

BYRON SHIRE COUNCIL

Ordinary Meeting Minutes
12 August 2010

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MINUTES OF THE BYRON SHIRE COUNCIL ORDINARY MEETING HELD ON THURSDAY 12 AUGUST 2010 COMMENCING AT 10.40AM AND CONCLUDING AT 6.23PM

#987787

PRESENT: Cr J Barham (Mayor), Cr B Cameron, Cr T Heeson, Cr P Morrisey,
Cr S Richardson, Cr R Staples, Cr R Tucker and Cr D Woods

Staff: Graeme Faulkner (General Manager)
Phil Holloway (Executive Manager Community Infrastructure)
Mark Arnold (Executive Manager Corporate Management)
Ray Darney (Executive Manager Environment and Planning)
Catherine Diamond (Executive Manager Society and Culture)
Phil Warner (Executive Manager Water and Recycling)
Rachael Levey/Melissa Moore (Minute Taker)

The Mayor opened the meeting and acknowledged that the meeting was being held on Bundjalung Country.

APOLOGIES:

There was an apology received from Cr Tabart.

10-568 Resolved that the apology from Cr Tabart be received and leave of absence granted.
(Tucker/Staples)

The motion was put to the vote and declared carried.

REQUESTS FOR LEAVE OF ABSENCE

There were no requests for leave of absence.

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(3) Returns were tabled from a designated person holding the position of Councillor: Cr Tucker.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

10-569 Resolved that the Minutes of the following meetings be confirmed:

- Ordinary Meeting held on 24 June 2010
- Extraordinary Meeting held on 1 July 2010
- Extraordinary Meeting held on 8 July 2010 (Tucker/Woods)

The motion was put to the vote and declared carried.

Cr Richardson arrived at the meeting at 10.45am.

RESERVATION OF ITEMS FOR DEBATE AND ORDER OF BUSINESS

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

GENERAL MANAGER'S REPORTS

- 12.2 Draft Amended Code of Meeting Practice - Adoption Following Public Exhibition
- 12.3 Draft Community Strategic Plan

EXECUTIVE MANAGERS' REPORTS

Community Infrastructure

- 12.4 Levels of Service – Long Term Asset Management Plan
- 12.7 Proposed Black Spot Bids for 2011-2012

Corporate Management

- 12.11 Former Telstra Depot Site - Expression of Interest

Environment and Planning

- 12.13 Local Growth Management Strategy Project Reference Group: Unconfirmed Report of Meeting 4 June 2010 and Confirmed Report of Meeting 15 February 2010
- 12.14 Biannual LEP Amendments Review of Process
- 12.15 Caravan Parks/Manufactured Home Estates Expression of Interest
- 12.16 Progression of a Trial Beach Scraping Episode for New Brighton Beach
- 12.20 PLANNING – Draft DCP amendment – No Dogs and cats in E and W Zones
- 12.21 PLANNING - Proposed Amendments to the Delegations by the Joint Regional Planning Panel
- 12.22 PLANNING – DCP for Unauthorised Rural Dwellings

Organisational Support

- 12.25 PLANNING - Legal Status Report as at 22 July 2010

Society and Culture

- 12.28 Byron Shire Community Profile

Water and Recycling

- 12.30 Laverty's Gap Catchment Sewage System Inspections

COMMITTEE REPORTS

Community Infrastructure

- 13.2 Report of the Local Traffic Committee Special Meeting held on Tuesday, 13 July 2010
 - 13.2.1. Proposed trial of the Second Rail Level Crossing for the Byron Bay Town Centre between Jonson Street and Butler Street.

Society and Culture

13.5 Tourism Advisory Committee Meeting 1 July 2010 - Adoption of Committee Recommendations

The remaining Recommendations and Committee Recommendations were adopted as a whole, being moved by Cr Tucker and seconded by Cr Woods. Each recommendation is recorded with a separate resolution number commencing at Resolution No. 10-570 and concluding with Resolution No.10-592.

COMMUNITY INFRASTRUCTURE – EXECUTIVE MANAGER’S REPORTS

Report No. 12.5. Nana Street Stormwater Upgrade – Calling of Tenders

File No: ENG652220 #986392

10-570 Resolved that pursuant to Section 55 of the Local Government Act 1993 and Section 166(a) of the Local Government (General) Regulation 2005, Council:-

1. Authorise the calling of Tenders, subject to;
 - a) the Executive Manager Community Infrastructure approval of the detailed design and documentation for the Nana Street Stormwater Upgrade
 - b) the receiving of relevant approvals under the Marine Park Act 1997 and Fisheries Management Act 1994
2. Resolve to use the Open Tender method by which tenders for the “Nana Street Stormwater Upgrade” are invited by public advertisement. (Tucker/Woods)

Report No. 12.6. NSW Rural Fire Service District Service Agreement Far North Coast Zone

File No: ENG101300 # 987881

10-571 Resolved:

1. That Council determines to enter into the NSW Rural Fire Service - District Service Level Agreement Far North Coast Zone effective 1 July 2010, jointly with Ballina Shire Council, (Annexure 17 #976262).
2. That Council authorises the General Manager to affix the Council Seal to the necessary documentation. (Tucker/Woods)

CORPORATE MANAGEMENT – EXECUTIVE MANAGER’S REPORTS

Report No.12.8. Committee Membership and Payments

File No: ADM252000 #986643

10-572 Resolved:

1. That Council note that the change in membership to the Positive Ageing Project Reference Group from Lee Clark representing Northcott to Lee Clark representing Spinal Cord Injuries.
2. That with regard to the Cook Pioneer Centre Section 355 Committee Council:
 - a) accept the resignations received from David Wenban and Wendy Tyson and officially thank them for their contribution on this Committee;
 - b) assist the Cook Pioneer Section 355 Committee with recruitment of new members to the Committee and provide a report back to Council for official appointment of same.
3. That with regard to the South Golden Beach Community Centre Section 355 Committee Council:
 - a) Accept the resignation from Fleur Ellis and officially thank her for her contribution on this committee.
 - b) Officially appoint the four recommended members shown at Annexure 9 (#986715)
 - c) Advise the remaining nominations:
 - i) That they be thanked for their interest in being a community member on the SGB Community Centre Section 355 Committee;
 - ii) That they are not appointed at this time, but their personal information will be kept on file for possible appointment to the Committee if any further vacancy occurs during this term of Council; and
 - iii) That their contact details will be given to the Chairperson of the S355 Committee for the purpose of assisting the Committee with any projects within the community centre.
4. That with regard to the Durrumbul Community Centre Section 355 Committee Council:
 - a) Accept the resignation from Gloria Lamb and officially thank her for her contribution on this committee.
 - b) Advertise for further members to the Section 355 Committee.
 - c) Approve the payment of 10% of the hire hall costs and reimbursement of out of pocket expenses to the Committee Member taking on the role of Bookings Officer at the Centre. (Tucker/Woods)

Report No. 12.9. Draft Amended Policy No. 5.31 - Companion Animal Exercise Areas

File No: COR050504 #834076

10-573 Resolved:

1. That Council adopt the amended Policy No. 5.31 Policy for Companion Animal Exercise Areas as shown at Annexure 30 (#906605).
 2. That all signage and notices to designate Companion Animal Exercise Areas be erected under the provision of Section 632 of the Local Government Act and that as required existing signs be amended or new signage be erected to allow for Companion Animals to be exercised in those areas as permitted and specified in the Policy. (Tucker/Woods)
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Report No. 12.10. Investments – June 2010

File No: FIN252000 #979561

- 10-574 Resolved** that Council receive and note the record of investments for the month of June 2010. (Tucker/Woods)
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ENVIRONMENT AND PLANNING – EXECUTIVE MANAGER’S REPORTS

Report No. 12.12. Re-naming of the Brunswick Estuary Management Plan

File No: BLD450800 #978422

10-575 Resolved:

1. That Council rename the Brunswick Estuary Management Plan in accordance with the recommendations contained in correspondence from DECCW dated 25 June 2010 to the “Coastal Zone Management Plan for the Brunswick Estuary” and:
 - a) Insert an Addendum page with following text (as provided by DECCW):
 - i. For the purposes of approval under the Coastal Protection Act, 1979 the ‘Brunswick Estuary Management Plan’ and all references within this document to the ‘Brunswick Estuary Management Plan’ shall henceforth be known as the ‘Coastal Zone Management Plan for the Brunswick Estuary’.
 - ii. Byron Shire Council has prepared this document with financial assistance from the NSW Government through the Department of Environment, Climate Change and Water. This document does not necessarily represent the opinions of the NSW Government or the Department of Environment, Climate Change and Water.’
 - b) Update the ‘Document Amendment and Approval Record’ box.
 2. That Council forward the re-named “Coastal Zone Management Plan for Brunswick Estuary” to the Minister for Climate Change and Environment for approval under the Coastal Protection Act, 1979. (Tucker/Woods)
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Report No. 12.17. PLANNING - Proposed Gateway Amendment to rezone land at the Southern end of Jonson St, Byron Bay to 3(a) Business under the LEP 1988

File No: PLN559650 #987237

10-576 Resolved:

1. That Council approve the planning proposal contained in Annexure 26(a), #950679, and 26(b), #952436, to be submitted to the Department of Planning, after the applicant has paid for the cost of the DCP preparation, for the drafting and making of the Byron Local Environmental Plan 1988, Amendment No 115 in accordance with Part 3 Division 4 of the Environmental Planning and Assessment Act 1979:
 - a) to rezone the following lots from 2(a) Residential to 3(a) Business zone:
 - i) Lot 1, 2, 3 and 4, Section 48 in DP 758207
 - ii) Lot A and B in DP 377425
 - iii) Lot 1 in DP 303836
 - iv) Lot 1 in DP 780231
 - v) Lot 16, 17, 18, 19 and 21 in DP 247289
 - vi) Lot 30 in DP 829895
 - vii) Lot 5 and 6, Section 51 in DP 758207
 - b) to limit the building height to two storeys.
2. That a DCP be prepared at the applicants expense providing for landscape setback, street trees, on site car parking and footpath construction, as outlined in Council Resolution 03-1072 and the Local Environmental Study 2008. (Tucker/Woods)

Crs Tucker, Woods, Heeson, Staples, Barham, Cameron, Richardson and Morrissey voted in favour of the motion.

No Councillors voted against the motion.

Report No. 12.18. PLANNING – Proposed Gateway Amendment to Provide Dwelling Entitlements to 13 Allotments within Byron Shire

File No: PLN560020 #987710

10-577 Resolved that Council approve the planning proposal as contained in Annexures 19(a) and 19(b), for the following lots to be included in Schedule 7 of the Byron Local Environmental Plan 1988 for the purposes of a dwelling entitlement, to be submitted to the Department of Planning for the drafting and making of the Byron Local Environmental Plan 1988, Amendment No 141 in accordance with Part 3 Division 4 of the Environmental Planning and Assessment Act 1979:

- a) Lot 3 DP 576093, Blackbean Road, Wilsons Creek
- b) Lot 4 DP 576093, Blackbean Road, Wilsons Creek
- c) Lot 7 DP 586804, Mill Road, Goonengerry
- d) Lot 1 DP 722429, Grays Lane (Pacific Highway), Tyagarah
- e) Lot 7 DP 571588, Fraser's Road, Mullumbimby
- f) Lot 1 DP 571873, Left Bank Road, Mullumbimby
- g) Lot 169 DP 257244, Left Bank Road, Mullumbimby
- h) Lot 373 DP 729103, Skinners Shoot Road, Byron Bay
- i) Lot 1 DP 1022843, Dry Creek Road, Upper Main Arm

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- j) Lot 8 DP 571588, Frasers Road, Mullumbimby
- k) Lot 1 DP 123289, Charltons Road, Federal
- l) Lot 5 DP 580915, Coral Avenue, Mullumbimby
- m) Lot 230 DP 755730, Main Arm road, Main Arm. (Tucker/Woods)

Crs Tucker, Woods, Heeson, Staples, Barham, Cameron, Richardson and Morrissey voted in favour of the motion.

No Councillors voted against the motion.

Report No. 12.19. PLANNING - Planning Proposal for Ewingsdale Sporting Fields

File No: PLN560010 x132490G #980140

10-578 Resolved that Council approve the planning proposal contained in Annexure 12(a), #938422, for rezoning of part of Lot 3 DP 706286 that will be used as the Byron Regional Sport and Cultural Complex to be zoned 6(a) Open Space Zone and the remainder of Lot 3 DP 706286 to be zoned 7(k) Habitat, to be submitted to the Department of Planning for the drafting and making of the Byron Local Environmental Plan 1988, Amendment No 140 in accordance with Part 3 Division 4 of the Environmental Planning and Assessment Act 1979 with the following amendments:

- a) Removal of reference to number of attendees at community events and festivals in the Schedule 8 insertion in draft LEP 1988; and
- b) Specify only 6(a) zoned part of Lot 3 DP 706286 be referred to in the Schedule 8 insertion in draft LEP 1988. (Tucker/Woods)

Crs Tucker, Woods, Heeson, Staples, Barham, Cameron, Richardson and Morrissey voted in favour of the motion.

No Councillors voted against the motion.

ORGANISATIONAL SUPPORT – EXECUTIVE MANAGER’S REPORTS

Report No. 12.23. PLANNING - BSC ats Telezi Pty Ltd LEC 10694/2009

File No: COR653000 x 6410D x 80.2009.9.1 x 10.2008.191.1 #986103

10-579 Resolved that this report be noted. (Tucker/Woods)

Crs Tucker, Woods, Heeson, Staples, Barham, Cameron, Richardson and Morrissey voted in favour of the motion.

No Councillors voted against the motion.

Report No. 12.24. PLANNING - BSC ats White LEC 10519/2010

File No: COR653000 140752D x 80.2010.11.1 x 10.2009.610.1 #986717

10-580 Resolved that Council resolve to defend the proceedings and the General Manager be authorised to manage the litigation in accordance with general delegations. (Tucker/Woods)

Crs Tucker, Woods, Heeson, Staples, Barham, Cameron, Richardson and Morrissey voted in favour of the motion.

No Councillors voted against the motion.

SOCIETY AND CULTURE - EXECUTIVE MANAGER'S REPORTS

Report No. 12.26. Schoolies Update
File No: ADM402120 #984357

10-581 Resolved:

1. That Council notes that Councillors Richardson and Heeson attended the Schoolies Safety Working Group on 13 July 2010 as invited guests.
2. That Council authorises execution of the Joint Vision Statement (provided at Annexure 23(a) #985917) between groups involved in managing the 2010 Schoolies Safety Response, subject to requesting that the Schoolies Safety Working Group deletes the word 'staff' in the second last line of the fourth last paragraph on page 3 of the Joint Vision Statement. (Tucker/Woods)

Report No. 12.27. Byron Shire Filming Information
File No: ADM402060 #984945

10-582 Resolved:

1. That Council notes that the Byron Shire Filming Guidelines are now complete.
2. That the Byron Shire Filming Guidelines (#989061) be made available to key stakeholders and on Council's website. (Tucker/Woods)

Report No. 12.29. Youth Council Minutes – June and July 2010
File No: ADM308700 #989075

- 10-583 Resolved** that Council note the Youth Council meeting minutes of 10 June 2010 (#989318) and 1 July 2010 (#989320). (Tucker/Woods)

GENERAL MANAGER - COMMITTEE REPORT

Report No. 13.1. Communications Committee meeting 8 July 2010 - adoption of Committee recommendations
File No: COR250000 #988935

10-584 Resolved:

1. That Council note the minutes of the Communications Committee meeting held on 8 July 2010.
2. That Council adopt the following Committee Recommendations. (Tucker/Woods)

10-585 Resolved:

Committee Recommendation CC 5.1.1

1. That the following text on page 1 of the Community Events Calendar guidelines (#919545) be removed:

The calendar will list only those events which are community based and of a not-for-profit nature.

Once you enter the details of an event the request is submitted to Council, where inclusion of the event in the calendar will be at the discretion of Council.

All listings are for events in Byron Shire ONLY.

2. That the following text be included on page 1 of the Community Events Calendar guidelines and the Calendar web page:

The following type of events will be considered for listing in the Community Events Calendar:

1. *All not for profit events*
2. *All community events that attract over 200 people*
3. *All events held in a community hall or reserve on a non-regular basis (excludes events held weekly, monthly or bi-monthly).*
4. *An event that attracts more than 2,000 spectators or participants.*

In addition, all events must be held within Byron Shire.

Once you enter the details of an event the request is submitted to Council, where inclusion of the event in the calendar will be at the discretion of Council.

Regular events, such as live music in licensed establishments, will not be included.

3. That the web page Community Event Calendar introduction include the following statement:

This calendar is an outcome of the Cultural Plan and its purpose is a community resource for event awareness, attendance and as an event planning tool to assist event coordination. Council recommends that event organisers undertake further research on regional events.

4. That the Community Event Calendar be reviewed at the end of 2010.

(Tucker/Woods)

10-586 Resolved:

Committee Recommendation 5.4.1

1. That the community engagement initiative titled 'Byron Shire Voice – Your Say' be incorporated into the Council website as a form of engagement and feedback tool.
2. That a report back on the surveys be titled 'Byron Shire Voice - You Said - We Listened'.

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3. That the use of Facebook be explored to further promote the awareness and use of the 'Byron Shire Voice'.
 4. That non-web based surveys also be issued.
 3. That Council not adopt Committee Recommendation 5.4.2 as this issue is being considered in a separate report from the General Manager, 'Review of Committee Structure', deferred from 24 June 2010 Council Meeting. (Tucker/Woods)
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ENVIRONMENT AND PLANNING - COMMITTEE REPORT

Report No. 13.3. Report of the Planning Review Committee Meeting held on Wednesday 16 June 2010

File No: PLN307000/#975264

10-587 Resolved that the report be noted. (Tucker/Woods)

SOCIETY AND CULTURE - COMMITTEE REPORTS

Report No. 13.4. Community Economic Development (formerly the Markets and Creative Industries) Advisory Committee Meeting 21 June 2010 - Adoption of Committee Recommendations

File No: COR250000 #977155

10-588 Resolved:

1. That Council note the minutes of the Community Economic Development (formerly the Markets and Creative Industries) Advisory Committee meeting held on 21 June 2010.
2. That Council adopt the Community Economic Development Advisory Committee Recommendations (with amended reference to Council, not Committee, where appropriate) as follows. (Tucker/Woods)

10-589 Resolved:

Committee Recommendation CED 4.1.1

That the Council note the Arts Northern Rivers Annual Report and Audited Accounts for 2009 (#971048). (Tucker/Woods)

10-590 Resolved:

Committee Recommendation CED 4.2.1

1. That the Council note the 'Data Update' of the Northern Rivers Regional Industry and Economic Plan (RIEP) (#972380).
 2. That Council write to Regional Development Australia – Northern Rivers (RDA-NR) requesting their attendance at a meeting of this Committee with a view to determining areas of common interest. (Tucker/Woods)
-

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10-591 Resolved:

Committee Recommendation CED 4.3.1

That the Council note the project plan to finalise the Community Economic Development Strategy by June 2011. (Tucker/Woods)

CORPORATE MANAGEMENT - CONFIDENTIAL REPORTS

Report No. 14.1 **CONFIDENTIAL Tender for Management for First Sun Holiday Park**

File No: BEN200000 x 187230G #989709

10-592 Resolved:

1. That pursuant to Clause 178(1)(a) of the Local Government (General) Regulation 2005, Council resolve to accept the tender from Zoela Pty Ltd with remuneration for the management of First Sun Holiday Park be set at 24.18% of the gross revenue of First Sun Holiday Park for the term of the management contract up to September 2011.
 2. That prior to the commencement of the management contract based on the alternative proposal submitted by Zoela Pty Ltd, that Council be provided with details of the proposed Assistant Managers in the form of a resume outlining relevant experience and that the interviews by the tender assessment panel may be required.
 3. That Council, subject to the appropriateness of the proposed Assistant Managers, allow the management agreement to be varied that provides for the proposed Assistant Managers to reside in the residence as First Sun Holiday Park and accepts that whilst Zoela Pty Ltd are the principal contractor, that the appointment of Assistant Managers on a subcontract basis is approved.
 4. That during the course of the agreement, any actions by the proposed Assistant Managers are viewed by Council as actions of the principal contractor Zoela Pty Ltd. (Tucker/Woods)
-

PROCEDURAL MOTION

10-593 Resolved that Council change the order of business to deal with item 9.1 next on the agenda followed by the remaining reports reserved for debate in the order printed. (Tucker/Woods)

The motion was put to the vote and declared carried.

ITEMS RESERVED FOR DEBATE

NOTICE OF RESCISSION MOTION

Notice of Rescission Motion No. 9.1 **Byron Bay Memorial Swimming Pool - Stage 2 Works**

187220 #981739

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10-594 Resolved that Council rescind Resolution No. 10-503 from its Ordinary meeting held on 24 June 2010 which reads as follows:

"10-503 Resolved:

1. *That Council fund the Byron Bay Memorial Swimming Pool stage two works totalling \$146,700 from:*

- a) Section 94 Pre Plan, Byron Bay Catchment \$28,700*
- b) Footpath Dining Reserve \$60,300*
- c) Caravan Park Reserve \$20,800*
- d) Infrastructure Reserve \$36,900*

2. *That Council receive a report on ongoing financial and operational sustainability of the Byron Bay Memorial Swimming Pool that addresses the question of whether continued operation of the existing facility is viable or not.*

(Cameron/Tabart)"
(Tucker/Woods)

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

Crs Staples, Barham, Cameron and Morrisey voted against the rescission motion.

10-595 Resolved:

1. That Council fund the Byron Bay Memorial Swimming Pool stage two works totalling \$146,700 from:

- a) Section 94 Pre Plan, Byron Bay Catchment \$28,700
- b) Footpath Dining Reserve \$60,300
- c) Caravan Park Reserve \$20,800
- d) Infrastructure Reserve \$36,900

2. That Council note the proposed stage 3 works necessary to maintain reliable swimming pool operations and the indicative costs of those works. (Tucker/Woods)

10-596 Resolved that the motion be put.

(Cameron/Barham)

The motion was put to the vote and declared carried.

Crs Tucker, Woods and Heeson voted against the motion.

The motion (Tucker/Woods) was put to the vote and declared carried.

Cr Morrisey voted against the motion.

FORESHADOWED MOTION

10-597 Resolved that Council receive a report on ongoing financial and operational sustainability including profit and loss statements of the Byron Bay Memorial Swimming Pool, to inform the future tender process, including the options for separate tenders for the pool, kiosk and restaurant. (Morrisey/Staples)

The motion was put to the vote and declared carried.

MAYORAL MINUTE

Mayoral Minute No. 7.1 One Association Convention 16-17 August 2010

COR405000 #989332

- 10-598 Resolved** that Council adopt the all the Taskforce recommendations in relation to the One Association Discussion Paper. (Barham/Staples)

The motion was put to the vote and declared carried.

NOTICES OF MOTION

Notice of Motion No. 8.1 Free Public Bubblers in Shire Towns and Major Urban Areas

COR405527 #985937

10-599 Resolved:

1. That Council investigate the installation of public bubblers in all shire towns and major urban areas to help achieve the following objectives:

- To facilitate improved public health by providing free and accessible sources of drinking water in public areas;
- To help enable the reduction of bottled water consumption in order to reduce the volumes of garbage and recycling material Council is required to collect;
- To reduce pollution of our roadsides, streets, beaches and the ocean; and
- To reduce harm to marine life from plastics.

That this investigation include:

- consultation with relevant Chambers of Commerce in Brunswick Heads, Mullumbimby, Byron Bay and Bangalow and Progress Associations and community organisations in major urban areas in Ocean Shores, Suffolk Park and South Golden Beach and Dept of Lands as to suitable locations.
 - land issues, contemporary bubbler designs (for drinking & filling up water bottles), feedback on anti vandalism options and detailed costing of the full installation.
2. Following investigation, a report be brought back to Council with a proposed budget, including section 94 funding. (Morrissey/Barham)

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

Notice of Motion No. 8.2 Second Camphor Laurel Symposium

COR405527 #989671

10-600 Resolved:

1. That Council host a one day expo in the Council Chambers toward the end of 2010, in the lead up to Christmas, that allows those that work with Camphor Laurel to display their works, and
2. That Council host a symposium in the Council Chambers on the evening of the same day to facilitate discussions around the relationship between creativity, innovation, education and Camphor Laurel in Byron Shire.
3. That Crs Morrisey, Staples and Cameron form a working group to organise the event.
(Morrisey/Staples)

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

Notice of Motion No. 8.3 Agenda Items - Planning Reports and Consultation

COR405527 #990164

Moved:

1. That, subject to 7.6 of the Code of Meeting Practice, planning reports to Council Meetings that require a determination by Council on a development application or matter must not be submitted as late reports to Council Agendas and are to be included in the distribution of agendas no later than 7 days prior to the date of the Council meeting at which the report is to be considered.
2. That all planning reports requiring determination by Council are to be made available to the public on the Council website a minimum of 7 days prior to the meeting at which the planning report is to be considered.
3. a. That all supplementary documents (eg stormwater, flood, traffic reports and the like) associated with development application or matter requiring determination by Council at an upcoming Council meeting are to be made available electronically for Councillors on the Councillor intranet and are to be made available to the public on the Council website within twelve hours of a request from a Councillor.
b. That public access to documents be subject to further clarification regarding GIPA, but noting that council supports the principle of full access of all documents relating to development applications.
4. That applicants of development applications and matters that are the subject of site inspections be requested to clearly mark out or peg proposed lot boundaries, dwelling and wastewater system locations.
5. That in relation to organising a site visit/inspection, all efforts are made to accommodate councillor attendance and a written explanation be provided if accommodation cannot occur.
(Cameron/Richardson)

*The motion was put to the vote and declared lost.
Crs Tucker, Woods, Heeson, Staples and Barham voted against the motion.*

The meeting adjourned for lunch at 12.45pm and resumed at 1.15pm.

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

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Notice of Motion No. 8.4 Marketable Assets

COR405527 #967958

10-601 Resolved:

1. That a report be provided to Council listing property that could be used for other uses, eg sale, lease, licence or Council development.
2. That the list be in a table format showing address; lot; size; current use; proposed use; fund; classification; and how acquired (per example below):

Address	Lot	Size	Current Use	Proposed Use	Fund	Classification	How acquired

3. That locality maps be provided.

The motion was put to the vote and declared carried.

(Woods/Staples)

PROCEDURAL MOTION

10-602 Resolved that the vote on Reservation of Items for Debate be recommitted. (Tucker/Woods)

The motion was put to the vote and declared carried.

RESERVATION OF ITEMS FOR DEBATE AND ORDER OF BUSINESS

10-603 Resolved that the following items be reserved for debate:

GENERAL MANAGER'S REPORTS

- 12.1 Review of Committee Structure
- 12.2 Draft Amended Code of Meeting Practice - Adoption Following Public Exhibition
- 12.3 Draft Community Strategic Plan

EXECUTIVE MANAGERS' REPORTS

Community Infrastructure

- 12.4 Levels of Service – Long Term Asset Management Plan
- 12.7 Proposed Black Spot Bids for 2011-2012

Corporate Management

- 12.11 Former Telstra Depot Site - Expression of Interest

Environment and Planning

- 12.13 Local Growth Management Strategy Project Reference Group: Unconfirmed Report of Meeting 4 June 2010 and Confirmed Report of Meeting 15 February 2010
- 12.14 Biannual LEP Amendments Review of Process
- 12.15 Caravan Parks/Manufactured Home Estates Expression of Interest

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

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- 12.16 Progression of a Trial Beach Scraping Episode for New Brighton Beach
- 12.20 PLANNING – Draft DCP amendment – No Dogs and cats in E and W Zones
- 12.21 PLANNING - Proposed Amendments to the Delegations by the Joint Regional Planning Panel
- 12.22 PLANNING – DCP for Unauthorised Rural Dwellings

Organisational Support

- 12.25 PLANNING - Legal Status Report as at 22 July 2010

Society and Culture

- 12.28 Byron Shire Community Profile

Water and Recycling

- 12.30 Laverty's Gap Catchment Sewage System Inspections

COMMITTEE REPORTS

Community Infrastructure

- 13.3 Report of the Local Traffic Committee Special Meeting held on Tuesday, 13 July 2010
 - 13.2.1. Proposed trial of the Second Rail Level Crossing for the Byron Bay Town Centre between Jonson Street and Butler Street.

Society and Culture

- 13.5 Tourism Advisory Committee Meeting 1 July 2010 - Adoption of Committee Recommendations (Staples/Woods)

The motion was put to the vote and declared carried.

Notice of Motion No. 8.5 Attendance at seminar discussing 'Changes to NSW Coastal Protection Legislation and Implication for Coastal Protection in NSW' on 23 August 2010

COR405000 #984865

- 10-604 Resolved** that Council approve travelling and registration expenses to attend the seminar titled 'Changes to NSW Coastal Protection Legislation and Implications for Coastal Protection in NSW' to be presented by The Institution of Engineers Australia – Sydney Division Maritime Panel and PIANC on Monday 23 August 2010. (Barham/Staples)

The motion was put to the vote and declared carried.

Notice of Motion No. 8.6 Proposed Byron Bay Library

COR405527 #989653

- 10-605 Resolved:**

- 1. That Council authorise Stephenson and Turner to:
-

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

12 AUGUST 2010 (17 of 29)

- a) complete the construction documentation required for the Byron Bay Library construction contract tender specification.
 - b) undertake the construction contract tender stage of the Byron Bay Library Project subject to an assessment and determined by the General Manager that the project is fully funded for the purposes of calling construction contract tenders.
 - c) undertake the final stages of the Byron Bay Library Project subject to the project being fully funded and the construction contracted awarded:
 - i) Construction Contract administration; and
 - ii) Post construction administration.
2. That item 1 above when adopted by Council as a resolution replace part 5 of resolution 08-777, and part 6 of resolution 10-505.
3. That staff consider a staged construction, fitout, delivery and/or separable parts for tender.
(Morrisey/Barham)

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

Notice of Motion No. 8.7 Basic Maintenance in Byron Bay COR405527 #989801

10-606 Resolved:

1. That Council work with community groups across the Shire such as Byron Youth Service (BYS), landholders, lessees, Chambers of Commerce, Progress Associations, and the Public Art Policy PRG to develop appropriate mural art to resolve tagging on public and private buildings.
2. That possible mural designs and themes be discussed with Council and relevant Chambers of Commerce and community groups prior to painting.
3. That Council specifically facilitate discussions between landholders and lessees to resolve maintenance and possible compliance issues surrounding garbage bins, tagging and signage at the Jonson Street north car park at the entrance to Byron Bay.
(Morrisey/Woods)

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

PETITIONS

There were no petitions tabled.

DELEGATES' REPORTS

There were no Delegates' Reports.

GENERAL MANAGER'S REPORTS

Report No. 12.1. Review of Committee Structure

File No: COR250000 #973735

Moved:

1. That Council note the requirement to undertake a review of its current committee structure pursuant to resolution 10-339.
 2. That Council dissolve the Policy Committee and the Markets and Creative Industries Committee (now known as the Community Economic Development Committee) and transfer all responsibilities of these Committees to the Strategic Planning Committee.
 3. That all Project Reference Groups (PRGs) reporting to those committees proposed to be dissolved continue and report to the Strategic Planning Committee.
 4. That Council note that rationalisation of its committee structure is desirable to ensure that committee serviceability is maintained in a context of a reducing employee complement.
 5. That Council, pursuant to section 377 of the Local Government Act (2003), delegate to:
 - The Water Waste and Sewer Committee
 - The Biodiversity and Sustainability Committee
 - The Social/Community Committee, and
 - The Transport Committeethe following responsibilities, and clarify terms of reference and:
 - (a) review, develop, endorse and forward submissions reflective of Council's adopted policy on matters falling within the jurisdiction of the committee.
 - (b) discuss and develop policy matters relating to the committee's jurisdiction and reflective of Council's strategic direction and forward recommendations to Council for consideration and adoption.
 - (c) convene workshops on matters relevant to the committee's jurisdiction and make recommendations to Council arising from such workshops.
 - (d) receive delegations and presentations on behalf of Council relating to those matters within the jurisdiction of the committee.
 6. That the Advisory Committees ratify their terms of reference.
 7. That Council review the application of the existing document 'Guide to Operations - Advisory Committees'.
 8. That an Expenditure and Revenue Review report come to the next Strategic Planning Committee.

(Barham/Richardson)
-

AMENDMENT

Moved:

1. That Council note the requirement to undertake a review of its current committee structure pursuant to resolution 10-339.
2. That Council dissolve the Policy Committee, the Communications Committee and the Markets and Creative Industries Committee (now known as the Community Economic Development Committee) and transfer all responsibilities of these Committees to the Strategic Planning Committee.
3. That all Project Reference Groups (PRGs) reporting to those committees proposed to be dissolved continue and report to the Strategic Planning Committee.
4. That Council note that rationalisation of its committee structure is desirable to ensure that committee serviceability is maintained in a context of a reducing employee complement.
5. That Council, pursuant to section 377 of the Local Government Act (2003), delegate to:
 - The Water Waste and Sewer Committee
 - The Biodiversity and Sustainability Committee
 - The Social/Community Committee, and
 - The Transport Committee

the following responsibilities:

- (a) review, develop, endorse and forward submissions reflective of Council's adopted policy on matters falling within the jurisdiction of the committee.
 - (b) discuss and develop policy matters relating to the committee's jurisdiction and reflective of Council's strategic direction and forward recommendations to Council for consideration and adoption.
 - (c) convene workshops on matters relevant to the committee's jurisdiction and make recommendations to Council arising from such workshops.
 - (d) receive delegations and presentations on behalf of Council relating to those matters within the jurisdiction of the committee.
6. That an Expenditure and Revenue Review Project be established and listed as an agenda item for the next Strategic Planning Committee, to review all revenue and expenditure with a view to identifying savings including by way of service delivery options that can make savings without a reduction in services or service levels.

(Cameron/Morrisey)

The amendment was put to the vote and declared lost.

Crs Tucker, Woods, Heeson, Staples, Barham and Morrisey voted against the amendment.

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

Crs Tucker, Woods, Heeson and Cameron against the motion.

FORESHADOWED MOTION

10-607 Resolved:

1. That Council note the requirement to undertake a review of its current committee structure pursuant to resolution 10-339.
2. That Council dissolve the Policy Committee, the Communications Committee and the Markets and Creative Industries Committee (now known as the Community Economic Development Committee) and transfer all responsibilities of these Committees to the Strategic Planning Committee.
3. That all Project Reference Groups (PRGs) reporting to those committees proposed to be dissolved continue and report to the Strategic Planning Committee.
4. That Council note that rationalisation of its committee structure is desirable to ensure that committee serviceability is maintained in a context of a reducing employee complement.
5. That Council, pursuant to section 377 of the Local Government Act (2003), delegate to:
 - The Water Waste and Sewer Committee
 - The Biodiversity and Sustainability Committee
 - The Social/Community Committee, and
 - The Transport Committee

the following responsibilities:

- (a) review, develop, endorse and forward submissions reflective of Council's adopted policy on matters falling within the jurisdiction of the committee.
- (b) discuss and develop policy matters relating to the committee's jurisdiction and reflective of Council's strategic direction and forward recommendations to Council for consideration and adoption.
- (c) convene workshops on matters relevant to the committee's jurisdiction and make recommendations to Council arising from such workshops.
- (d) receive delegations and presentations on behalf of Council relating to those matters within the jurisdiction of the committee. (Tucker/Woods)

AMENDMENT

Moved:

1. That Council note the requirement to undertake a review of its current committee structure pursuant to resolution 10-339.
2. That Council dissolve the Policy Committee and the Markets and Creative Industries Committee (now known as the Community Economic Development Committee) and transfer all responsibilities of these Committees to the Strategic Planning Committee.
3. That the Communications Committee be continued to the end of 2010.
4. That all Project Reference Groups (PRGs) reporting to those committees proposed to be dissolved continue and report to the Strategic Planning Committee.

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ORDINARY MEETING MINUTES

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5. That Council note that rationalisation of its committee structure is desirable to ensure that committee serviceability is maintained in a context of a reducing employee complement.
6. That Council, pursuant to section 377 of the Local Government Act (2003), delegate to:
 - The Water Waste and Sewer Committee
 - The Biodiversity and Sustainability Committee
 - The Social/Community Committee, and
 - The Transport Committee

the following responsibilities:

- (a) review, develop, endorse and forward submissions reflective of Council's adopted policy on matters falling within the jurisdiction of the committee.
- (b) discuss and develop policy matters relating to the committee's jurisdiction and reflective of Council's strategic direction and forward recommendations to Council for consideration and adoption.
- (c) convene workshops on matters relevant to the committee's jurisdiction and make recommendations to Council arising from such workshops.
- (d) receive delegations and presentations on behalf of Council relating to those matters within the jurisdiction of the committee. (Staples/Barham)

The amendment was put to the vote and declared lost.

Crs Tucker, Woods, Heeson, Cameron and Morrissey voted against the amendment.

The motion (Tucker/Woods) was put to the vote and declared carried.

Crs Staples, Barham and Richardson voted against the motion.

Report No. 12.2. Draft Amended Code of Meeting Practice - Adoption Following Public Exhibition

File No: COR050504 #987820

10-608 Resolved that Council adopt the Draft Amended Code of Meeting Practice Policy 1.8, provided at Annexure 16 (#970162), with the following changes to Schedule A (page 13):

- (a) Deletion of items 11 and 16
- (b) Renaming Item 15: "Councillor Questions (for answers in minutes)"
- (c) Moving Confidential Reports to the end of the agenda
- (d) Renumbering sequentially
- (e) An additional note at the end of Schedule A as follows:

****Councillor Questions shall be in writing and shall be tabled and read out by the Councillor during this section of the meeting." (Staples/Barham)

The motion was put to the vote and declared carried.

Cr Cameron voted against the motion.

PROCEDURAL MOTIONS

- 10-609 Resolved** that Council change the order of business to deal with item 12.4 next in the agenda, then item 12.3. (Cameron/Barham)

The motion was put to the vote and declared carried.

The meeting adjourned at 3.20pm for a 10 minute break and resumed at 3.46pm.

10-610 Resolved:

1. That items 12.3 and 12.4 be deferred to Council's meeting of 26 August 2010.
2. That Councillors email to the General Manager and all Councillors points of reference to be reported to the Council meeting of 26 August 2010. (Tucker/Woods)

The motion was put to the vote and declared carried.

- 10-611 Resolved** that Council change the order of business to deal with item 12.16 'Progression of a Trial Beach Scraping Episode for New Brighton Beach' next on the agenda. (Tucker/Woods)

The motion was put to the vote and declared carried.

ENVIRONMENT AND PLANNING – EXECUTIVE MANAGER'S REPORT

Report No. 12.16. Progression of a Trial Beach Scraping Episode for New Brighton Beach

File No: PLN360100 #986426

10-612 Resolved:

1. That Council note the Summary Report (Annexure 14) and endorse the Review of Environmental Factors [Appendix C, Annexure 14 #990879].
2. That Council proceed with undertaking a trial beach scraping episode at New Brighton Beach subject to Council receiving by the 19 August 2010:
 - a) final approval from NSW Department of Industry and Investment.
 - b) offer of funding from the Natural Disaster Resilience Grants Scheme (NDRGS).
3. That if Council is successful with the NDRGS funding application, Council allocate an additional \$29,700 from the 2010/11 Local Growth Management Strategy Budget (job no. 2605.062), in addition to \$43,600 allocated in accordance with resolution 10-203 Part 3 (subject to success of NDGRS funding) for the trial beach scraping episode at New Brighton Beach.
4. That subject to Part 1, 2 and 3 above, Council implement the trial beach scraping episode at New Brighton Beach as per Table 3 of this report [further described in Annexure 14] and as itemised as follows:

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- a) Implement the biological monitoring program.
 - b) Inform community of works via media release and notices.
 - c) Engage ecologist to undertake daily inspections of works site to assess presence/absence of bird and/or turtle species.
 - d) Engage coastal engineer to supervise first 2 days of scraping.
 - e) Scrape the designated work site to a depth of approximately 0.2m to place approximately 8m³/m to 16m³/m of sand against the erosion escarpment at New Brighton Beach.
 - f) Implement the physical survey program to assess dune volume change and beach profile change and response.
 - g) Implement dune rehabilitation
5. That trial beach scraping works do not proceed beyond 30 September 2010 under recognition of potential for impact to migratory species.
6. That Council receive a further report following any trial beach scraping episode at New Brighton Beach, analysing the biological and physical impacts, and the cost and logistic issues associated with the works. (Morrisey/Richardson)

The motion was put to the vote and declared carried.

FORESHADOWED MOTION

- 10-613 Resolved** that Council hold discussions with either Southern Cross University or Griffith University to provide for partnering on academic reporting on the process of assessment monitoring and results of the trial beach scraping. (Barham/Richardson)

The motion was put to the vote and declared carried.

COMMUNITY INFRASTRUCTURE – EXECUTIVE MANAGER’S REPORTS

Report No. 12.7. Proposed Black Spot Bids for 2011-2012

File No: ENG650000 / #988977

10-614 Resolved:

1. That Council endorse the proposed localities listed below as potential 2010 Council bids for AusLink Black Spot funding for 2011-12 delivery if successful:
 - a) Urban locations:
 - Ewingsdale Road, Byron Bay at the intersection with Bayshore Drive
 - Ewingsdale Road, Byron Bay at the intersection with Banksia Drive
 - Ewingsdale Road, Byron Bay at the intersection with Sunrise Blvd
 - Bayshore Drive, Byron A & I Estate at Centennial Circuit
 - Jonson Street, Byron Bay at the intersection with Marvell Street
 - Broken Head Road, Suffolk Park at the intersection with Clifford Street

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

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b) Rural locations:

- Coolamon Scenic Drive, from approximately 2km south to 1km north of Myocum Road
- Coolamon Scenic Drive, Mango Lane to Pacific Highway
- Gulgan Road, entire length between Pacific Highway interchanges
- Main Arm Road, from approximately 640m north-west of Settlement Road to Mullumbimby
- Myocum Road, between Coolamon Scenic Drive and Dingo Lane

2. That cycling safety measures are incorporated into design plans where possible.
(Richardson/Morrissey)

The motion was put to the vote and declared carried.

Report No. 12.11. Former Telstra Depot Site - Expression of Interest

File No: BEN400000 #986633

- 10-615 Resolved** that Council re-advertise in *The Byron Shire Echo* and *The Northern Star* the Expression of Interest in relation to Lot 1 DP 435267 known as the former Telstra Depot Site and do a media release as a matter of urgency.
(Barham/Richardson)

The motion was put to the vote and declared carried.

Cr Woods voted against the motion.

Report No. 12.13. Local Growth Management Strategy Project Reference Group: Unconfirmed Report of Meeting 4 June 2010 and Confirmed Report of Meeting 15 February 2010

File No: COR710170 #979963

- 10-616 Resolved** that Council note the minutes of the Local Growth Management Strategy Project Reference Group meetings of 15 February 2010 and 4 June 2010 as attached in Annexure 10(a) (#972898) and Annexure 10(b) (#971718).
(Barham/Woods)

The motion was put to the vote and declared carried.

Cr Cameron voted against the motion.

Report No. 12.14. Biannual LEP Amendments Review of Process

File No: PLN560000 #973447

Moved: That Council note the report. (Tucker/Woods)

AMENDMENT

10-617 Resolved:

1. That Council adopt the revised *Process to initiate a Local Environmental Plan* as presented in Annexure 13(b) #973633.
-

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

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2. That Council advertise the following revised fees and charges for Local Environmental Plan amendments in accordance with Section 610F of the Local Government Act, 1993:

Proposed 2010/11 Fees and Charges for Byron Shire LEP Amendments:

Activity / Function	Description	Ref. No.	2010/11 \$	Est. Yield \$000	Code	GST Incl.
Land Planning and Natural Environment						
	LEP Amendments	1505.1			F	N
	Pre-lodgement meeting Minimum charge of 1 hour to be prepaid, which includes two professional staff, a minute taker and report.		360.00/hr		F	N
	Commencement Fee At the stage of Council deciding to proceed/not proceed with the LEP amendment this fee is non-refundable. If application withdrawn/rejected prior to this stage the unused portion of fee will be refunded. If Council resolve to proceed with the LEP amendment the commencement fee will be deducted from the total cost.		2,000.00		F	N
	Schedule of Staff Assessment Fees		Price on Application			
	Preparation of studies where required (Council staff hourly rate)		P.O.A 130.00		F	N
	Council appointed and managed consultancy (Council staff hourly rate)		P.O.A 130.00		F	N
	Consultation and Public exhibition of LEP amendment Including: cost of advertising, printing, public meetings, community and government agencies consultation (Council staff hourly rate)		P.O.A 130.00		F	N
	Public Hearing where required (Council staff hourly rate)		P.O.A 130.00		F	N

3. That provided no submissions are received during the public exhibition period, that the revised fees and charges for Local Environmental Plan amendments be adopted.
4. That staff consult with Tweed Shire Council about sharing their document.

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

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5. That the Annual Report include 2009/10 LEP Gateway planning outcomes.
(Barham/Staples)

The amendment was put to the vote and declared carried.

Crs Tucker, Woods and Heeson voted against the amendment.

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

Crs Tucker, Woods and Heeson voted against the amendment.

PROCEDURAL MOTION

- 10-618 Resolved** that Council change the order of business to deal with Report No. 13.5 next on the agenda.
(Cameron/Richardson)

The motion was put to the vote and declared carried.

Crs Tucker and Woods voted against the motion.

SOCIETY AND CULTURE - COMMITTEE REPORT

Report No. 13.5. Tourism Advisory Committee Meeting 1 July 2010 - Adoption of Committee Recommendations

File No: ADM900020 #977953

10-619 Resolved:

1. That Council note the minutes of the Tourism Advisory Committee meeting held on 1 July 2010 at Annexure 3(a) #977909.
2. That Council adopt the Tourism Advisory Committee Recommendations (with references to Committee removed where appropriate) as follows. (Tucker/Woods)

10-620 Resolved:

Committee Recommendation TAC 5.1.1

1. That the existing tools and sources of tourism research be noted.
2. That it be noted that none of the current research tools or sources will give sufficient detailed information regarding the size and nature of the tourism industry in the Shire.
3. That a draft research proposal be prepared for consideration at the next available Tourism Advisory Committee meeting, that is informed by the draft guiding principles that have been discussed by the TAC. (Tucker/Woods)

10-621 Resolved:

Committee Recommendation TAC 5.2.1

1. That the report prepared for the Community Economic Development Committee on 29 April 2010 be noted.

BYRON SHIRE COUNCIL

ORDINARY MEETING MINUTES

12 AUGUST 2010 (27 of 29)

2. That Council note that a Project Reference Group has been formed with members from the Tourism Advisory Committee and Community Economic Development Committee to:
 - i) fully consider objective 10 and all related strategies and actions in the Tourism Management Plan - 'Establish a consistent brand and image for Byron Shire that promotes and protects its uniqueness, diversity and commitment to ecologically sustainable communities', and
 - ii) prepare a draft branding brief for consideration at a future Tourism Advisory Committee meeting.
3. That the brand development project reference group report to Council through the Tourism Advisory Committee. (Tucker/Woods)

10-622 Resolved:

Committee Recommendation TAC 5.3.1

1. That Council note given the need to consult with the community and establish a governance framework for the administration of a Special Rate, the earliest Council could apply for a Special Rate for tourism from business properties is the 2012/2013 financial year.
2. That Council resolve that community consultation would need to commence in May 2011 to seek feedback on a proposed tourism Special Rate and to identify priority projects the levied funds could be allocated to. (Tucker/Woods)

10-623 Resolved:

Committee Recommendation TAC 5.4.1

That the Visitor Information Centre strategy report be noted. (Tucker/Woods)

AMENDMENT

Moved:

1. That Council note the minutes of the Tourism Advisory Committee meeting held on 1 July 2010 at Annexure 3(a) #977909.
2. That Council adopt the Tourism Advisory Committee Recommendations (with references to Committee removed where appropriate) as follows:

Committee Recommendation TAC 5.1.1

1. That the existing tools and sources of tourism research be noted.
2. That it be noted that none of the current research tools or sources will give sufficient detailed information regarding the size and nature of the tourism industry in the Shire.
3. That a draft research proposal be prepared for consideration at the next available Tourism Advisory Committee meeting, that is informed by the draft guiding principles that have been discussed by the TAC.

Committee Recommendation TAC 5.2.1

1. That the report prepared for the Community Economic Development Committee on 29 April 2010 be noted.
2. That Council note that a Project Reference Group has been formed with members from the Tourism Advisory Committee and Community Economic Development Committee to:
 - ii) fully consider objective 10 and all related strategies and actions in the Tourism Management Plan - 'Establish a consistent brand and image for Byron Shire that promotes and protects its uniqueness, diversity and commitment to ecologically sustainable communities', and
 - ii) prepare a draft branding brief for consideration at a future Tourism Advisory Committee meeting.
3. That the brand development project reference group report to Council through the Tourism Advisory Committee.

Committee Recommendation TAC 5.3.1

1. That Council note given the need to consult with the community and establish a governance framework for the administration of a Special Rate, the earliest Council could apply for a Special Rate for tourism from business properties is the 2012/2013 financial year.
2. That Council resolve that community consultation would need to commence in May 2011 to seek feedback on a proposed tourism Special Rate and to identify priority projects the levied funds could be allocated to.
3. That Council resolve that further investigation and analysis be done on developing a governance framework in relation to a Special Rate in relation to tourism management between local government and industry and receive a report.

Committee Recommendation TAC 5.4.1

1. That the Visitor Information Centre strategy report be noted and that funding from the Tourism Management Plan budget reserve be allocated as follows:
 - (a) That \$2,000 be spent from the Tourism Management Plan budget reserve to contribute to the development of a regional visitor information centre strategy in conjunction with the Northern River Tourism Managers Group.
 - (b) That up to \$8,000 be spent from the Tourism Management Plan budget reserve to develop a visitor information centre strategy for the Byron Shire.
(Cameron/Richardson)

10-624 Resolved that the meeting be extended beyond 6.00pm to finish this item. (Staples/Barham)

The motion was put to the vote and declared carried.

10-625 Resolved that Cr Cameron be granted a one minute extension to his speech.
(Woods/Richardson)

The motion was put to the vote and declared carried.

BYRON SHIRE COUNCIL

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*The amendment (Cameron/Richardson) was put to the vote and declared lost.
Crs Tucker, Woods, Heeson, Staples, and Morrissey voted against the amendment.*

*The motion (Tucker/Woods) was put to the vote and declared carried.
Crs Barham, Cameron and Richardson voted against the motion.*

*The meeting closed at 6.23pm with the remaining agenda items listed below referred to the
Ordinary Meeting of 26 August 2010.*

EXECUTIVE MANAGERS' REPORTS

Environment and Planning

- 12.15. Caravan Parks/Manufactured Home Estates Expression of Interest
- 12.20. PLANNING - Draft DCP amendment - No Dogs and cats in E and W Zones
- 12.21. PLANNING - Proposed Amendments to the Delegations by the Joint Regional Planning Panel
- 12.22. PLANNING - DCP for Unauthorised Rural Dwellings

Organisational Support

- 12.25. PLANNING - Legal Status Report as at 22 July 2010

Society and Culture

- 12.28. Byron Shire Community Profile

Water and Recycling

- 12.30. Laverty's Gap Catchment Sewage System Inspections

COMMITTEE REPORTS

Community Infrastructure

- 13.2. Report of the Local Traffic Committee Special Meeting held on Tuesday, 13 July 2010

There being no further business the meeting concluded at 6.23pm.

I hereby certify that these are the true and correct Minutes of this Meeting
as confirmed at Council's Ordinary Meeting on 26 August 2010.

.....
Mayor Jan Barham