



Byron Shire Council



Minutes

Extraordinary Meeting

Thursday, 30 July 2020

BYRON SHIRE COUNCIL

Extraordinary Meeting Minutes

30 July 2020

INDEX OF ITEMS DISCUSSED

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

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BYRON SHIRE COUNCIL

EXTRAORDINARY MEETING MINUTES

30 July 2020

MINUTES OF THE BYRON SHIRE COUNCIL EXTRAORDINARY MEETING HELD ON THURSDAY, 30 JULY 2020 COMMENCING AT 4:06PM AND CONCLUDING AT 5:17PM

12020/1114

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

Staff: Mark Arnold (General Manager)
Vanessa Adams (Director Corporate and Community Services)
Phil Holloway (Director Infrastructure Services)
Shannon Burt (Director Sustainable Environment and Economy)
Heather Sills (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.

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:

Report No and Title	For/Against	Name	Joining the Meeting via
4.2 Adoption of the 2020/21 Operational Plan, including Budget, Statement of Revenue Policy, and Fees and Charges	Against	Matthew O'Reilly	pre-recorded video
		Anthony Stante	In person
		John Anderson	Read out by staff member
		Jan Barham	Read out by staff member

APOLOGIES

PROCEDURAL MOTION

20-354 Resolved that the apology from Cr Martin and Cr Hackett be accepted and a leave of absence granted. (Richardson/Ndiaye)

The motion was put to the vote and declared carried.

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

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. 4.1 Mayor and Councillor Fees 2020/21

Report No. 4.2 Adoption of the 2020/21 Operational Plan, including Budget, Statement of Revenue Policy, and Fees and Charges

The remaining Recommendations were adopted as a whole, being moved by Cr Richardson and seconded by Cr Hunter.

Report No. 4.3 Making of the 2020/21 Ordinary Rates, Charges, Fees and Interest Rate

File No: I2020/1066

20-355 Resolved that in accordance with Sections 533, 534, 535, 543 and 566 of the Local Government Act 1993 (LGA), Council makes the ordinary rates, makes the charges, makes the fees and sets the interest rate to be charged on overdue rates and charges for 2020/21 listed in the following tables.

1. Ordinary Rates

Name of Ordinary Rate (Rate Notice short name)	*Rate in the Dollar or Ad-Valorem amount (\$)	Minimum Rate (\$)
Ordinary Rate Residential	0.1967	928.00
Ordinary Rate Residential Flood	0.1967	464.00
Ordinary Rate Business	0.3275	928.00
Ordinary Rate Business Byron CBD	0.4616	928.00
Ordinary Rate Mining	0.3275	928.00
Ordinary Rate Farmland	0.1752	928.00
Ordinary Rate Farmland Flood	0.1752	464.00

**Applied to 2019 base date land valuation*

2. Domestic Waste Management Charges

Name of Domestic Waste Collection Charge (Rate Notice short name)	Annual Charge (\$)
Domestic Waste 80L 3 Bin Collection	150.00
Domestic Waste 140L 3 Bin Collection	316.00
Domestic Waste 240L 3 Bin Collection	468.00
Domestic Waste 140L Week Collect 3 Bins	827.00
Domestic Waste 240L Week Collect 3 Bins	1054.00
Domestic Waste 140L 2 Bin Rural Service	226.00
Domestic Waste 240L 2 Bin Rural Service	336.00
Domestic Waste Vacant Land Charge Urban	31.00
Domestic Waste Vacant Land Charge Rural	31.00
Domestic Waste Exempt Collection Charge	61.00
Domestic Recycling Additional Bin	105.00
Domestic Organics Additional Bin	121.00
Domestic Waste 80L 3Bin Multi Unit Serv	150.00

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Domestic Waste 140L 3Bin Multi Unit Serv	316.00
Domestic Waste 240L 3Bin Multi Unit Serv	468.00
Domestic Waste 80L 2Bin Multi Unit Serv	150.00
Domestic Waste 140L 2Bin Multi Unit Serv	316.00
Domestic Waste 240L 2Bin Multi Unit Serv	468.00
Domestic Waste Strata 2Bin Share Service	250.00
Domestic Waste Strata 3Bin Share Service (fortnightly)	250.00
Domestic Waste Strata 3Bin Share Service (weekly)	501.00

3. Waste Management Charges (Non-Domestic)

Name of Waste Management Charge (Rate Notice short name)	Annual Charges (\$)
Commercial 140L Waste & Recycle Service	510.00
Commercial 240L Waste & Recycle Service	584.00
Commercial Waste 140L Bin Collection	510.00
Commercial Waste 240L Bin Collection	584.00
Commercial Rural Waste & Recycle Service	525.00
Commercial Recycling 240L Bin Collection	131.00
Commercial Organics 240L Bin Collection	121.00
Waste Operations Charge Residential	86.00
Waste Operations Charge Non-Residential	86.00

4. Mixed Waste Bin Changeover Fee

Fee	Charges (\$)
Mixed waste bin – size/capacity changeover fee (first changeover free of charge then all subsequent changes per property per annum per owner/s attracts fee)	57.00

5. Stormwater Management Service Charges

Name of Stormwater Management Service Charge (Rate Notice short name)	Annual Charges (\$)
Stormwater Charge Residential	25.00
Stormwater Charge Residential Strata	12.50
Stormwater Charge Business Strata	\$25.00 per 350m ² of the land area occupied by the strata scheme (or part thereof), proportioned by the unit entitlement of each lot in the strata scheme, minimum charge \$5.00
Stormwater Charge Bus/Mixed Strata Min	12.50
Stormwater Charge Business	\$25.00, plus an additional \$25.00 for each 350m ² or part thereof by which the area of the parcel of land exceeds 350m ²

6. Water Charges

Name of Water Charge (Rate Notice short name)	Annual Charges (\$)
Water Access Charge 20mm Residential	190.00
Water Access Charge 20mm Non-Residential	190.00
Water Access Charge 25mm Residential	298.00
Water Access Charge 25mm Non-Residential	298.00
Water Access Charge 32mm Residential	489.00

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Water Access Charge 32mm Non-Residential	489.00
Water Access Charge 40mm Residential	762.00
Water Access Charge 40mm Non-Residential	762.00
Water Access Charge 50mm Residential	1,191.00
Water Access Charge 50mm Non-Residential	1,191.00
Water Access Charge 65mm Residential	2,013.00
Water Access Charge 65mm Non-Residential	2,013.00
Water Access Charge 80mm Residential	3,049.00
Water Access Charge 80mm Non-Residential	3,049.00
Water Access Charge 100mm Residential	4,763.00
Water Access Charge 100mm Non-Residential	4,763.00
Water Access Charge Vacant Residential	96.00
Water Access Charge Vacant Non-Residential	96.00
	Usage Charges (\$)
Water Usage Charge Residential	2.80 per KL
Water Usage Charge Residential – Non-Compliant	5.60 per KL
Water Usage Charge Non-Residential	2.80 per KL
Water Usage Charge Non-Residential - Non-Compliant	5.60 per KL

7. Wastewater (sewer) Charges and On Site Sewage Management System Fee

Name of Wastewater (sewer) Charge or Fee (Rate Notice short name)	Annual Charges or Fee (\$)
Wastewater (sewer) Access 20mm Res	1,257.00
Wastewater (sewer) Access 20mm Non-Res	849.00
Wastewater (sewer) Access 25mm Res	1,964.00
Wastewater (sewer) Access 25mm Non-Res	1,327.00
Wastewater (sewer) Access 32mm Res	3,218.00
Wastewater (sewer) Access 32mm Non-Res	2,173.00
Wastewater (sewer) Access 40mm Res	5,028.00
Wastewater (sewer) Access 40mm Non-Res	3,396.00
Wastewater (sewer) Access 50mm Res	7,856.00
Wastewater (sewer) Access 50mm Non-Res	5,306.00
Wastewater (sewer) Access 65mm Res	13,277.00
Wastewater (sewer) Access 65mm Non-Res	8,968.00
Wastewater (sewer) Access 80mm Res	20,112.00
Wastewater (sewer) Access 80mm Non-Res	13,584.00
Wastewater (sewer) Access 100mm Res	31,425.00
Wastewater (sewer) Access 100mm Non-Res	21,225.00
Wastewater (sewer) Access Vacant Res	629.00
Wastewater (sewer) Access Vacant Non-Res	629.00
Wastewater (sewer) Access – Pump Res	1,232.00
Wastewater (sewer) Access – Pump Non-Res	824.00
On-Site Sewage Management System Fee (OSMS)	50.00
	Usage Charges (\$)
Wastewater (sewer) Usage Charge Non-Residential	*SDF x 2.80 per KL

*SDF = Individual Property Sewer Discharge Factor (%)

8. Liquid Trade Waste Charges

Name of Liquid Trade Waste Charge (Rate Notice short name)	Annual Charges (\$)
Liquid Trade Waste – Category 1	160.00
Liquid Trade Waste – Category 2	267.00
Liquid Trade Waste – Category 2S	267.00
Liquid Trade Waste – Category 3	757.00
	Usage Charges (\$)
Liquid Trade Waste Usage Charge	**TWDF x 2.34 per KL
Liquid Trade Waste Usage Charge – Non-Compliant Cat 1	**TWDF x 3.87 per KL
Liquid Trade Waste Usage Charge – Non-Compliant Cat 2/2S	**TWDF x 17.10 per KL
Liquid Trade Waste Usage Charge – Non-Compliant Pump Stn	**TWDF x 3.87per KL

*TWDF = Individual Property Trade Waste Discharge Factor (%)

9. Interest Rate on Overdue Rates and Charges

Name of Interest Rate (Rate Notice short name)	Rate (%)
Interest (01/07/2020 to 31/12/2020)	0.0%
Interest (01/01/2021 to 30/06/2021)	7.0%

(Richardson/Hunter)

STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

Report No. 4.1 Mayor and Councillor Fees 2020/21
File No: I2020/877

20-356 Resolved that Council:

1. Notes that Council’s categorisation remains unchanged as Regional Rural.
2. Fixes the fee payable to each Councillor under Section 248 of the Local Government Act 1993 for the period 1 July 2020 to 30 June 2021 at \$20,280.
3. Fixes the fee payable to the Mayor under section 249 of the Local Government Act 1993, for the period from 1 July 2020 to 30 June 2021 at \$44,250.
4. Not determine a fee payable to the Deputy Mayor, in accordance with its current practice.
5. Responds to the letter received from the Remuneration Tribunal outlining our disagreement with the findings and disappointment that the true nature of Byron Shire’s population and visitor impacts are not acknowledged under the current framework.
6. That Council’s letter be forwarded to, and support be sought from, Tamara Smith MP, Ben Franklin MP, the Minister for Local Government the Hon. Shelley Hancock MP, and Justine Elliot MP.
(Cameron/Richardson)

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

Report No. 4.2 **Adoption of the 2020/21 Operational Plan, including Budget, Statement of Revenue Policy, and Fees and Charges**
File No: I2020/1035

20-357 Resolved:

1. Notes the submissions received during the public exhibition period for the 2020/21 Operational Plan (including the Budget, Statement of Revenue Policy, and Fees and Charges).
2. Adopts the following documents:
 - a) Delivery Program 2017-2021 and 2020/21 Operational Plan as exhibited, with the amendments (included in Attachment 1 #E2020/55619) discussed in this report under the heading 'Draft 2020/21 Operational Plan – amendments'.
 - b) 2020/21 Statement of Revenue Policy including fees and charges as exhibited, with the amendments (included in Attachment 2 #E2020/42781) discussed in the report under the headings 'Draft General Land Rates and Charges (Statement of Revenue Policy)' and 'Draft Fees and Charges (Statement of Revenue Policy)'
 - c) 2020/21 Budget Estimates as exhibited, with the amendments discussed in the report under the heading 'Draft 2020/21 Budget Estimates (Statement of Revenue Policy)'.
3. Adopts the proposed fees as outlined in the report under the heading Draft Fees and Charges (Statement of Revenue Policy) / Proposed Amendments, for the purposes of public exhibition and then adopts these fees should no submissions be received.
4. Adds an additional item to the capital works budget for the design and options study of share paths BA001 and BA023 in Bangalow for \$100,000. This is to be funded by an internal borrowing from the Bangalow Civic and Urban Improvements Fund and repaid by the Bangalow Bikeways Fund.
5. Council notes that possible loan borrowings for projects identified in the budget will only be undertaken after all feasibility studies have been done, public exhibition has occurred and a council resolution passed that supports the progression of each project.
6. That the Operational Plan 2020/21 be amended to include the following activities:
 - a) 1.3.1.5 Provide a quarterly update report on the outcome of discussions with State government and agencies about the multi-use of the rail corridor, including any policy developments and funding opportunities identified.
 - b) 1.3.1.6 Develop a governance model to support rail corridor activation.
(Coorey/Richardson)

The motion was put to the vote and declared carried.

PROCEDURAL MOTION

20-358 Resolved that Cr Coorey be granted a two minute extension to her speech.
(Richardson/Cameron)

The motion was put to the vote and declared carried.

URGENCY MOTION

1. Busking Licences

PROCEDURAL MOTION

- 20-359 **Resolved** that the matter regarding busking licences be dealt with at the meeting as the suspension that is currently in place is about to lapse. (Richardson)

The motion was put to the vote and declared carried.

Urgency No. 1 **Matter of Urgency - Busking Licences**
File No: I2020/1122

- 20-360 **Resolved** that Council in relation to the implemented response to COVID-19, extend the current suspension on the use of public spaces for busking or other activity within the definition, including: tarot cards and palm readers, fortune readers, or the display or demonstration of items, particularly multiples of items, with an implication that they are available for sale or otherwise in exchange for money until 31 January 2021. (Richardson/Hunter)

The motion was put to the vote and declared carried.

There being no further business the meeting concluded at 5:17pm.

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

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Mayor Simon Richardson