

Responses to Questions on Notice

Received at the 26 March 2020
Ordinary Meeting of Council



Mark Arnold
General Manager

BYRON SHIRE COUNCIL

1. QUESTIONS WITH NOTICE

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QUESTIONS WITH NOTICE

5	Question with Notice No 1.	Scarrabalotties Lookout
	File No:	I2020/496

At Council's Ordinary Meeting held on 26 March 2020, John Anderson asked the following question which was taken on notice:

The staff report to item 13.2 of the Agenda for the Ordinary (Planning) Meeting of 19 March 2020 (a proposal to use Scarrabalottis Lookout as an access and parking area for a proposed restaurant next door):

- 1. Failed to describe the history of the site as one that was publicly donated*
- 2. Failed to provide a legible aerial view of the neighbouring lot showing the location of the proposed restaurant close to a boundary*
- 3. Failed to provide a landscaping plan of the lookout site*
- 4. Failed to clarify whether it was the applicant or Council which would pay for turning lands on Coorabell Road*
- 5. Failed to refer to the constraints imposed by the relevant scenic escarpment zoning of both sites*
- 6. Referred at length to the 2014 DCP despite admitting that it did not apply*
- 7. Made irrelevant, unworkable, and prejudicial suggestions that approval of the project would solve compliance issues regarding the lookout site*
- 8. Defied bushfire statute by imposing a consent condition that permitted zero buffer and setback within the property*

In sum, could hardly have been more favourable to the proposal had it been written by the applicants themselves. What steps will the General Manager take to Council the responsible staff members and to ensure that such sloppy reports to not occur in the future?

Response General Manager:

A review of the Report to the Ordinary (Planning) Meeting of 19 March 2020, being the subject of this question, has been undertaken by the Director Sustainable Economy and Environment at the direction of the General Manager. This review also considered the comments provided by Mr Anderson in his question.

The review identified a number of findings that the Director has discussed with the General Manager and the staff involved in the preparation of the Report. These findings will be used in the preparation of future Reports.

Public Access provides members of the public with an opportunity to raise issues with Councillors regarding a Report prior to the debate of a Report. These issues can also be canvassed and discussed by Councillors in the debate. Due to the nature and the diversity of matters reported to Council there will nearly always be a diversity of opinion regarding some aspect of every Report.