



Byron Shire Council



Minutes

Ordinary Meeting

Thursday, 18 October 2018

BYRON SHIRE COUNCIL

Ordinary Meeting Minutes
18 October 2018

INDEX OF ITEMS DISCUSSED

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

Report No. 11.1	Byron Shire Council Submissions and Grants as at 1 October 2018.....	7
Report No. 13.1	Variation of North Byron Farmers Market licence for temporary change to market days.....	7
Report No. 13.2	Proposed lease to Lilly Pilly Community Pre-School Inc, 96 Kingsford Drive Brunswick Heads.....	7
Report No. 13.4	LGNSW request for financial assistance in legal proceedings	8
Report No. 13.5	The giving notice to the Minister of persons employed as Native Title Managers	8
Report No. 13.6	Investments September 2018	8
Report No. 13.8	Section 355 Management Committees - resignations and appointments	8
Report No. 13.10	Draft 2017/2018 Financial Statements.....	9
Report No. 13.13	PLANNING - Development Application 10.2018.342.1 Secondary dwelling at 5 Luan Court Byron Bay	9
Report No. 13.14	PLANNING - Railway Park Draft Plan of Management - Submissions Report	9
Report No. 13.15	PLANNING - Exceptions to Development Standards - 1 July 2018 to 30 September 2018.....	9
Report No. 13.16	Report of the Planning Review Committee Meeting held on 13 September 2018	9
Report No. 13.17	South Golden Beach Flood Pump Update	10
Report No. 13.18	Hinterland Way and Brunswick Valley Way/Tweed Valley Way Maintenance Funding	10
Report No. 13.20	Enactment of Council Policy 4.17 for Mafeking Road - Resident Contributions	10
Report No. 13.21	Naming unnamed Track off Brunswick Street Billinudgel for addressing purposes	11
Report No. 13.22	BRRC Masterplan Stage 2 Works - funding allocation	11
Report No. 14.1	Report of the Arakwal Memorandum of Understanding Advisory Committee Meeting held on 13 September 2018.....	11
Report No. 14.2	Report of the Sustainability and Emissions Reduction Advisory Committee Meeting held on 30 August 2018	13
Report No. 14.3	Report of the Heritage Panel Meeting held on 30 August 2018.....	13
Report No. 14.5	Report of the Local Traffic Committee Meeting held on 18 September 2018 .	13
Report No. 14.6	Report of the Byron Shire Floodplain Risk Management Committee Meeting held on 13 September 2018	17
Report No. 14.7	Report of the Local Traffic Committee Meeting held on 21 September 2018 .	18
Report No. 16.1	CONFIDENTIAL - Tender 2018-0008 Eureka Bridge Embankment Rectification.....	21
Report No. 14.1	Draft 2017/18 Financial Statements.....	21
Notice of Motion No. 9.1	Climate Emergency Declaration.....	22
Report No. 13.3	Byron Masterplan Guidance Group membership	23
Report No. 13.11	Draft Bangalow Village Plan for public exhibition	23
Report No. 13.23	Belongil Catchment Drainage Investigation - Update	24
Report No. 14.4	Report of the Water, Waste and Sewer Advisory Committee Meeting held on 13 September 2018	25

BYRON SHIRE COUNCIL

Ordinary Meeting Minutes
18 October 2018

Notice of Motion No. 9.2	Disaster Dashboard for Byron Shire.....	27
Report No. 13.7	Update to hall fees and charges - Marvell Hall and Suffolk Park Hall.....	27
Report No. 13.9	Election of Deputy Mayor 2018-2019.....	27
Report No. 13.12	PLANNING - Car Share Pilot Project, Byron Bay & Mullumbimby.....	28
Report No. 13.19	Tyagarah Clothes Optional Declaration - Results of the enhanced stakeholder safety initiatives of Res 17-499 and Res 17715.....	29
No. Urgency No.1	Support for Drought Relief	30
No. Urgency No. 2	West Byron Release Area Zone Application	31

MINUTES OF THE BYRON SHIRE COUNCIL ORDINARY MEETING HELD ON THURSDAY, 18 OCTOBER 2018 COMMENCING AT 9:06AM AND CONCLUDING AT 2:47PM

I2018/1963

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

Staff: Mark Arnold (General Manager)
James Brickley (Acting Director Corporate and Community Services)
Phil Holloway (Director Infrastructure Services)
Shannon Burt (Director Sustainable Environment and Economy)
Ralph James (Legal Counsel)
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:

9.1 Climate Emergency Declaration

Matthew Lambourne, Vicki Brooke, on behalf of Zero Emissions Byron Limited, and Mary Gardner addressed Council in favour of the recommendation.

John Anderson addressed Council against the recommendation.

13.3 Byron Masterplan Guidance Group Membership

John Lazarus addressed Council against the recommendation.

13.11 Draft Bangalow Village Plan for Public Exhibition

Ian Holmes and Nadine Hood addressed Council in favour of the recommendation.

13.14 PLANNING – Railway Park Draft Plan of Management – Submissions Report

John Lazarus addressed Council against the recommendation.

13.19 Tyagarah Clothes Optional Declaration – results of the enhanced stakeholder safety initiatives of Res 17-499 and res 17-715

Jade Goldberg, Nicqui Yazdi, Ngurungaeta Brown (on behalf of Delta Kay), Yuti McLean, Gwen Gould, and Richard Burford addressed Council in favour of the recommendation.

David Dixon addressed Council against the recommendation.

13.23 Belongil Catchment Drainage Investigation – Update

Tom Vidal and Tim Hochgrebe addressed Council regarding the recommendation.

14.4 Report of the Water, Waste and Sewer Advisory Committee Meeting held on 13 September 2018

Sonia Laverty addressed Council against the recommendation.

Submission No. 1 – Due Process

John Anderson made a submission to Council regarding due process of Council's complaint handling.

Question No. 1

Kelvin Daly asked the following question:

What amount of Council staff time has been spent in satisfying Matthew O'Reilly's FOI and GIPA requests in the last two years?

The General Manager took the question on notice.

Question No. 2

John Anderson asked the following question:

At the September meeting of Council I asked you Mr Mayor whether the development lobby has compromised you by favouring you with a helicopter ride and whether you had in fact tried to keep it secret. Given that your reply was immediate and that both the question and the answer were therefore part of the meeting proper, why aren't both the question and the answer repeated in the agenda for this meeting, as clearly specified in the Code of Meeting Practice?

The Mayor provided the following response:

If the response is part of the meeting it becomes part of the minutes and that is where it is.

The General Manager further clarified:

Clause 22.13 of Council's Code of Meeting Practice, the answer was recorded on page 5 of the minutes of the Ordinary Meeting. Council will provide a copy of both the minutes and that part of the meeting code to specify where it should be recorded.

The meeting adjourned at 10:26am and reconvened at 10:55am.

APOLOGIES

PROCEDURAL MOTION

- 18-635 Resolved** that the apology from Cr Spooner be accepted and a leave of absence granted.
(Richardson/Hunter)
The motion was put to the vote and declared carried.

REQUESTS FOR LEAVE OF ABSENCE

PROCEDURAL MOTION

- 18-636 Resolved** that Cr Hackett be granted a leave of absence from 11:00am to 1:00pm for the Ordinary Council Meeting held on 18 October 2018. (Richardson/Hunter)
The motion was put to the vote and declared carried.

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

TABLING OF PECUNIARY INTEREST RETURNS

In accordance with the Local Government Act 1993 Section 450A(2), Section 449(1) Annual Returns were tabled for designated staff and Councillors.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

- 18-637 Resolved** that the minutes of the following meetings be confirmed:
- Byron Shire Reserve Trust Committee meeting held 20 September 2018
 - Ordinary Meeting held 20 September 2018 (Lyon/Richardson)
- 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

General Manager

Report No. 13.3 Byron Masterplan Guidance Group membership

Corporate and Community Services

Report No. 13.7 Update to hall fees and charges - Marvell Hall and Suffolk Park Hall

Report No. 13.9 Election of Deputy Mayor 2018-2019

Sustainable Environment and Economy

Report No. 13.11 Draft Bangalow Village Plan for public exhibition

Report No. 13.12 PLANNING - Car Share Pilot Project, Byron Bay & Mullumbimby

Infrastructure Services

Report No. 13.19 Tyagarah Clothes Optional Declaration - Results of the enhanced stakeholder safety initiatives of Res 17-499 and Res 17715.

Report No. 13.23 Belongil Catchment Drainage Investigation - Update

REPORTS OF COMMITTEES**Infrastructure Services**

Report No. 14.4 Report of the Water, Waste and Sewer Advisory Committee Meeting held on 13 September 2018

The remaining Recommendations and Committee Recommendation were adopted as a whole, being moved by Cr Richardson and seconded by Cr Hunter. Each recommendation is recorded with a separate resolution number commencing at Resolution No. 18-637 and concluding with Resolution No. 18-678.

SUBMISSIONS AND GRANTS

Report No. 11.1 Byron Shire Council Submissions and Grants as at 1 October 2018
File No: I2018/1922

18-638 Resolved that Council note the report and attachment (#E2018/80842) for the Byron Shire Council Submissions and Grants as at 1 October 2018.

(Richardson/Hunter)

STAFF REPORTS - GENERAL MANAGER

Report No. 13.1 Variation of North Byron Farmers Market licence for temporary change to market days
File No: I2018/1705

18-639 Resolved that Council delegate the General Manager, the authority to vary the current Farmers Market Licence to the North Byron Farmers Markets to permit two regular Tuesday Farmers Markets to be moved to Mondays 24 and 31 December 2018 in lieu of Tuesdays 25 December 2018 and 1 January 2019 and to execute any documents necessary to give effect to the variation.

(Richardson/Hunter)

Report No. 13.2 Proposed lease to Lilly Pilly Community Pre-School Inc, 96 Kingsford Drive Brunswick Heads
File No: I2018/1706

18-640 Resolved that Council authorises the General Manager to negotiate a new lease with the Lilly Pilly Community Pre-School for:

- a) an initial term of five (5) years with three additional options of five (5) years to renew;
- b) the lessor provide subsidised rent to the value of \$40,190 (Calculated on the basis of 6% of the lands Unimproved Capital Value \$40,680 less \$490 being the value of minimum Crown rent) and adjusted each year;
- c) the lessee pay annual rent of \$490 (excluding GST) being minimum Crown rent, adjusted for each year of the lease;
- d) the lessor provide full (100%) subsidies general land rates value for each year of the lease;
- e) the Lessee pay all other outgoings;
- f) the Lessee repair or replace all non-structural defects identified in a building audits obtained prior to commencement of the lease, and subsequent obtained prior to commencement of each additional option of the lease.

(Richardson/Hunter)

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

18 October 2018

Report No. 13.4 **LGNSW request for financial assistance in legal proceedings**
File No: I2018/1872

18-641 Resolved that Council:

1. Acknowledge that the principle involved in the proceedings is one which is a major local government principle.
2. Authorise the provision of assistance requested by LGNSW in the sum of \$3216.52 including GST, to be drawn from the Legal Services Budget. (Richardson/Hunter)

Report No. 13.5 **The giving notice to the Minister of persons employed as Native Title Managers**
File No: I2018/1909

18-642 Resolved that Council give notice to the Minister responsible for the *Crown Lands Management Act* of the following employees of Council certified as Native Title Managers:

- a) Ralph James (Legal Counsel)
- b) Matt Meir (Solicitor)
- c) Jessica Orr (Strategic Risk and Improvement Coordinator)
- d) Tracey Dousling (Records Management Coordinator)
- e) Paula Telford (Leasing Coordinator)

(Richardson/Hunter)

STAFF REPORTS – CORPORATE AND COMMUNITY SERVICES

Report No. 13.6 **Investments September 2018**
File No: I2018/1702

18-643 Resolved that the report listing Council's investments and overall cash position as at 30 September 2018 be noted.

(Richardson/Hunter)

Report No. 13.8 **Section 355 Management Committees - resignations and appointments**
File No: I2018/1794

18-644 Resolved:

1. That Councillors note and confirm that in addition to Cr Lyon replacing Cr Martin on the Ocean Shores Community Centre Management Committee as per resolution 18-488, that Cr Martin will replace Cr Lyon on the Durrumbul Community Hall Management Committee.
2. That the resignation of Helen Hamilton from the Brunswick Valley Community Centre Management Committee be accepted and a letter of thanks be provided.

(Richardson/Hunter)

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

18 October 2018

Report No. 13.10 **Draft 2017/2018 Financial Statements**
File No: I2018/1929

- 18-645** **Resolved** that Council suspend standing orders to allow for a presentation from Council's External Auditor.

(Richardson/Hunter)

STAFF REPORTS – SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 13.13 **PLANNING - Development Application 10.2018.342.1 Secondary dwelling at 5 Luan Court Byron Bay**
File No: I2018/1687

- 18-646** **Resolved** pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application no. 10.2018.342.1 for secondary dwelling, be granted consent subject to the conditions of approval attached with this report.

(Richardson/Hunter)

The motion was put to the vote and declared carried.

Crs Richardson, Cameron, Hunter, Coorey, Martin, Lyon, Ndiaye and Hackett voted in favour of the motion.

Nil voted against the motion.

Report No. 13.14 **PLANNING - Railway Park Draft Plan of Management - Submissions Report**
File No: I2018/1701

- 18-647** **Resolved** that Council adopt the Plan of Management for Railway Park, contained at Attachment 2 (#E2018/78998), categorising the site as General Community Use, noting the amendments to the Plan following public engagement associated with acknowledging the heritage value of the land and the adjoining railway corridor and the retention of the memorial pole.

(Richardson/Hunter)

Report No. 13.15 **PLANNING - Exceptions to Development Standards - 1 July 2018 to 30 September 2018**
File No: I2018/1764

- 18-648** **Resolved** that Council note the report on exceptions to development standards for the period 1 July to 30 September 2018.

(Richardson/Hunter)

Report No. 13.16 **Report of the Planning Review Committee Meeting held on 13 September 2018**
File No: I2018/1775

- 18-649** **Resolved** that Council note the report of the Planning Review Committee meeting held on 13 September 2018.

(Richardson/Hunter)

STAFF REPORTS – INFRASTRUCTURE SERVICES

Report No. 13.17 South Golden Beach Flood Pump Update
File No: I2018/963

18-650 Resolved:

1. That in relation to the South Golden Beach Flood Pump, Council endorse the report and proceed to implement the following report actions:
 - a) That the existing station inlet screen be extended to the full width of the existing channel headwall (approx. 4 metres wide) to minimise intake velocities and reduce the risk of the screen blinding.
 - b) That a programmed maintenance regime be implemented for the inlet area and upstream drains.
 - c) That option 6 (within attachment 1, #E2018/77441) be implemented as a short term solution as soon as practical, before the coming rainy season, if feasible.
 - d) That option 8 (within attachment 1, #E2018/77441) be implemented to further support option 6 as a short term solution.
 - e) That option 1 (within attachment 1, #E2018/77441) is used as a long term solution when the pump becomes aged and is in need of replacement.
2. That funding for items 2, 4 and 5 from the report be considered at the next Financial Quarterly Review. (Richardson/Hunter)

Report No. 13.18 Hinterland Way and Brunswick Valley Way/Tweed Valley Way
File No: Maintenance Funding
I2018/1603

18-651 Resolved:

1. That \$140,000 be allocated from the Old Pacific Highway Maintenance Reserve for asphalt heavy patching repairs and line marking to Hinterland Way.
2. That \$45,400 be allocated from the Old Pacific Highway Maintenance Reserve for asphalt heavy patching repairs and line marking to Brunswick Valley Way/Tweed Valley Way. (Richardson/Hunter)

Report No. 13.20 Enactment of Council Policy 4.17 for Mafeking Road - Resident
File No: Contributions
I2018/1762

18-652 Resolved:

1. That the letter received from Mafeking Road residents be noted.
2. That Council agree to fund the shortfall in resident contributions of \$23,000.

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

18 October 2018

3. That the provision of the additional \$23,000 funding be considered as part of the next Financial Quarterly Review. (Richardson/Hunter)

Report No. 13.21 **Naming unnamed Track off Brunswick Street Billinudgel for addressing purposes**

File No: I2018/1724

18-653 Resolved:

1. That Council endorse the name "O'Donnells Lane" for a private track extending South West off Brunswick Street near the intersection of Wilfred and Brunswick Street (Image 1) and advertise the name in the Byron Shire Echo and notify Authorities of the name.
2. That O'Donnells Lane be submitted to the NSW Geographical Names Board for Gazettal in accordance with regulation requirements.
3. That new street name signs be erected and funded from the General Fund for Sign Maintenance. (Richardson/Hunter)

Report No. 13.22 **BRRRC Masterplan Stage 2 Works - funding allocation**

File No: I2018/1770

18-654 Resolved that \$428,000 is allocated to the Byron Resource Recovery Centre Masterplan Stage 2 Upgrade Works funded from the following sources:

- \$107,600 Secured EPA Grant;
- \$100,000 s94 Developer Contributions – Community Facilities Shire Wide; and
- \$221,000 Non-domestic Waste Reserve (Richardson/Hunter)

REPORTS OF COMMITTEES - CORPORATE AND COMMUNITY SERVICES

Report No. 14.1 **Report of the Arakwal Memorandum of Understanding Advisory Committee Meeting held on 13 September 2018**

File No: I2018/1871

18-655 Resolved that Council note the minutes of the Arakwal Memorandum of Understanding Advisory Committee Meeting held on 13 September 2018. (Richardson/Hunter)

18-656 Resolved that Council adopt the following Committee Recommendation:

Report No. 4.1 Environmental Protection and Improvement Works at the Sandhills Estate
File No: I2018/1665

Committee Recommendation 4.1.1

1. That the Arakwal Memorandum of Understanding Advisory Committee:
 - a) Note the progress of this project and provide any feedback to Council.
 - b) Provide feedback on the Sandhills Estate Environmental Protection and Improvement Plan.

2. That Council establish a partnership protocol with the Arakwal Corporation for works within the Sandhills Estate and facilitate a stakeholder engagement process for the broader Sandhills project.
 3. That the Environmental Protection and Improvement Project Plan (E2018/76687) be presented to the Arakwal Corporation Board by Council staff. (Richardson/Hunter)
-

18-657 Resolved that Council adopt the following Committee Recommendation:

Report No. 4.2 Australia Day 2019
File No: I2018/1570

Committee Recommendation 4.2.1

1. That input provided by the Arakwal MoU Committee informs the planning and delivery of Council's Australia Day 2019 activities.
 2. That, in the event the date of the official Council celebrations change, that it be recognised that it is a Council decision, not one by the Arakwal Corporation.
 3. That Council continue to support the Byron Reconciliation Group Survival Day events. (Richardson/Hunter)
-

18-658 Resolved that Council adopt the following Committee Recommendation:

Report No. 4.3 Byron Shire Council and Bundjalung of Byron Bay Aboriginal Corporation
(Arakwal) Memorandum of Understanding intended Review
File No: I2018/1668

Committee Recommendation 4.3.1

That the Arakwal MoU Advisory Committee note the intended review and evaluation of the Arakwal MoU and provide preliminary feedback for the process. (Richardson/Hunter)

18-659 Resolved that Council adopt the following Committee Recommendation:

Report No. 4.6 Ironbark Avenue - Drainage Investigation
File No: I2018/1663

Committee Recommendation 4.6.1

1. That the Arakwal Corporation proceed to obtain relevant approvals for the proposed drainage solution and engage a suitable contractor to complete the works, and acknowledge their commitment as stated in 5.2.1 of the Arakwal Memorandum of Understanding.
2. That a funding source be identified within Council's 30 September Quarterly Budget Review for Council's consideration.
3. That a review of parking design be included as part of this process. (Richardson/Hunter)

REPORTS OF COMMITTEES - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 14.2 **Report of the Sustainability and Emissions Reduction Advisory Committee Meeting held on 30 August 2018**
File No: I2018/1778

- 18-660 Resolved** that Council note the minutes of the Sustainability and Emissions Reduction Advisory Committee Meeting held on 30 August 2018. (Richardson/Hunter)

Report No. 14.3 **Report of the Heritage Panel Meeting held on 30 August 2018**
File No: I2018/1798

- 18-661 Resolved** that Council note the minutes of the Heritage Panel Meeting held on 30 August 2018. (Richardson/Hunter)

REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES

Report No. 14.5 **Report of the Local Traffic Committee Meeting held on 18 September 2018**
File No: I2018/1870

- 18-662 Resolved** that Council note the minutes of the Local Traffic Committee Meeting held on 18 September 2018. (Richardson/Hunter)

-
- 18-663 Resolved** that Council adopt the following Committee Recommendation(s):

Report No. 6.1 Parking for volunteers vehicles at RFS Mullumbimby Brigade

File No: I2018/1151

Committee Recommendation 6.1.1

1. That Council not provide dedicated parking for volunteers' private vehicles in Gordon Street at the Mullumbimby RFS brigade.

2. That council have further discussions with the RFS regarding alternative parking arrangements.

Flanagan, Cameron and Stevens voted in favour of the motion.

Nil voted against the motion (Richardson/Hunter)

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- 18-664 Resolved** that Council adopt the following Committee Recommendation(s):

Report No. 6.2 Events - Mullumbimby Music Festival 2018 - Road Closure

File No: I2018/1571

Committee Recommendation 6.2.1

1. That the Traffic Management Plan and Traffic Control Plan/s as relates to the Mullumbimby Music Festival 2018, to be held between Thursday 15 November 2018 and

Monday 19 November 2018, which includes the temporary road closures below, be endorsed between these times:

- a) Dalley Street, between Tincogan Street and Burringbar Street, between 11:00am and 12:00noon on Sunday 18 November 2018 - Street Parade;
- b) Burringbar Street, between Station Street and Dalley Street, effective between 10:45am and 11:15am on Sunday 18 November 2018 - Street Parade;
- c) Cenotaph Lane, between Dalley Street and east of the fire station driveway and Murphys Lane, effective from 4:00pm Thursday 15 November 2018 through to 8am Monday 19 November 2018; and
- d) Murphys Lane, between Cenotaph Lane and Tincogan Street, effective from 4:00pm Thursday 15 November 2018 through to 8am Monday 19 November 2018.

2. That the approval provided in Part 1 is subject to:

- a) implementation of the approved Traffic Management Plan and Traffic Control Plan/s by those with appropriate RMS accreditation and the holding of current and appropriate levels of insurance and liability cover;
- b) that each temporary bus stop, as required by the event, be established in accordance with the accredited Traffic Control Plan/s;
- c) the event organiser:
 - i) advertising the impact of the event via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect, noting it must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints;
 - ii) providing a copy of the advert for Council's web page;
 - iii) the written concurrence of the Fire Stations on both Gordon Street and Dalley Street, be obtained and copies provided to Council;
 - iv) informing community and businesses that are directly impacted (eg adjacent to the event) via written information which is delivered to the property in a timely manner so as to document, consider and respond to any concerns raised;
 - v) arranging for private property access and egress affected by the event;
 - vi) liaising with bus and taxi operators and ensuring arrangements are made for provision of services during conduct of the event;
 - vii) consulting with emergency services and any identified issues be addressed;
 - viii) holding \$20m public liability insurance cover which is valid for the event;
 - ix) paying of Council's Road Event Application Fee prior to the event.

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

18 October 2018

Flanagan, Cameron and Stevens voted in favour of the motion.
Nil voted against the motion.

(Richardson/Hunter)

18-665 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 6.3 Request for No Stopping - 12 Browning Street, Byron Bay
File No: I2018/1586

Committee Recommendation 6.3.1

That "No Stopping" apply at the frontage of 12 Browning Street, Byron Bay for the times and day of waste services only, as per existing adjoining signage.

Flanagan, Cameron and Stevens voted in favour of the motion.
Nil voted against the motion.

(Richardson/Hunter)

18-666 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 6.4 Event Road Closures - Brunswick Woodchop Twilight Markets 2018
File No: I2018/1683

Committee Recommendation 6.4.1

1. That the Twilight Markets to be held on Wednesday 19 December 2018, which includes the temporary road closure/s below, be endorsed between these times:
 - a) Mullumbimbi Street Brunswick Heads, between The Terrace and Park Street on Wednesday 19 December 2018, as per the following:
 - i) Closure of the area bounded by the nose-in parking and centre parking bay from 7:00am until 11:00pm. This is the u-shaped provision for parking that is adjacent Banner Park in the vicinity of the children's play area;
 - ii) Two (2) temporary designated 'Disability Parking' spaces be created outside of the hotel during the morning, with signage to be installed by appropriately accredited persons in conjunction with the implementation of the TCP. The existing 2 spots will have been closed off;
 - iii) Closure of the remaining section of 'through road' between The Terrace and Park Street from 12:00noon until 11:00pm.
 - b) Opening of Memorial Park for parking on Wednesday, 19 December 2018 from 12:00 noon to allow stallholders to get their vehicles off the street before the markets start at 3:00pm.
2. That the Fireworks Night to be held on Saturday 19 January 2019, which includes the opening of Memorial Park for parking from 6:00pm be endorsed.
3. That the approval provided in Part 1 and Part 2 is subject to:
 - a) the event organiser provide council with an updated Traffic Management Plan and Traffic Control Plan for the 2018 event;

- b) implementation of the approved Traffic Management Plan and Traffic Control Plan by those with appropriate RMS accreditation and the holding of current and appropriate levels of insurance and liability cover;
- c) the impact of the event be advertised, and charged at cost to the organisers, via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect, noting it must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints;
- d) the event be notified on Council's web page;
- e) the event organiser:
 - i) informing community and businesses that are directly impacted (eg adjacent to the event) via written information which is delivered to the property in a timely manner so as to document, consider and respond to any concerns raised;
 - ii) arranging for private property access and egress affected by the event;
 - iii) liaising with bus and taxi operators and ensuring arrangements are made for provision of services during conduct of the event;
 - iv) consulting with emergency services and any identified issues be addressed;
 - v) holding \$20m public liability insurance cover which is valid for the event;
 - vi) paying of Council's Road Event Application Fee prior to the event.

Flanagan, Cameron and Stevens voted in favour of the motion.

Nil voted against the motion.

(Richardson/Hunter)

18-667 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 7.1 Events - Byron Bay Triathlon 2019 - Traffic Management
File No: I2018/1338

RECOMMENDATION:

Item deferred. No recommendation made.

(Richardson/Hunter)

18-668 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 7.2 Car Share Scheme, Byron and Mullumbimby - 12 Month Pilot
File No: I2018/1441

Committee Recommendation 7.2.1

That Council support the following locations for car share spaces: four (4) spaces in Station St, four (4) in Lawson St and one (1) space each in Massinger, Browning, Marvell and Shirley Streets, generally located where shown in red in the report.

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

18 October 2018

Flanagan, Cameron and Stevens voted in favour of the motion.
Nil voted against the motion.

(Richardson/Hunter)

18-669 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 7.3 Brunswick Heads Boat Harbour Master Plan - Traffic, Access and Parking Options
File No: I2018/1084

Committee Recommendation 7.3.1

1. That the committee's comments and recommendations be provided to Crown Lands to assist in developing the Brunswick Heads Boat Harbour Master Plan.
2. That LTC support the intersection locations and layout, both internal and external as presented in Council's plan 2640-SK 2 Issue B.

Flanagan, Cameron and Stevens voted in favour of the motion.
Nil voted against the motion.

(Richardson/Hunter)

18-670 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 7.4 Bangalow Primary School - Parking and Traffic Management
File No: I2018/1709

RECOMMENDATION:

Item deferred. No recommendation made.

(Richardson/Hunter)

18-671 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 7.5 Adoption of Constitution for Local Traffic Committee
File No: I2018/1684

RECOMMENDATION:

Item deferred. No recommendation made.

(Richardson/Hunter)

Report No. 14.6	Report of the Byron Shire Floodplain Risk Management Committee Meeting held on 13 September 2018
File No:	I2018/1873

18-672 Resolved that Council note the minutes of the Byron Shire Floodplain Risk Management Committee Meeting held on 13 September 2018.

(Richardson/Hunter)

18-673 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 4.1 North Byron Floodplain Risk Management Study and Plan

File No: I2018/1443

Committee Recommendation 4.1.1

1. That Council accept the calibration results for the March 2017 flood event and that the North Byron Flood Model, as adopted in 2016, is fit for the Draft Floodplain Risk Management Study tasks.
2. That Council note the results of the community survey and look forward to seeing these results guide the various parts of the Draft Floodplain Risk Management Study document.
(Richardson/Hunter)

Report No. 14.7 Report of the Local Traffic Committee Meeting held on 21 September 2018

File No: I2018/1894

18-674 Resolved that Council note the minutes of the Local Traffic Committee Meeting held on 21 September 2018.
(Richardson/Hunter)

18-675 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 6.1 Events - Falls Festival 2018/19 - Road Closures

File No: I2018/1788

Committee Recommendation 6.1.1

That Council approve the Traffic Management Plan, which includes Traffic Control Plans, for the Falls Festival 2018/19 to be held at the North Byron Parklands site, Yelgun 31 December 2018 to 2 January 2019 inclusive, subject to the following conditions: -

- a) Separate approvals by NSW Police and RMS being obtained;
- b) Implementation of the approved Traffic Management Plan and Traffic Control Plan by those with appropriate RMS accreditation and the holding of current and appropriate levels of insurance and liability cover;
- c) The approved event size being sufficient (20,000 patrons) to trigger use of the south car park as per the DA Condition for its use;
- d) The temporary 'No Stopping' where applied, including on Brunswick Valley Way (between Shara Boulevard and Tweed Valley Way) and on Tweed Valley Way (between Brunswick Valley Way and the Shire boundary), is implemented prior to the event and in accordance with relevant state requirements and Australian Standards;
- e) A communications protocol be developed and maintained by those involved in the implementation of traffic management including monitoring and ability to implement contingency plans as and when directed;
- f) Monitoring of vehicle volumes that arrive and depart the festival site and on the local road network;
- g) The holding of an event debrief within the month following the festival which includes but not limited to Council, RMS and Police;

- h) The event organiser:
- i) advertising the impact of the event via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect, noting it must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints;
 - ii) providing a copy of the advert for Council's web page;
 - iii) give consideration of any submissions received;
 - iv) informing community and businesses that are directly impacted (e.g. adjacent to the event) via written information which is delivered to the property in a timely manner so as to document, consider and respond to any concerns raised;
 - v) arranging for private property access and egress affected by the event;
 - vi) liaising with bus and taxi operators and ensuring arrangements are made for provision of services during conduct of the event;
 - vii) consulting with emergency services and any identified issues be addressed;
 - viii) holding \$20m public liability insurance cover which is valid for the event.
 - ix) paying of Council's Road Event Application Fee prior to the event.

Smith, Cameron, Stewart and Boulton voted in favour of the motion.

Nil voted against the motion.

(Richardson/Hunter)

18-676 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 6.2 Events - Byron Bay Triathlon 2019 - Traffic Management

File No: I2018/1787

Committee Recommendation 6.2.1

- 1) That the Byron Bay Triathlon to be held on Saturday 11 May 2019, which includes the temporary road closures below and Denning Park access, be endorsed between these times:

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

18 October 2018

Road	Specification	Time of Road Impact
VENUE		
Denning Park	Transition	Set up of bike transition from 8am Friday 10 May.
Denning Park	Outside surf club	Delivery of crowd control fences Friday 10 May and set up of event site from 8am.
SATURDAY ROAD CLOSURES		
Bay Street (from Surf Club Fletcher St south)	North & southbound	7.00am to 5.00pm
Middleton Street (from Bay St to Marvel St)	North & southbound	10.30am to 3.00pm
Lawson Street (from Fletcher St to Massinger St)	North & southbound	10.30am to 5.00pm
Marvell Street (from Middleton St to Tennyson St)	North & southbound	10.30am to 3.00pm
Tennyson Street (Middleton St to Browning St)	North & southbound	11.00am to 3.00pm
Bangalow Road (from Browning St to Old Bangalow Rd)	North & southbound	11.30am to 3.00pm
Broken Head Road (from Old Bangalow Rd to BP Fuel Station Beech Dr)	North & southbound to Suffolk BP	12.00pm to 3.00pm

- 2) Endorse the Traffic Management Plans for the 2019 Byron Bay Triathlon to be held on Saturday 11 May 2019
- 3) That the approval provided in Part 1 and Part 2 is subject to:
 - a) separate approvals by NSW Police and RMS being obtained;
 - b) the event organiser provide council with an updated Traffic Management Plan and Traffic Control Plan for the 2019 event, if required by the Police and RMS;
 - c) implementation of the approved Traffic Management Plan and Traffic Control Plan by those with appropriate RMS accreditation and the holding of current and appropriate levels of insurance and liability cover;
 - d) the impact of the event be advertised, and charged at cost to the organisers, via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect, noting it must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints;
 - e) the event be notified on Council's web page;
 - f) the event organiser:
 - informing community and businesses that are directly impacted (eg within road closure zones) via written information which is delivered to the property in a

timely manner so as to document, consider and respond to any concerns raised;

- arranging for private property access and egress affected by the event;
- liaising with bus, taxi and waste operators and ensuring arrangements are made for provision of services during conduct of the event;
- consulting with emergency services and any identified issues be addressed;
- holding \$20m public liability insurance cover which is valid for the event;
- paying of Council's Road Event Application Fee prior to the event.
- Provide the committee comments to the Events Team and Event Organisers

Smith, Cameron, Stewart and Boulton voted in favour of the motion.

Nil voted against the motion.

(Richardson/Hunter)

CONFIDENTIAL REPORTS - INFRASTRUCTURE SERVICES

Report No. 16.1 **CONFIDENTIAL - Tender 2018-0008 Eureka Bridge Embankment Rectification**
File No: I2018/1763

18-677 Resolved:

1. That Council award Tender 2018-0008 to Civil Contracting Solutions Pty Ltd.
 3. That Council makes public its decision, including the name and amount of the successful tenderer, in accordance with Clause 179(b) of the Local Government (General) Regulation 2005.
- (Richardson/Hunter)

LATE REPORTS

Report No. 17.1 **Draft 2017/18 Financial Statements**
File No: I2018/1952

18-678 Resolved:

1. That Council adopt the Draft 2017/2018 Financial Statements incorporating the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules.
2. That Council approve the signing of the "Statement by Councillors and Management" in accordance with Section 413(2)(c) of the Local Government Act 1993 and Clause 215 of the Local Government (General) Regulation 2005 in relation to the 2017/2018 Draft Financial Statements.
3. That Council exhibit the Financial Statements and Auditor's Report and call for public submissions on those documents with submissions closing on 30 November 2018 in

accordance with Section 420 of the Local Government Act 1993.

4. That the Audited Financial Statements and Auditors Report be presented to the public at the Ordinary Meeting of Council scheduled for 22 November 2018 in accordance with Section 418(1) of the Local Government Act 1993.

(Richardson/Hunter)

PROCEDURAL MOTION

- 18-679 Resolved** that Council change the order of business to deal with Reports 9.1, 13.3, 13.11, 13.23, and 14.4 next on the Agenda.

(Richardson/Ndiaye)

The motion was put to the vote and declared carried.

Cr Hackett left the meeting at 11:00am.

NOTICES OF MOTION

Notice of Motion No. 9.1 Climate Emergency Declaration
File No: I2018/1907

18-680 Resolved:

1. That Council:
 - a) notes the latest report of the Intergovernmental Panel on Climate Change (IPCC);
 - b) notes the Federal government's latest emissions data showing we are increasing, not reducing our carbon emissions;
 - c) declares that we are in a state of climate emergency that requires urgent action by all levels of government, including by local councils, and
 - d) acknowledges that Byron Shire is likely to be substantially affected by climate impacts, particularly sea level rise, bushfires, drought and floods.
2. That the recommendation be added to the Agenda of the upcoming Sustainable Emission Reduction Advisory Committee meeting for their input to convene a community-led Climate Emergency Guidance Group that provides a report as to how Council may assist;
3. That the Guidance Group develops a Shire-wide Community Climate Emergency Plan to further enhance resilience and reduce climate impacts in a timeframe that is as fast as practicably possible;
4. That Council, calls upon the State and Federal Governments to:
 - a) declare a climate emergency, and
 - b) to back this up with legislated programs to drive emergency action to reduce greenhouse gas emissions and meet the lower of the Paris Agreements at 1.5%
5. That Council writes to the Member for Ballina, Tamara Smith, the Parliamentary Secretary for Northern NSW, Ben Franklin, the Member for Richmond, Justine Elliot, the NSW Environment Minister Gabrielle Upton and the Federal Environment Minister Melissa Price, advising them of Council's resolution and urges them to acknowledge a climate emergency and to act with urgency to address the crisis.
6. That Council encourages neighbouring Local Government Areas to join with us by

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

18 October 2018

declaring a climate emergency, developing their own Climate Emergency Plans and advocating to State and Federal governments as per point (5).

(Coorey/Cameron)

PROCEDURAL MOTION

18-681 Resolved that Cr Coorey be granted a two minute extension to her speech.

(Richardson/Ndiaye)

The motion was put to the vote and declared carried.

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

STAFF REPORTS – GENERAL MANAGER

Report No. 13.3
File No:

Byron Masterplan Guidance Group membership
I2018/1769

18-682 Resolved:

1. That Council appoint and invite up to 6 applicants to join the Byron Masterplan Guidance Group, being Melissa Pleiter, Denzil Lloyd, Lyn Leger, Jack Dods, Anthony Pangallo, and Craig Johnstone
2. That Council write and thank those unsuccessful for being prepared to contribute time on behalf of Byron Bay and to join the Byron Masterplan Guidance Group
3. That Council write and thank those members who have recently resigned from the Byron Masterplan Guidance Group

(Richardson/Ndiaye)

The motion was put to the vote and declared carried.

STAFF REPORTS – SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 13.11
File No:

Draft Bangalow Village Plan for public exhibition
I2018/918

18-683 Resolved:

1. That Council place the Draft Bangalow Village Plan – Vision and Initiatives, Attachment 1 (#E2018/79056) on public exhibition for a period of 6 weeks with the following additions:
 - a. A summary of initiatives be added at the beginning of the plan, within the Executive Summary
 - b. Inclusion of identified funding sources be added within the section 'Relationship with other plans,' including current and projected levels
2. That Council delegate authority to the Director of Sustainable Environment and Economy to amend the Plan prior to public exhibition, if need be, for the purposes of proof reading and formatting edits.

3. That Council endorse the updated Communications and Engagement Plan, Attachment 2 (#E2018/75449), to guide the public engagement activities to be undertaken.
(Richardson/Ndiaye)

The motion was put to the vote and declared carried.

STAFF REPORTS – INFRASTRUCTURE SERVICES

Report No. 13.23 Belongil Catchment Drainage Investigation - Update
File No: I2018/1795

18-684 Resolved:

1. That Council note the report and acknowledge that drainage in this area is complicated, flat and inefficient.
2. That the Bayshore Drive roundabout and the drainage maintenance works on Melaleuca Drive are unlikely to be the cause of the drainage issues being experienced by local residents.
3. That Council further investigate drainage easements from Ewingsdale Road to the Union Drain or an alternative lawful point of discharge including consideration of the impacts of the Ewingsdale Road duplication project by investigating appropriate drainage flow paths and create / negotiate easements as required to ensure lawful long term drainage for Ewingsdale Road.
4. That the Belongil Creek Entrance Opening Strategy considers the issues raised within this report (I2018/1795), to ensure any solutions do not further impact the long term viability of existing habitable low lying land in the Belongil Catchment as suitable and healthy land to live.
5. That staff continue to prepare a "Belongil Catchment Issues Study" with the goal of then preparing a Belongil Catchment Management Plan as per resolution 18-617.
6. That Council recommend the owner of the subject site further investigate potential blockages and flow paths downstream of their residence to improve drainage across their land, within current environmental planning legislation.
7. That Council obtain legal advice with regard to lawful points of discharge and whether a wetland or waterway must be reached.
8. That Councillors be given the opportunity to undertake a site inspection.

(Cameron/Richardson)

The motion was put to the vote and declared carried.

STAFF REPORTS – INFRASTRUCTURE SERVICES

Report No. 14.4 **Report of the Water, Waste and Sewer Advisory Committee Meeting held on 13 September 2018**
File No: I2018/1779

18-685 Resolved that Council note the minutes of the Water, Waste and Sewer Advisory Committee Meeting held on 13 September 2018. (Coorey/Ndiaye)

18-686 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 4.1 Water Sensitive Urban Design Strategy
File No: I2018/956

Committee Recommendation 4.1.1

1. That the committee note the report and commend Council for undertaking this initiative.
 2. Staff circulate questions from the presentation and Committee provide feedback within 2 weeks.
 3. That committee will have workshop to discuss questions in the end of October 2018. (Coorey/Ndiaye)
-

18-687 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 4.2 Telecommunications Installations on Reservoirs
File No: I2018/1159

Committee Recommendation 4.2.1

That Council welcome the study to our shire. (Coorey/Ndiaye)

18-688 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 4.3 Rous Regional Water Supply Agreement Liaison Committee Meeting 28 August 2018 Agenda and Business papers
File No: I2018/1298

Committee Recommendation 4.3.1

That Council circulate the business papers for the Rous Regional Water Supply Agreement Liaison Committee to members of the WWSC when received. (Coorey/Ndiaye)

18-689 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 4.4 Mullumbimby Inflow and Infiltration update
File No: I2018/1660

Committee Recommendation 4.4.1

That Council move ahead with the Inflow and Infiltration project as originally conceived for a small cluster of properties in Mullumbimby to quantify the benefit of a pressure sewer system and ensure that the results of the trial are not confounded by other activities.

(Coorey/Ndiaye)

18-690 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 4.5 Nutrient Loading in the Belongil
File No: I2018/1704

Committee Recommendation 4.5.1

1. That Council note that consent conditions in clause 11 of the approval under Council res 02-1329 have been exceeded for short periods during the past 15 months
2. That Council determine a new methodology to calculate nutrient discharge into the Belongil to satisfy both Council Resolution 02-1329 and the Recycled Water Management Strategy 2017-27
3. That Council consider measures for overcoming these exceedances.

(Coorey/Ndiaye)

18-691 Resolved that Council adopt the following Committee Recommendation(s):

Report No. 4.6 Items for the Committee Requested by Mark Tidswell
File No: I2018/1715

Committee Recommendation 4.6.1

That Council note the Committee discussed the item on 13 September 2018 in relation to flooding at Melaleuca Drive and a Notice of Motion is on the Agenda for the next scheduled Council Meeting on 20 September 2018.

(Coorey/Ndiaye)

18-692 Resolved that Council hold a community information session to discuss both of the following projects:

- Report No. 4.1 - Water Sensitive Urban Design Strategy and
- Report No. 4.4 - Mullumbimby Inflow and Infiltration project at the earliest date possible.

(Coorey/Ndiaye)

The motion was put to the vote and declared carried.

NOTICES OF MOTION

Notice of Motion No. 9.2 Disaster Dashboard for Byron Shire

File No: I2018/1931

- 18-693 Resolved** that Council receive a report on options and associated costs for the implementation of a disaster dashboard website and an update on community-led initiatives to enhance resilience to disasters, e.g. community action teams

(Lyon/Ndiaye)

The motion was put to the vote and declared carried.

STAFF REPORTS - CORPORATE AND COMMUNITY SERVICES

Report No. 13.7 Update to hall fees and charges - Marvell Hall and Suffolk Park Hall

File No: I2018/1793

18-694 Resolved:

1. That the new fees for Marvell Hall outlined in the report be placed on public exhibition for 28 days.
2. That the new fees for Suffolk Park Community Hall outlined in the report be placed on public exhibition for 28 days.
3. That if no submissions are received during the public exhibition period, the new fees be adopted and incorporated into Council's fees and charges.

(Coorey/Ndiaye)

The motion was put to the vote and declared carried.

Report No. 13.9 Election of Deputy Mayor 2018-2019

File No: I2018/1859

Moved:

1. That Council elect a Deputy Mayor for the period from 18 October 2018 until the first meeting of Council in September 2019.
2. That the method of election of the Deputy Mayor be by way of ordinary ballot.

(Ndiaye/Lyon)

AMENDMENT

- 18-695 Resolved** that the election of a Deputy Mayor be postponed until November 2018 and extend the term of the incumbent Deputy Mayor until an election is held.

(Hunter/Coorey)

The amendment was put to the vote and declared carried.

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

The meeting adjourned at 12:06pm for a lunch break and reconvened at 1:00pm.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 13.12 PLANNING - Car Share Pilot Project, Byron Bay & Mullumbimby
File No: I2018/1377

18-696 Resolved that Council:

1. Endorse the following parking bay locations for the car share pilot:
 - a) Mullumbimby: four (4) spaces in the Station Street car park; and
 - b) Byron Bay: four (4) in Lawson Street, two (2) in Marvell Street east (subject to further consultation with nearby neighbours) and one (1) each in Browning and Shirley Streets.
2. Receive a report at the November 2018 Ordinary Council Meeting regarding the implications of establishing a Bike Share Pilot Project

(Richardson/Lyon)

The motion was put to the vote and declared carried.

Crs Richardson, Cameron, Hunter, Coorey, Martin, Lyon, Ndiaye and Hackett voted in favour of the motion.

Nil voted against the motion.

DELEGATES' REPORTS

Cr Martin advised Council:

I spoke at the Affordable Housing Forum at Lennox Head last Thursday. We talked about the process about how Council work with the community on the Mullumbimby Hospital sit and what the possible housing outcomes will be there. It was very well received Gill Lomath also spoke on behalf of the Mullum Hospital Action Group and Deb Stafford, Council staff member, spoke as well. It was very well received and they were interested in how we work with community and our intentions in that respect.

Cr Hunter left the meeting at 1:06pm

Cr Hackett returned to the meeting at 1:08pm

Cr Hunter returned to the meeting at 1:09pm

PROCEDURAL MOTION

18-697 Resolved that Council change the order of business to deal with Report 13.19 next on the Agenda.

(Richardson/Cameron)

The motion was put to the vote and declared carried.

STAFF REPORTS - INFRASTRUCTURE SERVICES

Report No. 13.19 **Tyagarah Clothes Optional Declaration - Results of the enhanced stakeholder safety initiatives of Res 17-499 and Res 17715.**
File No: I2018/1707

18-698 **Resolved** that Council:

1. Acknowledge the improvement in beach safety at Tyagarah and thank the Safe Beaches Committee, NSW Police and stakeholders.
2. Confirm the current status and area for the clothes optional beach at Tyagarah with 6 monthly reporting to Council on progress.
3. Council establish a Safe Byron Beaches Committee meeting quarterly to cover all beaches and adjacent environs in Byron Shire.
4. The Safe Byron Beaches Committee be established with a constitution and paramount objective to identify and promote cooperative actions to ensure a safe environment for all beach users in Byron Shire.
5. The Safe Byron Beaches Committee membership include representatives from Council, NPWS, Police, naturists and residents and be chaired by a councillor nominated by Council.
6. The nominated Chairperson of the Safe Byron Beaches Committee with the support of Council, consult with stakeholder groups to draft a constitution for endorsement at the November meeting of Council that includes the following key actions
 - Liaise with NSW Police and other agencies
 - Develop rapid response and reporting protocols
 - Implement strategies to support beach user groups and individuals
 - Focus resources on identified problem locations (eg Grays Lane)
 - Consider how digital technologies (eg cameras) can be deployed
 - Draft a positive statement of community values
 - Provide advice to Council
 - Other measures that achieve the paramount objective
7. That Council allocate a budget of \$10,000, subject to confirmation of funding being available as part of the 30 September 2018 Quarter Budget Review to be submitted to Council at the 22 November 2018 Ordinary Meeting for the installation of up to 20 battery operated cameras recording vehicle registration and personal behaviour in the reserve.

(Cameron/Coorey)

PROCEDURAL MOTIONS

18-699 **Resolved** that Cr Cameron be granted a two minute extension to his speech.

(Richardson/Ndiaye)

The motion was put to the vote and declared carried.

18-700 **Resolved** that Cr Richardson be granted a two minute extension to his speech. (Ndiaye/Coorey)

The motion was put to the vote and declared carried.

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

18 October 2018

18-701 Resolved that Cr Hunter be granted a two minute extension to his speech. (Richardson/Ndiaye)
The motion was put to the vote and declared carried.

18-702 Resolved that Cr Hunter be granted a one minute extension to his speech. (Richardson/Coorey)
The motion was put to the vote and declared carried.

18-703 Resolved that Cr Hackett be granted a two minute extension to her speech. (Richardson/Lyon)
The motion was put to the vote and declared carried.

18-704 Resolved that Cr Coorey be granted a two minute extension to her speech. (Richardson/Ndiaye)
The motion was put to the vote and declared carried.

18-705 Resolved that Cr Ndiaye be granted a two minute extension to her speech. (Richardson/Lyon)
The motion was put to the vote and declared carried.

The motion was put to the vote and declared carried
Crs Richardson, Lyon and Hackett voted against the motion.

The meeting adjourned at 2:02pm to hold the Reserve Trust Meeting and reconvened at 2:18pm.
*Resolution numbers **18-706** and **18-707** was used during that meeting.*

PROCEDURAL MOTION

18-707 Resolved that Council suspend standing orders to allow a presentation on item 17.1 Draft 2017/18 Financial Statements by Mr Kevin Franey, of Thomas Noble and Russell on behalf of the Audit Office of NSW. (Richardson/Ndiaye)

The motion was put to the vote and declared carried.

Cr Coorey left the Chambers at 2:21pm and returned at 2:28pm.

URGENCY MOTIONS

PROCEDURAL MOTION

18-708 Resolved that the matter of 'Support for Drought Relief' be dealt with as a matter of urgency due to the ongoing drought crisis in inland NSW.

(Cameron/Ndiaye)

The motion was put to the vote and declared carried.

No. Urgency No.1 Matter of Urgency - Support for Drought Relief

18-709 Resolved that Council:

1. Provide in principle support for the request for financial assistance to the Mullumbimby Chamber of Commerce for drought relief for use of Council trucks, only driven by Council staff, volunteering their time free of charge, to deliver donated goods from Mullumbimby to western NSW; and
 2. Allocate a budget of \$10,000 in the 2018/2019 financial year, with approval for the trips to be delegated to the General Manager, and funded from unallocated revenue in 2018/19.
- (Cameron/Richardson)

The motion was put to the vote and declared carried.

PROCEDURAL MOTION

- 18-710 Resolved** that the matter regarding the 'West Byron Release Area zone application' be dealt with as a matter of urgency as consideration of two Development Applications are occurring currently and staff will be required to allocate resources to complete the intended outcomes within the urgency, and thus, any changes to zoning in the area should be considered as early as possible.
(Richardson/Lyon)

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

No. Urgency No. 2 Matter of Urgency - West Byron Release Area Zone Application

18-711 Resolved:

1. That Council commence an urgent review of the current zoning of the West Byron Release Area to identify a zone regime for the development of the land that is logical, accounts for the site constraints, and provides for a sustainable development yield and form that recognises the significance of the land to the Byron community and its potential impacts on the wider catchment area
2. That a revised zone concept plan be brought to the next Council meeting
3. That Council inform the Premier, the Hon. Gladys Berejiklian, the Planning Minister, and local state members of this resolution, acknowledging also the Premier's recent statements regarding that due to the constraints concerning this area the more appropriate outcome in this area would be a far smaller, more sustainable development yield and recognition of the significance of the land to the Byron community

(Richardson/Lyon)

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

There being no further business the meeting concluded at 2:47pm.

I hereby certify that these are the true and correct Minutes of this Meeting
as confirmed at Council's Ordinary Meeting on 22 November 2018.



.....
Mayor Simon Richardson