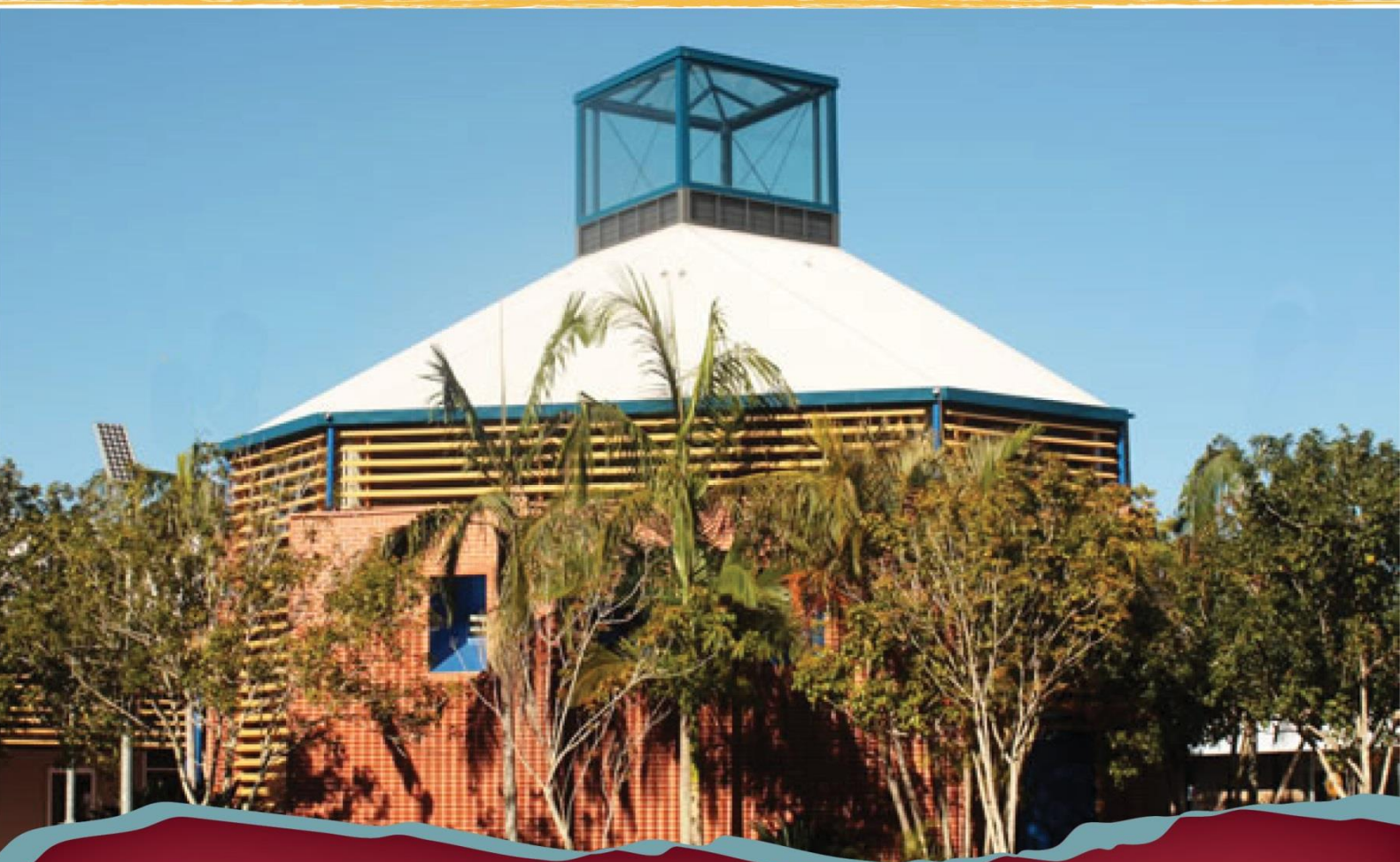




# Byron Shire Council



## **Minutes**

**Extraordinary Meeting**

**Thursday, 28 June 2018**

# BYRON SHIRE COUNCIL

Extraordinary Meeting Minutes  
28 June 2018

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## INDEX OF ITEMS DISCUSSED

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

Report No. 4.1	Repurposing of the old Byron Hospital site .....	3
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# BYRON SHIRE COUNCIL

## EXTRAORDINARY MEETING MINUTES

28 June 2018

### MINUTES OF THE BYRON SHIRE COUNCIL EXTRAORDINARY MEETING HELD ON THURSDAY, 28 JUNE 2018 COMMENCING AT 4.34PM AND CONCLUDING AT 6.03PM

I2018/1172

**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:** Mark Arnold (Acting General Manager)  
James Brickley (Acting Director Corporate and Community Services)  
Phil Holloway (Director Infrastructure Services)  
Shannon Burt (Director Sustainable Environment and Economy)  
Michael Matthews (Manager Open Spaces and Resource Recovery – item 4.2)  
Tony Nash (Manager Works – item 4.2)  
David Royston-Jennings (Minute Taker)

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

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### PUBLIC ACCESS

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

#### 4.1 Repurposing of the old Byron Hospital Site

*Chris Hanley addressed Council in favour of the recommendation.*

#### 4.2 Adoption of the Delivery Program 2017-2021 (revised) and Operational Plan 2018-2019, including Statement of Revenue Policy, Budget, Fees and Charges

*Rod Palmer addressed Council against the recommendation.*

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### APOLOGIES

There were no apologies.

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

There were no declarations of interest.

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### STAFF REPORTS - GENERAL MANAGER

**Report No. 4.1**                      **Repurposing of the old Byron Hospital site**  
**File No:**                              I2018/1149

#### 18-427 Resolved:

1. That Council write to the NSW Health Minister to support the proposal for the repurposing of the old Byron Hospital site into the Byron Community Hub.

# BYRON SHIRE COUNCIL

## EXTRAORDINARY MEETING MINUTES

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2. That staff continue to work with NSW Health and the Byron Community Hub Steering Committee to progress the project, providing updates to Council as required.

(Richardson/Coorey)

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

### PROCEDURAL MOTION

- 18-428 Resolved** that Cr Richardson be granted a two minute extension to his speech.

(Ndiaye/Cameron)

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

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## STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

**Report No. 4.2 Adoption of the Delivery Program 2017-2021 (Revised) and Operational Plan 2018-2019, including Statement of Revenue Policy, Budget, Fees and Charges**

**File No:** I2018/1060

- 18-429 Resolved** that Council:

1. Note the submissions received during the public exhibition period for the Delivery Program 2017-2021(Revised) and Operational Plan 2018-2019 (including the Statement of Revenue Policy, 2018-2019 Budget and 2018-2019, Fees and Charges) (Attachments 2 to 4) and that Council receive a further report to the 2 August 2018 Ordinary Meeting regarding the submission on Settlement Road.
2. Adopt the following documents:
  - a) Delivery Program 2017-2021 (Revised) and Operational Plan 2018-2019 as exhibited with amendments (Attachment 1 E2018/52819) and discussed in this report under the heading 'Management Comments – Delivery Program/Operational Plan'.
  - b) 2018-2019 Statement of Revenue Policy as exhibited with amendments (included in Attachment 1 #E2018/52819) discussed in the report under the heading 'Management Comments – 2018/2019 Revenue Policy'.
  - c) 2018-2019 Budget Estimates as exhibited with amendments discussed in the report under the heading 'Management Comments – 2018-2019 Budget Estimates'.
  - d) 2018-2019 Fees and Charges as exhibited with amendments discussed in the report under the heading 'Management Comments – 2018-2019 Fees and Charges'.
3. Amend the 2018-2019 budget as follows:
  - a) That an independent service review that identifies levels of service to be undertaken along with service costs and efficiencies for all maintenance activities within the Byron Bay Township and that a report be provided to Council by February 2019.
  - b) That a reallocation of \$154,552 from WSUD budget to Parks and Reserves Maintenance Byron Bay (3235.2).
  - c) WSUD funding sources be adjusted in accordance with Table 2, that being;

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Water Sensitive Urban Design Application	Funding allocation Source	Amount	Finance Restriction
Water network including ancillary infrastructure	Water Fund	\$65,000	Meets Water Fund expenditure criteria
Sewer Network including ancillary infrastructure	Sewer Fund	\$65,000	Meets Sewer Fund expenditure criteria
Crown Reserve	Crown Paid Parking	\$80,000	If applied to adopted projects within Crown Reserve it will meet expenditure criteria
Total Funding WSUD		\$210,000	

(Cameron/Richardson)

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

### Report No. 4.3 Making of the 2018/2019 Ordinary Rates and Charges File No: I2018/1160

**18-430 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 2018/19 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	0.2314	803.00
Ordinary Rate Residential Flood	0.2314	402.00
Ordinary Rate Business	0.4058	803.00
Ordinary Rate Business Byron CBD	0.5118	803.00
Ordinary Rate Mining	0.4058	803.00
Ordinary Rate Farmland	0.2102	803.00
Ordinary Rate Farmland Flood	0.2102	402.00

*\*Applied to 2016 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	132.00
Domestic Waste 140L 3 Bin Collection	278.00
Domestic Waste 240L 3 Bin Collection	413.00
Domestic Waste 140L Week Collect 3 Bins	728.00
Domestic Waste 240L Week Collect 3 Bins	928.00
Domestic Waste 140L 2 Bin Collection	199.00

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Domestic Waste 240L 2 Bin Collection	296.00
Domestic Waste Vacant Land Charge Urban	27.00
Domestic Waste Vacant Land Charge Rural	27.00
Domestic Recycling Additional Bin	92.00
Domestic Organics Additional Bin	107.00
Domestic Waste 80L 3Bin Multi Unit Serv	132.00
Domestic Waste 140L 3Bin Multi Unit Serv	278.00
Domestic Waste 240L 3Bin Multi Unit Serv	413.00
Domestic Waste 80L 2Bin Multi Unit Serv	132.00
Domestic Waste 140L 2Bin Multi Unit Serv	278.00
Domestic Waste 240L 2Bin Multi Unit Serv	413.00
Domestic Waste Strata 2Bin Share Service	221.00
Domestic Waste Strata 3Bin Share Service	221.00

### 3. Waste Management Charges (Non-Domestic)

Name of Waste Management Charge (Rate Notice short name)	Annual Charges (\$)
Commercial 140L Waste & Recycle Service	449.00
Commercial 240L Waste & Recycle Service	515.00
Commercial Waste 140L Bin Collection	449.00
Commercial Waste 240L Bin Collection	515.00
Commercial Rural Waste & Recycle Service	463.00
Commercial Recycling 240L Bin Collection	116.00
Commercial Organics 240L Bin Collection	107.00
Waste Operations Charge Residential	75.00
Waste Operations Charge Non-Residential	75.00

### 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)	55.00

### 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 <sup>2</sup> 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 <sup>2</sup> or part thereof by which the area of the parcel of land exceeds 350m <sup>2</sup>



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## EXTRAORDINARY MEETING MINUTES

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### 6. Water Charges

Name of Water Charge (Rate Notice short name)	Annual Charges (\$)
Water Fixed Charge 20mm Residential	182.00
Water Fixed Charge 20mm Non-Residential	182.00
Water Fixed Charge 25mm Residential	285.00
Water Fixed Charge 25mm Non-Residential	285.00
Water Fixed Charge 32mm Residential	467.00
Water Fixed Charge 32mm Non-Residential	467.00
Water Fixed Charge 40mm Residential	729.00
Water Fixed Charge 40mm Non-Residential	729.00
Water Fixed Charge 50mm Residential	1,139.00
Water Fixed Charge 50mm Non-Residential	1,139.00
Water Fixed Charge 65mm Residential	1,925.00
Water Fixed Charge 65mm Non-Residential	1,925.00
Water Fixed Charge 80mm Residential	2,916.00
Water Fixed Charge 80mm Non-Residential	2,916.00
Water Fixed Charge 100mm Residential	4,556.00
Water Fixed Charge 100mm Non-Residential	4,556.00
Water Fixed Charge Vacant Residential	92.00
Water Fixed Charge Vacant Non-Residential	92.00
Water Fixed Charge Strata Residential	182.00
Water Fixed Charge Strata Non-Residential	182.00
Water Fixed Charge Fire Service Resident	242.00
Water Fixed Charge Fire Service Non-Res	242.00
	Usage Charges (\$)
Water Usage Charge Residential	2.51 per KL to 450 KL 3.77 per KL thereafter
Water Usage Charge Residential – Non-Compliant	5.40 per KL
Water Usage Charge Non-Residential	2.70 per KL
Water Usage Charge Non-Residential - Non-Compliant	5.40 per KL

### 7. Sewer Charges and On Site Sewage Management System Fee

Name of Sewer Charge (Rate Notice short name)	Annual Charges or Fee (\$)
Sewer Fixed Charge 20mm Residential	834.00
Sewer Fixed Charge 20mm Non-Residential	834.00
Sewer Fixed Charge 25mm Residential	1,303.00
Sewer Fixed Charge 25mm Non-Residential	1,303.00
Sewer Fixed Charge 32mm Residential	2,135.00
Sewer Fixed Charge 32mm Non-Residential	2,135.00
Sewer Fixed Charge 40mm Residential	3,335.00
Sewer Fixed Charge 40mm Non-Residential	3,335.00
Sewer Fixed Charge 50mm Residential	5,211.00
Sewer Fixed Charge 50mm Non-Residential	5,211.00
Sewer Fixed Charge 65mm Residential	8,807.00
Sewer Fixed Charge 65mm Non-Residential	8,807.00

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Sewer Fixed Charge 80mm Residential	13,340.00
Sewer Fixed Charge 80mm Non-Residential	13,340.00
Sewer Fixed Charge 100mm Residential	20,844.00
Sewer Fixed Charge 100mm Non-Residential	20,844.00
Sewer Fixed Charge Vacant Residential	417.00
Sewer Fixed Charge Vacant Non-Res	417.00
Sewer Fixed Charge Rebated Residential (pods)	834.00
Sewer Fixed Charge Rebated Non-Resident (pods)	808.00
On-Site Sewage Management System (OSMS) Fee	45.00
	<b>Usage Charges (\$)</b>
Sewer Usage Charge Residential	1.89 per KL
Sewer Usage Charge Non-Residential	*SDF x 2.51 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	156.00
Liquid Trade Waste – Category 2	260.00
Liquid Trade Waste – Category 2S	260.00
Liquid Trade Waste – Category 3	437.00
	<b>Usage Charges (\$)</b>
Liquid Trade Waste Usage Charge	**TWDF x 2.28 per KL
Liquid Trade Waste Usage Charge – Non-Compliant Cat 1	**TWDF x 3.77 per KL
Liquid Trade Waste Usage Charge – Non-Compliant Cat 2/2S	**TWDF x 16.50 per KL
Liquid Trade Waste Usage Charge – Non-Compliant Pump Stn	**TWDF x 3.77 per 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	7.5%

(Coorey/Cameron)

The motion was put to the vote and declared carried.

## URGENCY

### Urgency No. 1 NSW Library Funding

The Mayor ruled that the matter of NSW Library Funding be considered urgent because advocating in conjunction with other RTRL Councils and statewide advocacy requires our support within the 17/18 financial year.

#### 18-431 Resolved:

#### 1. That Council notes:

- (a) That the NSW government's recent state budget drastically cuts \$5.275 million from the



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state libraries budget - an 18% reduction;

- (b) Libraries in NSW receive substantially less state government funding than in any other state or territory in Australia;
  - (c) That these cuts will have a drastic impact on RTRL's resources, staff and services and will impact the most disadvantaged in our communities; and
  - (d) Note quote from Cr Dallas Tout, President of NSW Public Libraries Association (PLA), from the NSW PLA Media Release as follows:  
*"This drastic budget cut also flies in the face of the recommendation of the NSW Government's very own expert panel, the Library Council of NSW which, in consultation with the State Library of NSW and the NSW Public Libraries Consultative Committee, recommend an increase in public library funding for 2018-19."*
- 2. That Council writes to the State Government to strongly condemn the State Government's decision to cut 18% from the state library budget and demands that this funding be restored;
  - 3. That Council send a delegate to the RTRL meeting with Minister of the Arts, should a meeting be secured.

(Ndiaye/Cameron)

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

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*There being no further business the meeting concluded at 6.03pm.*

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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 2 August 2018.

.....  
Mayor Simon Richardson