or the geographical areas of application?*
4. *Can Council please supply annual data or for another time period for the most recent 5 years of record?*
5. *What other public authorities or agencies use herbicides within the Shire (eg RMS, railways, NPWS)?*
6. *Do those authorities publish their annual usage and is that information available on a Shire area basis?*

*Response Director Infrastructure Services:*

*Due to timeframe required to complete answers to the Question with Notice, staff were not available to finalise the response for the collation of the meeting agenda, however will be available at the time of the next ordinary meeting 28 April 2016.*

1. *Open Space and Works records the volume of herbicides within the shire electronically (Excel) with the following details captures*
  - *Operator*
  - *Date*
  - *Time*
  - *Situation*
  - *Location*
  - *Product*
  - *Method*
  - *Target Weeds*



- Age Class
- Weed Density
- Weather
- Amount
- Additives
- Ratio
- Total Mix L

*The Bush Regeneration have historically captured data electronically (Excel)*

- Date
- Site
- Hours worked
- Product and quantity

2. Yes
3. *Data is separated into management areas of council and is further broken down to Open Space, Roads, Cemeteries and broad localities, for example Ocean Shores Parks.*
4. *Data will be available by the next ordinary meeting.*
5. *It is our understanding that all government agencies that manage land within the shire use or have used herbicides as a means to control weeds. A list will be available by the next ordinary meeting.*
6. *This is being investigated by staff and advice will be provided by the next ordinary meeting.*

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### URGENCY MOTIONS

#### PROCEDURAL MOTION

- 16-186**
1. That Council discuss the matter of ANZAC Day Parades as a matter of urgency; the urgency being that there are no other council meetings prior to ANZAC Day.
  2. That Council discuss the matter of staff recognition be discussed as a matter urgency; the urgency being that the staff member is leaving the organisation in the very near future.  
(Dey/Woods)

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

#### **Urgency No. 1. Matter of Urgency - ANZAC Day Parades**

The Mayor ruled the matter to be of urgency.

**16-187 Resolved:**

1. That Council endorses the ANZAC Day Parades for 25 April 2016 for the Return Services League sub branches of Byron Bay, Mullumbimby, Bangalow and Brunswick Heads / Billinudgel.
2. That Council:
  - a) assists where requested with implementing the necessary temporary road closures and detours; and
  - b) placing of public notice advertisements in a local weekly newspaper which is circulated prior to the event and a copy of which is placed on Council's web site.

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3. That the approvals provided above are subject to NSW Police approval being obtained and to each event being undertaken either (i) under escort or traffic control by Police, or (ii) under traffic control by Council, or both.
4. That Council write to the applicants RSL sub-branches at Byron Bay, Bangalow, Brunswick Heads, Mullumbimby asking them to have their requests for their 2017 events to Council by 20 January 2017. (Dey/Richardson)

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

## **Urgency No. 2. Matter of Urgency - Staff Recognition**

The Mayor ruled the matter to be of urgency.

- 16-188 Resolved** that Council thank Mr Simon Bennett who is leaving his position with Council as Traffic Planner for his excellent service, especially in designing and introducing the paid parking system to Byron Bay.. (Dey/Spooner)

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

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*There being no further business the meeting concluded at 4.55pm.*

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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 28 April 2016.

.....  
Mayor Simon Richardson