



Byron Shire Council



Minutes

Extraordinary Meeting

Thursday, 29 September 2016

BYRON SHIRE COUNCIL

Extraordinary Meeting Minutes

29 September 2016

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MINUTES OF THE BYRON SHIRE COUNCIL EXTRAORDINARY MEETING HELD ON THURSDAY, 29 SEPTEMBER 2016 COMMENCING AT 9.01AM AND CONCLUDING AT 10.51AM
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I2016/1012

PRESENT: Cr S Richardson (Mayor), Cr B Cameron, Cr C Coorey, Cr J Hackett, Cr A Hunter, Cr M Lyon, Cr J Martin, Cr S Ndiaye and Cr P Spooner

Staff: Ken Gainger (General Manager)
Mark Arnold (Director Corporate and Community Services)
Phil Holloway (Director Infrastructure Services)
Sharyn French (Manager Environmental and Economic Planning)
Ralph James (Coordinator Legal Services)
David Royston-Jennings/Mila Jones (Minute Taker)

The Mayor opened the meeting and invited Delta Kay, Arakwal (Byron Bay) Bundjalung Corporation, to perform the Welcome to Country.

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:

Gavin Brown, General Manager of the Bundjalung of Byron Bay Aboriginal (Arakwal) Corporation provided an overview of the Bundjalung Corporation and its relationship with Council.

4.3 Determination of Councillor Representatives on Advisory Committees and Panels

Matthew Lambourne addressed Council against the recommendation.

APOLOGIES

There were no apologies.

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

Report No. 4.1 **Election of Deputy Mayor 2016-2017**
File No: I2016/973

16-480 Resolved:

1. That Council elect a Deputy Mayor for the period from 29 September 2016 until the first meeting of Council in September 2017.
2. That the method of election of the Deputy Mayor be by way of ordinary ballot.
(Spooner/Hunter)

The motion was put to the vote and declared carried.

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The returning officer advised that there was one nomination for Deputy Mayor being Cr Cameron.

As there were no further nominations the returning officer declared Cr Cameron elected as Deputy Mayor for the ensuing 12 month period.

Report No. 4.2 **Local Government NSW Annual Conference 2016**
File No: I2016/979

16-481 Resolved that Council authorise the following Councillors to attend the Local Government NSW Annual Conference 2016 to be held at WIN Entertainment Centre, Wollongong, NSW from 16 to 18 October 2016:

- Cr Coorey, Cr Martin and Cr Spooner to attend as the voting delegates.
(Richardson/Spooner)

The motion was put to the vote and declared carried.

Report No. 4.3 **Determination of Councillor Representatives on Advisory Committees and Panels**
File No: I2016/925

16-482 Resolved:

1. Advisory Committees:

a) That Council:

i) Note the following Advisory Committees will be continuing in their current structure and appoint its Councillor representatives:

- Finance Advisory Committee – Crs Richardson, Coorey, Lyon, Cameron, Spooner and Hunter
- Internal Audit Advisory Committee – Crs Martin, Cameron and Hunter
- Water, Waste and Sewer Advisory Committee – Crs Lyon, Coorey, Ndiaye
- Arakwal MoU Advisory Committee – Crs Coorey and Ndiaye

ii) Advise the committee/panel members of the continuation of their committee/panel, officially thanked for their contribution to date and be asked if they wish to continue their representation until Council appoints new members following an expression of interest process.

b) That Council:

i) Note the revised structure and objectives of the following Advisory Committees and appoint its Councillor representatives:

- Transport and Infrastructure Advisory Committee (merges the two separate committees) – Crs Richardson, Cameron and Martin
- Byron Shire Floodplain Risk Management Committee (merges the Belongil and the North Byron Floodplain Committees) – Crs Lyon, Hackett and Hunter, with Councillor Ndiaye as an alternate.

ii) Advise the committee members of the revision of their committee, officially thank them for their contribution to date and ask if they wish to continue their

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representation on the revised committees until Council appoints new members following an expression of interest process.

2. Panels:

a) That Council:

- i) Note that the following Panel (formerly Public Art Assessment Panel) will be continuing in its current structure with new objectives (as shown in the report) and appoint its Councillor representatives.
 - Public Art Panel - Crs Hackett and Ndiaye
- ii) Note the following Advisory Committees have been changed to Panels (with updated objectives) and appoint its Councillor representatives:
 - Coastal Estuary Catchment Panel (previously named Belongil Catchment) – Crs Coorey, Lyon and Hackett
 - Biodiversity and Sustainability Panel – Crs Hunter, Martin and Richardson
 - Communications Panel – Crs Coorey, Martin and Ndiaye
 - Heritage Panel – Crs Martin, Cameron and Hunter
 - Sustainable Economy Panel – Crs Hunter, Spooner and Richardson
- ii) Advise the committee members of the continuation of the Public Art and Assessment Panel and the change from Advisory Committees to Panels, officially thank them for their contribution to date and ask if they wish to continue their representation on the Panel until Council appoints new members following an expression of interest process.

3. That the Byron Shire Flood Plain Risk Management Committee Constitution to be changed to provide for 6 Community Representatives and include an alternate Councillor representative. (Spooner/Cameron)

The motion was put to the vote and declared carried.

Report No. 4.4 Determination of Councillor Representatives on Regional Committees

File No: I2016/928

16-483 Resolved:

1. That the Local Traffic Committee will continue in its current structure and appoint Cr Cameron as its representative.
2. That Council confirm the election of Cr Cameron to the Cape Byron Headland Reserve Trust Committee as per resolution 14-423.
3. That Council confirm the election of Cr Spooner to the Arakwal National Park Management Committee and the Byron Coast Area Management Committee as per resolution 14-423.
4. That the Mayor and Alternate Delegate, the Deputy Mayor's, appointment be noted as Council's representative on the NOROC Board.
5. That Council determine its representatives on the following committees:

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- a) Arts Northern Rivers Board of Directors – Cr Hackett (Cr Martin as alternate delegate)
 - b) Bangalow Pool Trust Joint Working Group – Cr Richardson
 - c) Byron Bay Community and Culture Centre Management Committee – Cr Richardson
 - d) Byron Bay Liquor Accord – Crs Spooner and Lyon
 - e) Byron Shire Sports Stakeholder Forum – Crs Coorey, Richardson and Ndiaye
 - f) Chamber of Commerce – Bangalow – Cr Richardson
 - g) Chamber of Commerce – Brunswick Heads – Cr Lyon
 - h) Chamber of Commerce – Byron Bay – Cr Spooner
 - i) Community Safety Precinct Committee – Cr Richardson
 - k) Far North Coast Bush Fire Management Committee – Cr Lyon
 - l) Mullumbimby Showground Trust – Cr Cameron
 - m) North Byron Parklands Regulatory Working Group – Cr Hunter, Cr Richardson and Cr Cameron
 - n) Ocean Shores Tidy Towns Committee – Cr Martin
 - o) Richmond Tweed Regional Library Committee – Crs Coorey and Cr Ndiaye (Cr Hackett as alternate delegate)
 - p) Zone Service Level Agreement Liaison Committee – Cr Lyon
6. That Council determine by Preferential Ballot its two delegates to Rous County Council.
- The returning officer advised that nominations were received for Crs Richardson, Cameron and Lyon. A ballot using the optional preferential voting method resulted in Crs Richardson and Cameron as being elected.
7. That Council write to the Mullumbimby Chamber of Commerce enquiring about Council Representation, with Cr Cameron recommended as the Council Representative.
(Cameron/Ndiaye)

The motion was put to the vote and declared carried.

16-484 Resolved:

1. That Council determine its representatives on the Joint Regional Planning Panel as Cr Richardson (with the alternate delegate being Cr Coorey) and the Director Sustainable Environment and Economy.
2. That Council write to Destination Byron seeking an increase of representation on the Board, being Councillors Coorey, Ndiaye and Hunter.
(Richardson/Spooner)

The motion was put to the vote and declared carried.

Report No. 4.5 **Determination of Councillor Representatives on Section 355 Management Committees and Boards**
File No: I2016/926

16-485 Resolved:

1. That Council confirm the establishment of the following 10 Committees under Section 355(b) of the Local Government Act 1993
 - i) Bangalow Parks (Bangalow Showground) Section 355 Management Committee
 - ii) Brunswick Heads Memorial Hall Section 355 Management Committee
 - iii) Brunswick Valley Community Centre Section 355 Management Committee
 - iv) Cook Pioneer Centre Mullumbimby Section 355 Management Committee
 - v) Durrumbul Community Hall Section 355 Management Committee
 - vi) Heritage House and Tennis Court Bangalow Section 355 Management Committee
 - vii) Ocean Shores Community Centre Section 355 Management Committee
 - viii) Senior Citizen's Hall Byron Bay Section 355 Management Committee
 - ix) South Golden Beach Community Centre Section 355 Management Committee
 - x) Suffolk Park Community Hall Section 355 Management Committee
2. That Council confirm the establishment of the following 3 Boards of Management under Section 355(b) of the Local Government Act 1993:
 - i) Bangalow A&I Hall
 - ii) Lone Goat Gallery
 - iii) Mullumbimby Civic Memorial Hall
3. That Council adopt:
 - a) the Delegation of Authority under Section 377 of the Local Government Act 1993, as shown in Attachment 1 (#E2016/66109) for each Section 355 Management Committee and Board of Management confirmed in 1 and 2 above;
 - b) the Terms of Reference for each Section 355 Management Committee and Board as shown in Attachment 2 (E2016/68163) confirmed in 1 and 2 above.
4. That Council determine its Councillor Representative/s and if required Alternate Delegate on each of the following Section 355 Management Committees or Boards of Management confirmed in 1 and 2 above.
 - i) Bangalow Parks (Bangalow Showground) Section 355 Management Committee – Cr Richardson
 - ii) Brunswick Heads Memorial Hall Section 355 Management Committee – Cr Richardson
 - iii) Brunswick Valley Community Centre Section 355 Management Committee – Cr Martin
 - iv) Cook Pioneer Centre Mullumbimby Section 355 Management Committee - Cr Hunter, alternate is Cr Martin
 - v) Durrumbul Community Hall Section 355 Management Committee – Cr Lyon

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- vi) Heritage House and Tennis Court Bangalow Section 355 Management Committee – Cr Cameron, alternate is Cr Hackett
- vii) Ocean Shores Community Centre Section 355 Management Committee – Cr Martin, alternate is Cr Coorey
- viii) Senior Citizen's Hall Byron Bay Section 355 Management Committee – Cr Ndiaye, alternate is Cr Coorey
- ix) South Golden Beach Community Centre Section 355 Management Committee – Cr Cameron, alternate is Cr Ndiaye
- x) Suffolk Park Community Hall Section 355 Management Committee – Cr Coorey, alternate is Cr Richardson
- xi) Bangalow A&I Hall Board of Management – Cr Coorey, alternate is Cr Hackett
- xii) Lone Goat Gallery Board of Management – Cr Hackett, alternate is Cr Ndiaye
- xiii) Mullumbimby Civic Memorial Hall Board of Management – Cr Cameron, alternate is Cr Martin (Cameron/Hackett)

The motion was put to the vote and declared carried.

Report No. 4.6 **Determination of Councillor Representatives on Project Reference Groups**
File No: I2016/971

16-486 Resolved that Council note this report. (Spooner/Hunter)

The motion was put to the vote and declared carried.

Report No. 4.7 **Meeting Schedule 2017 - Ordinary Meetings and Strategic Planning Workshops**
File No: I2016/1006

16-487 Resolved that a report be brought to Council containing a schedule of Ordinary Meetings and Strategic Planning Workshops for 2017, with 12 Ordinary Meetings and 12 Strategic Planning Workshops, with two Ordinary Meetings in February and two Ordinary Meetings in August with recesses to be incorporated in January and July. (Spooner/Hackett)

The motion was put to the vote and declared carried.

16-488 Resolved that a report be brought to Council regarding the implications of evening meetings and that the report include feedback from the community as to their attitude to such a proposal. (Ndiaye/Coorey)

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

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Report No. 4.8
File No:

Meeting Schedule 2017 - Advisory Committees and Panels
I2016/974

16-489 Resolved that the following dates and times be adopted for Council's Advisory Committee and Panel meetings for 2017:

Meeting	Date (2017)
Advisory Committees	
Arakwal Memorandum of Understanding (Thursday 9.00am)	16 February 11 May 17 August 9 November
Byron Shire Floodplain Risk Management (Thursday 2.00pm)	2 March 1 June 7 September 23 November
Community Infrastructure and Transport (Thursday 9.00am)	2 March 1 June 7 September 23 November
Finance (Thursday 2.00pm)	16 February 11 May 17 August 9 November
Internal Audit (Thursday 11.30am) <i>* Extraordinary</i>	16 February 11 May 17 August 19 October* 9 November
Water, Waste and Sewer (Thursday 11.30am)	2 March 1 June 7 September 23 November
Panels	
Biodiversity and Sustainability (Thursday 11.30am)	30 March 22 June 31 August 1 November
Coastal Estuary Catchment (Thursday 2.00pm)	9 March 4 May 28 September 30 November
Communications (Thursday 9.00am)	30 March 22 June 31 August 1 November
Heritage (Thursday 2.00pm)	30 March 22 June 31 August 1 November
Public Art (Thursday 9.00am)	9 March 4 May 28 September 30 November

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Sustainable Economy (Thursday 11.30am)	9 March 4 May 28 September 30 November
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(Richardson/Spooner)

The motion was put to the vote and declared carried.

There being no further business the meeting concluded at 10.51am.

I hereby certify that these are the true and correct Minutes of this Meeting
as confirmed at Council's Ordinary Meeting on 6 October 2016.

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Mayor Simon Richardson