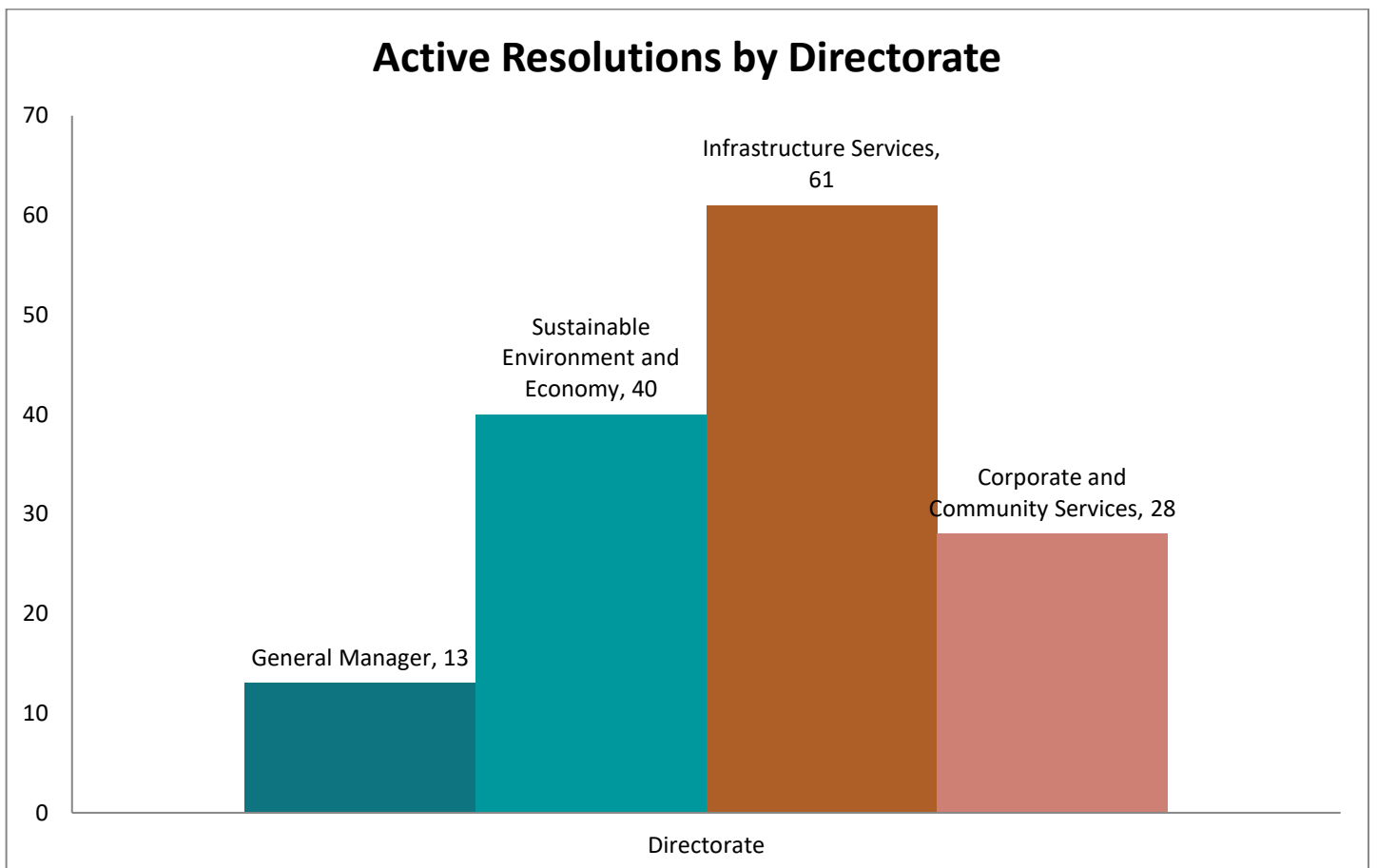
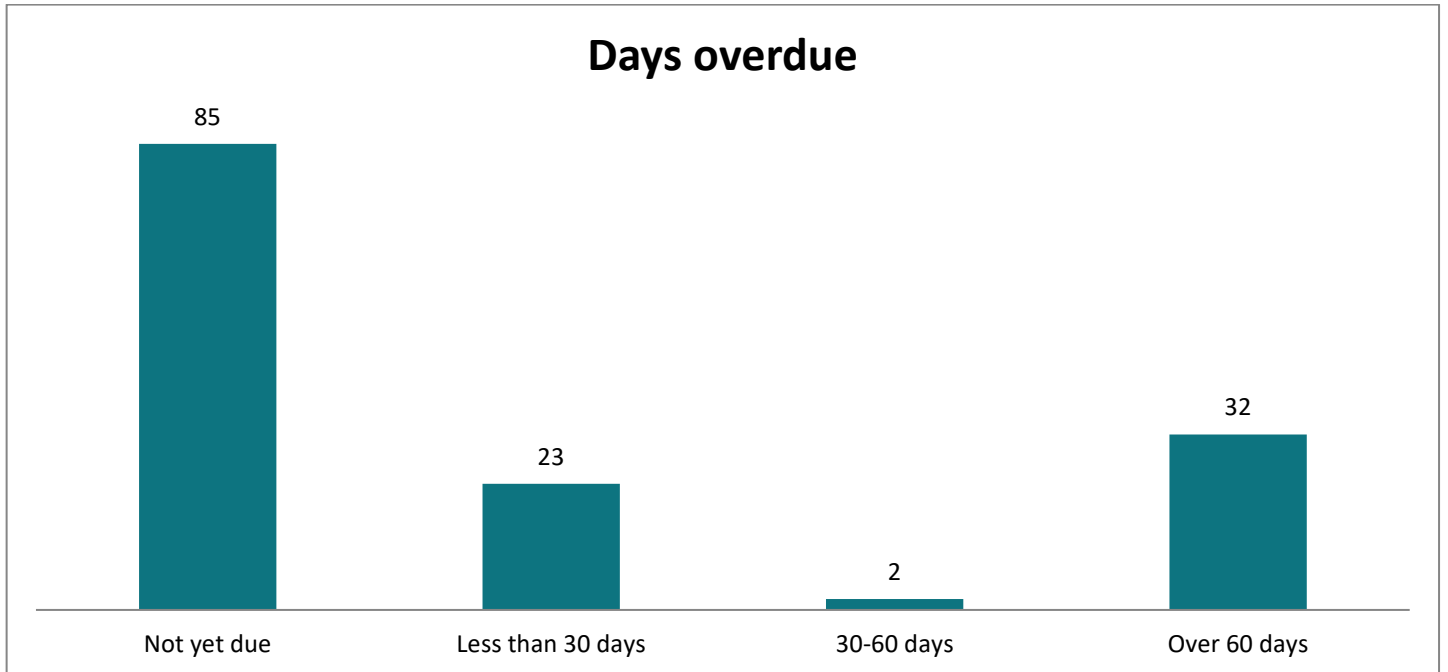


ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Total number of active resolutions as at 30 September 2022: **142**



ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
19-062	Butler Street Reserve Access During Byron Bay Bypass Construction Report: I2019/47	28/02/2019	1/04/2019
Directorate: General Manager Officer: McGarry, Claire			
Resolved:			
1.	That Butler Street Reserve be closed to the public after the 7 July Community Market for a period of 6 months while the section of the Byron Bay Bypass (including the Somerset Street Roundabout and its western and southern legs and the area of works within Butler Street north of the roundabout) is constructed.		
2.	That lockable steel gates be installed at the entry points to the Reserve to restrict vehicle access during the closure period and during the 'no parking' periods overnight.		
3.	That staff provide market managers with any information available regarding viability of other potential relocation sites identified by the markets, including planning approvals required.		
4.	That staff ensure The Cav has all relevant approvals in place to host markets during the closure period, should that be required, and provide details to market managers regarding power and water access, amenities and traffic management plans for the site.		
5.	That the Butler Street Reserve be made available as a site compound for the Contractor for the duration of the closure and one (1) week after this section is constructed and open to traffic, to allow relocation of the site compound.		
6.	That staff continue to liaise with market managers to facilitate the return of markets to Butler Street Reserve once relocation of the site compound has occurred.		
<i>Cr Spooner was not present for the vote.</i>			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: 17 Jun 2022 3:04pm McGarry, Claire Action 1- 5 completed. , Action 6 - Farmers Markets returned to site on 2 December 2021. Community Markets on hold pending site investigations.			

Res No	Report Title	Meeting Date	Due Date
19-076	Railway Park rotunda location Report: I2019/46	28/02/2019	1/04/2019
Directorate: General Manager Officer: McGarry, Claire			
Resolved:			
1.	That Council relocate the rotunda to the road reserve at Wordsworth St during the Railway Park construction period, unless it can be shown that moving it to Site B as part of the initial stage of construction results in overall cost savings for the project.		
2.	That Council nominate the permanent location of the Railway Park rotunda post construction identified as Site B in the report, as the permanent location for the rotunda.		
3.	That Council undertake an Expression of Interest process for the use of the rotunda by community groups as adopted in the Railway Park Plan of Management.		
Mover: Paul Spooner		Seconder: Jan Hackett	
Comments: 17 Jun 2022 3:04pm McGarry, Claire Rotunda relocated successfully within Railway Park. Expression of Interest process not yet underway.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
19-625	Acquisition and surrender of land - Byron pool complex Report: I2019/1942	12/12/2019	30/06/2025
Directorate: General Manager Officer: Meir, Matt			
Resolved:			
1. That Council acquire proposed lot 17 in the attached plan of subdivision (E2019/86293), with lot 17 to be vested in Council under the <i>Crown Lands Management Act 2016</i> .			
2. That Council agree to dispose of proposed lot 15 in the attached plan of subdivision (E2019/86293) by surrendering it to the Crown under the <i>Crown Lands Management Act 2016</i> .			
3. That Council note the Department of Planning Industry and Environment – Crown Land’s support (S2019/8983) for acquisition and disposal at no cost for the land.			
4. That Council authorise the affixing of Council’s seal to the plan of subdivision and any associated section 88B instrument necessary to register resolutions 1 and 2 with NSW Land Registry Services.			
Mover: Michael Lyon		Seconder: Paul Spooner	
Comments:			
29 Jul 2022 8:26am Meir, Matt Parties still working through acquisition requirements			
01 Sep 2022 5:26pm Meir, Matt Council officers meet on 29 August to discuss response to Crown about project. Council executive officer drafting letter to Crown.			
30 Sep 2022 2:01pm Meir, Matt Council wrote to Crown asking for progress on 2019 agreement			

Res No	Report Title	Meeting Date	Due Date
20-127	Mullumbimby-Byron Bay Rail Link Report: I2020/407	26/03/2020	1/04/2021
Directorate: Infrastructure Services Officer: Black, Therese			
Resolved that Council:			
1. Commence planning for a rail link connecting Mullumbimby and Byron Bay as part of a multi use activation of the rail corridor.			
2. Incorporate the project as a key element of the draft Integrated Transport Strategy, which is supported by Park and Ride and other measures to promote active and public transport development within the Strategy.			
3. Prepare an economic and social business plan including development of a governance framework to support the project.			
4. Provide notice of the intention to establish a rail link to Infrastructure Australia, Infrastructure NSW, TfNSW and other relevant agencies to seek advice on funding criteria and project development.			
5. Investigate Federal, NSW and other funding bodies to identify funding sources including, but not limited to tourism, infrastructure, transport and climate change mitigation/adaption grants with a priority focus on funding vegetation removal within the rail corridor.			
6. Actively seek expressions of interest from potential operators interested in providing commuter shuttle and visitor oriented services.			
7. Seek support including funding through Federal and NSW Ministers for Transport, Hon. Tamara Smith MP, Hon. Ben Franklin MLC and Hon. Justine Elliot MP.			
8. Receive six monthly reports on progress.			
9. The business plan be included in the 20/21 Operational Plan, forward Delivery Plans and draft budget.			
10. Item 2 above be funded from the existing Integrated Transport Strategy budget.			
11. Implement Actions 4, 5, 7 and 8 immediately and include as part of a rail link project in the 20/21 Operational Plan and forward Delivery Plans that includes item 6 above as an action as well as consideration of a budget for project management.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Mover: Basil Cameron

Seconder: Simon Richardson

Comments:

20 Jun 2022 10:55am Black, Therese

1. Ongoing - Planning workshops were held in Nov 2020 and Mar 2021 with representatives from TfNSW along with other key NSW Government regional departments. Future workshops to be confirmed after TfNSW has completed their Options Study.,
2. Completed - Council has incorporated the activation of the Rail Corridor into the draft Integrated Transport Strategy as a key element.,
3. Completed – staff commenced preliminary work on the potential governance framework. However, there are many factors that will influence the final governance model. Dan Champness TfNSW confirmed during the workshop on 5 March 2021 that the Government will have the major influence over the final Governance model. Awaiting further guidance from TfNSW.,
4. Completed – Letters to the above were sent on 19 June 2020. A single response was received from Chris Hanger, noting the government will require the following; evidence of a viable and sustainable business model; have undertaken effective community consultation and engagement with adjacent landholders that demonstrates overwhelming community support; and have addressed issues relating to potential biosecurity concerns
5. Ongoing - currently no funding opportunities have been identified to support this "Rail with Trail" project. However, ongoing consultation with TfNSW will support the final funding model. It is worth noting that Lismore Council received \$9.9m in funding from BBRF6 in 2021 to construct their Rail Trail from Bentley to Eltham Hotel.,
6. To be commenced concurrently or after the detailed engineering assessment work activity.,
7. Completed - Letters have been sent. No responses received.,
8. Ongoing - Quarterly progress report to be issued to Council. The cycle is actually every quarter due to the requirement of the Operations Plan
9. Completed - included in the 20/21 Operational Plan,
10. Completed - Incorporated the activation of the rail corridor into the Integrated Transport Strategy, together with recommended projects and actions, and will continue to be funded from the existing Integrated Transport Strategy.,
11. Items 4, 5, 7 and 8 are variously completed or in progress. Item 6 - a budget allocation was considered at several quarterly reviews in FY2021 and 21/22 with no budget applied to this project.

Res No	Report Title	Meeting Date	Due Date
20-448	Bus Shelter & Bus Stop Strategic Planning Report: I2020/1080	27/08/2020	31/12/2021
	Directorate: Infrastructure Services Officer: Flockton, James		
Resolved:			
1.	Undertake further investigations including direct community consultation targeted at school bus passengers, bus operators and other public transport users as well as a 'Have Your Say' process to identify bus shelter/bus stop needs and identification of safety issues for passengers and operators at all locations along bus routes.		
2.	Advertise for expressions of interest for a group that are able to meet requirements to manage and ensure compliance of the bus shelters at Huonbrook, Main Arm and Montecolum on Council's behalf.		
Mover: Basil Cameron		Seconder: Sarah Ndiaye	
Comments:			
30 Jun 2022 1:00pm Flockton, James			
1. Have Your Say and consultation process complete. Reported to and endorsed by Council (Res 21-245), 2. Advertisement was being prepared. Further clarity is being sought in regards to minimising the risk to Council prior to expression of interest being sent out. Concern has been raised about risk and allowing the community to maintain infrastructure on Council land. Awaiting direction from management.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
20-572	MURC Bayshore Dr to Tyagarah Report: I2020/1560	22/10/2020	23/11/2020
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved:			
1. That Council prioritises the section of rail corridor between Bayshore Drive and Tyagarah for investigation into the alternatives including multi use.			
2. That Council seeks community and local Land Care support to carry out environmental works on the rail corridor between Bayshore Drive and Tyagarah for removal of unwanted vegetation			
3. That Council seeks funding for the clearing of the vegetation on the line			
4. That Council, when funding is available, commissions a structural assessment and cost estimate of a sample of the timber bridges suitable for facilitating movement up to a weight that can support light rail and very light rail options outlined in the MURC.			
Mover: Simon Richardson		Seconder: Sarah Ndiaye	
Comments:			
20 Jun 2022 11:24am Black, Therese			
1. Further prioritization beyond Part 1 of Res 20-127.,			
2. Advice has been sort from senior regional TfNSW officers, Dan Champness and Vicki Oszko. Whilst no response has been received to date it is expected this matter can be further raised at the next planned workshop (awaiting TfNSW to confirm workshop date).,			
3. As per Part 5 Res 20-127.,			
4. As per Part 11 Res 20-127, no funding has been allocated to undertake this engineering assessment. However, \$100,000 funding in FY2023 has been provided by TfNSW to fund a third party works application and vegetation clearing on the Mullumbimby to Byron Bay section of the Rail Corridor.			
Res No	Report Title	Meeting Date	Due Date
20-691	PLANNING - Review of Planning Controls for Rural Tourist Accommodation Report: I2020/1810	10/12/2020	1/12/2022
Directorate: Sustainable Environment and Economy Officer: Tarrant, Sam			
Resolved that Council:			
1. Requests staff to prepare a planning proposal to amend Byron Local Environmental Plan 2014 and a draft amendment to Byron Development Control Plan 2014, to accord with the recommendations of the Review of Planning Controls for Rural Tourist Accommodation in Attachment 1 (E2020/94209).			
2. Authorises staff to submit the planning proposal to the Department of Industry and Environment for Gateway determination.			
3. Pending gateway determination, undertakes public exhibition of the planning proposal and development control plan amendment and consult with government agencies as required by the gateway determination; and			
4. Receives a report outlining the public exhibition outcomes.			
5. Supports the use of the amendments in point 1 as drafted by staff as guiding principles for assessment of Rural Tourist Accommodation until such time as the amendments are finalised.			
6. Requests staff to complete a review of the current developer contributions regime as it applies to Rural Tourist Accommodation and receive a report on the outcomes.			
Mover: Michael Lyon		Seconder: Basil Cameron	
Comments:			
28 Jun 2022 7:56am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 01 March 2021 to 01 December 2022			
27 Sep 2022 3:38pm Tarrant, Sam Planning proposal with DCP amendments submitted for a gateway determination on 17/8/2022. Gateway determination not yet received.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
20-720	Tallowood Ridge Reserve Report: I2020/1938	17/12/2020	18/01/2021
<p style="text-align: right;">Directorate: Infrastructure Services Officer: Robertson, Malcolm</p> <p>Resolved that Council:</p> <ol style="list-style-type: none"> 1. Enter negotiations with the relevant landowners and/or developer to seek the gifting of the land outlined in the map in the report for the management of Council in conjunction with the community in perpetuity. 2. Ensure that these negotiations stipulate that this is not instead of any other previous environmental agreement. 3. Acknowledge that if negotiations are successful, staff will take the appropriate steps to prepare a Plan of Management <p>Mover: Sarah Ndiaye Seconder: Simon Richardson</p>			
<p>Comments:</p> <p>22 Sep 2021 12:14pm Soulsby, Christopher The developer has proposed to dedicate this land in DA 10.2020.109.1., Plan E2021/117731 show the land to be dedicated., Item 1 of the resolution is complete. , Item 2 of the resolution is complete., The resolution can be reallocated back to Manager Open Space for preparation of the Plan of Management upon dedication.</p> <p>25 Oct 2021 8:20am Soulsby, Christopher - Completion Completed by Soulsby, Christopher (action officer) on 25 October 2021 at 8:20:51 AM - Land has been conditioned to be dedicated in DA 10.2020.109.1.</p> <p>24 Feb 2022 7:38pm Sills, Heather Closure not supported by Council. See resolution 22-044.</p> <p>24 Feb 2022 7:39pm Sills, Heather - Completion Uncompleted by Sills, Heather - target date changed to 18 January 2021</p> <p>26 May 2022 11:39am Soulsby, Christopher - Reallocation Action reassigned to Robertson, Malcolm by Soulsby, Christopher - To prepare the Plan of Management for Lot 130.</p> <p>14 Jun 2022 12:19pm Robertson, Malcolm Resources do not currently allow for the Tallowood POM to be prioritised.</p>			

Res No	Report Title	Meeting Date	Due Date
21-098	Myocum Quarry status and rehabilitation update Report: I2021/226	25/03/2021	28/02/2022
<p style="text-align: right;">Directorate: Infrastructure Services Officer: Elford, Evan</p> <p>Resolved that Council adopt the following Committee Recommendations:</p> <p>Report No. 4.3 Myocum Quarry status and rehabilitation update</p> <p>File No: I2021/226</p> <p><u>Committee Recommendation 4.3.1</u></p> <ol style="list-style-type: none"> 1. That Council recognises its obligations in respect of the management and rehabilitation of Myocum Quarry. 2. That this issue be the first item on a future Agenda to the Water, Waste and Sewer Advisory Committee and include a site visit. <p>Mover: Simon Richardson Seconder: Basil Cameron</p>			
<p>Comments:</p> <p>30 Jun 2022 11:58am Elford, Evan item 1 complete, Item 2 incomplete - further works and reporting currently underway upon completion outcomes with be reported to ET and Infrastructure Advisory Committee to seek further direction and requirements in respect of site inspections.</p>			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-181	<p>PLANNING - 26.2021.1.1 Planning Proposal to permit Community Title & R5 Large Lot Residential Development - 53 McAuleys Lane, Myocum</p> <p>Report: I2021/474</p>	10/06/2021	1/12/2022
<p>Directorate: Sustainable Environment and Economy Officer: Daniels, Steve</p>			
<p>Resolved that Council:</p>			
<p>1. Accept the applicant's letter of offer to enter into a Voluntary Planning Agreement (VPA) (Attachment 6 E2021/69988) with Council as part of this planning proposal subject to the letter of offer being amended to include:</p> <ul style="list-style-type: none"> a) Safety upgrades to accommodate pedestrian and cycle links from the development site to Mullumbimby Road. b) Integration of pedestrian and cycle links with the proposed McAuleys Lane / Mullumbimby Road intersection upgrade. c) provision of a slip lane for turning into Saddle Road from Mullumbimby Road that provides better safety and access for cyclists, pedestrians, and all road users. 			
<p>2. Require that a draft VPA be prepared in accordance with the amended letter of offer.</p>			
<p>3. Amend the Planning Proposal (Attachment 1 E2021/72620) to reflect the recommendations contained in this report and as shown below:</p> <ul style="list-style-type: none"> a) Reposition the northern boundary of the proposed R5 zone to ensure no encroachment within the required ecological setback areas for the riparian zone and freshwater wetland in the north of the site (i.e. 20m from the top of the stream bank or wetland edge); and b) Make consequential amendments to the minimum lot size map and subdivision concept plan. 			
<p>4. Forward the amended planning proposal to the NSW Department of Planning, Industry and Environment for a Gateway determination.</p>			
<p>5. Prior to public exhibition, update the stormwater and onsite waste management assessment reports to reflect maximum development that assumes dual occupancy dwellings on proposed lots.</p>			
<p>6. Undertake public exhibition of the planning proposal in accordance with the Gateway determination requirements.</p>			
<p>7. Consider a submissions report post-exhibition that includes any recommended changes to the planning proposal for final adoption.</p>			
<p>Mover: Basil Cameron</p>		<p>Seconded: Cate Coorey</p>	
<p>Comments:</p> <p>24 Jun 2021 11:47am Caras, Alex Items 1 & 2 - Awaiting updated Letter of Offer and draft VPA from applicant, prior sending amended planning proposal to Department of Planning, Industry and Environment.</p> <p>23 Dec 2021 12:24pm Caras, Alex Item 1 - Letter of offer received and submitted with planning proposal for Gateway determination (#E2021/114600)., Item 2 - Staff in discussions with applicant to confirm scope of draft VPA., Items 3 & 4 - Completed. Gateway received 01/11/2021 (# E2021/135083)., Items 5-7 to be progressed in first quarter of 2022.</p> <p>31 Mar 2022 3:55pm Daniels, Steve Gateway Determination received (E2021/135083). Details VPA to be finalised and endorsed by Council prior to exhibition.</p> <p>28 Jun 2022 7:55am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 12 July 2021 to 01 December 2022 - Delays to VPA finalisation</p> <p>30 Sep 2022 1:52pm Daniels, Steve Public exhibition closes 4 October 2022. Councillor Workshop 6 October and Council Report 27 October to consider outcomes of exhibition and staff investigations.</p>			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-188	Update on Resolution 20-664 (Lot 12 Bayshore Drive) Report: I2021/377	13/05/2021	30/06/2022
	Directorate: Sustainable Environment and Economy Officer: FitzGibbon, Andrew		
	Resolved that Council:		
1.	Endorses the revised masterplan prepared by Creative Capital (Attachment 1) alongside the Lot 12 Site Strategy and Urban Design Protocol as the basis for the Lot 12 Bayshore Drive future planning proposal and development applications.		
2.	Authorises staff to prepare and lodge a development application for a three (3) lot subdivision over Lot 12 Bayshore Drive, Byron Bay, as per the Lot 12 subdivision concept plan (refer Attachment 3 Concept Plan).		
3.	Authorises the sale of that part of Lot 12 in DP 1189646, being the land marked 'Lot 1' (Land) in the Concept Plan (refer Attachment 3) to Creative Capital, subject to Council endorsing the valuation determined by the process in part 4a) to determine the sale price, prior to commencing the process set out in part 4b) and upon reaching an agreement on sale price and terms with Creative Capital to reaching agreement on sale price and terms.		
4.	For the purposes of resolution part 3, authorises the General Manager to: (a) obtain an acceptable valuation (consistent with Council's land acquisition and disposal policy) for the Land to determine its sale price; (b) reach agreement with Creative Capital on price and terms for the sale; (c) execute any document on Council's behalf necessary to complete the sale; and (d) do anything else reasonably necessary to complete the sale.		
5.	Agrees to revenue derived from the above sale being quarantined to the Council reserve titled 'Property Development Reserve – Lot 12 Bayshore Drive'.		
6.	Notes that staff will prepare and forward a Lot 12 planning proposal as per the Masterplan to the Department of Planning Industry and Environment (DPIE) for the purpose of obtaining a gateway determination from DPIE, and that Council then exhibit the Planning Proposal as required by DPIE.		
	Mover: Cate Coorey	Seconder: Michael Lyon	
	Comments: 28 Sep 2022 2:43pm FitzGibbon, Andrew 1 - Noted - no direct action required, 2 - Complete - subdivision application prepared and lodged (#10.2022.107.1), 3 - Complete - valuations reported to Council on 28 Oct 2021, 4 - In progress, 5 - Noted - pending sale of Lot 1, 6 - In progress - Planning Proposal application to progress following completion of point 4		

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-222	Petition Regarding Safety Concerns in Paterson Street Byron Bay - Received from Paterson Street Residents - 59 Signatures Report: I2021/985	24/06/2021	27/10/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council:			
1. Notes the significant community concern relating to pedestrian, cyclist, traffic and parking conflicts along Paterson Street and the associated Road Safety impacts;			
2. To ensure a clear and accurate understanding of the extent of the conflicts, and to ensure a high level of road safety is maintained across our road network, resolves to undertake the following, with a particular focus on Paterson Street between Bangalow Road and Ruskin Street:			
a) undertakes a movement and parking assessment to identify the scope of the problem within Paterson street, Byron Bay,			
b) prepares a plan to be reported to Council that identifies solutions			
Mover: Cate Coorey		Seconded: Basil Cameron	
Comments:			
02 Dec 2021 1:14pm Pearce, Andrew			
1. Noted., 2 (a) to be part of Movement and Place study., Actions:, - TfNSW are undertaking a speed zone review, - Traffic counters were installed during the last week of November for 2 weeks and to be installed again late January 2022., - A relocatable speed radar sign has been installed and is collecting data during Nov & Dec 2021., 2 (b) plan and costing to be prepared early 2022 once traffic count data and speed zone review results are known., The following steps are planned to progress this resolution:			
28 Sep 2022 10:18am Cornwall, Judd - Target Date Revision			
Target date changed by Cornwall, Judd from 27 May 2022 to 27 October 2022 - Report will be submitted to IAC (7 October 2022) then Council on the 27 October 2022			
30 Sep 2022 1:40pm Cornwall, Judd			
This matter will be reported to the Infrastructure Advisory Committee, 7 October 2022.			

Res No	Report Title	Meeting Date	Due Date
21-224	Former South Byron Sewage Treatment Plant - Sewage Treatment Ponds and Stage 2B Remediation Completion Report: I2021/640	27/05/2021	27/05/2022
Directorate: Infrastructure Services Officer: Bourke, Nikki			
Resolved:			
1. That the following studies be undertaken for the former South Byron Sewage Treatment Plant tertiary ponds:			
a) A detailed site investigation for the sewage ponds to characterise the contamination risk; and			
b) An options and cost-benefit assessment to mitigate risks associated with retaining the sewage ponds.			
2. That the recommendations from the above studies be reported to Council.			
Mover: Michael Lyon		Seconded: Basil Cameron	
Comments:			
24 Mar 2022 4:15pm Bourke, Nikki - Target Date Revision			
Target date changed by Bourke, Nikki from 25 February 2022 to 27 May 2022 - Consultant preparation of data gap assessment and indicative sampling, analysis and quality plan for specification in RFQ process.			
28 Mar 2022 1:40pm Bourke, Nikki			
Fencing complete. Data gap assessment and indicative sampling analysis and quality plan complete. RFQ issued for detailed site investigation and options assessment.			
30 May 2022 10:47pm Bourke, Nikki			
Quotes received for gap sampling and options analysis. Assessment paused so that resources could be diverted to flood recovery and temporary emergency housing initiatives.			
28 Jul 2022 3:55pm Bourke, Nikki			
DSI and options assessment appointment being finalised.			
30 Sep 2022 3:02pm Bourke, Nikki			
DSI and options assessment underway			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-234	Byron Shire Rail with Trail (Update) Report: I2021/794	24/06/2021	26/07/2021
Resolved:		Directorate: Infrastructure Services	Officer: Black, Therese
Mover: Basil Cameron			
Seconder: Cate Coorey			
Comments:			
20 Jun 2022 11:03am Black, Therese			
<ol style="list-style-type: none">1. Council is continuing to work with Transport for NSW on the delivery of outcomes articulated in Resolutions 20-127, 20-572 and 21-389. Awaiting confirmation from TFNSW to hold the third collaborative workshop/meeting. TfNSW are finalising the Options Study for the M1 interchange and the Rail Corridor.,2. Ongoing - Discussions with TFNSW to fund the clearing of vegetation from the rail corridor. \$100k has been identified and will be made available in FY23 to prepare an application for third party works.,3. Ongoing - State and Federal government grant funding opportunities are being sought for multi-use activation of the Byron Shire rail corridor.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-236	Local Roads and Community Infrastructure - Phase 3 grant options Report: I2021/957	24/06/2021	30/09/2022
Directorate: Infrastructure Services Officer: Warner, Phil			
Resolved that Council:			
1.	Endorses the nomination of Mullumbimby Recreation Precinct (\$460,140) and Gilmore Crescent (\$1million) for Local Roads and Community Infrastructure Program Phase 3.		
2.	Receives a report should the projects under Local Roads and Community Infrastructure Program Phase 3 require additional funding support.		
3.	Seeks a variation for Local Roads and Community Infrastructure Phase 2 and removes Mullumbimby Recreation Grounds car park and dog park and reallocates \$208,882 funding towards Lighthouse Road/Clarkes Beach Reflections Stormwater Diversion.		
4.	Receives a report on Butler Street Reserve addressing issues raised in public access, including contamination investigation status update from the EPA, and outlining options and approval pathways		
Mover: Jeannette Martin		Seconder: Cate Coorey	
Comments:			
29 Jun 2021 8:49am Johnston, Donna Item 3 - Seeks a variation for Local Roads and Community Infrastructure Phase 2 and removes Mullumbimby Recreation Grounds car park and dog park and reallocates \$208,882 funding towards Lighthouse Road/Clarkes Beach Reflections Stormwater Diversion. Action completed - variation sent.			
29 Jun 2021 8:54am Johnston, Donna 1. Program not currently open for submission - Endorses the nomination of Mullumbimby Recreation Precinct (\$460,140) and Gilmore Crescent (\$1million) for Local Roads and Community Infrastructure Program Phase 3.			
29 Jun 2021 9:15am Johnston, Donna - Target Date Revision Target date changed by Johnston, Donna from 26 July 2021 to 31 August 2021 - Local Roads and Community Infrastructure Phase 3 is not currently open. Consultation for the dog park has not commenced and therefore funding requirements are not likely to be known within the next month.			
27 Aug 2021 8:01am Johnston, Donna Variation request submitted and approved by funding body., LRCI Round 3 has not yet opened.			
27 Aug 2021 8:02am Johnston, Donna - Target Date Revision Target date changed by Johnston, Donna from 31 August 2021 to 29 October 2021 - LRCI Round 3 has not yet opened for project nomination.			
06 Dec 2021 2:03pm Johnston, Donna - Target Date Revision Target date changed by Johnston, Donna from 29 October 2021 to 31 January 2022 - Funding nominations not due until end January 2022.			
07 Apr 2022 9:38am Johnston, Donna Local Roads and Community Infrastructure projects has been approved by the funding body. Projects in February 2022. Works are required to be completed by June 2024.			
07 Apr 2022 9:42am Johnston, Donna Re Butler Street Reserve, staff are liaising with the EPA regarding further investigations required. Once this is confirmed, a report can be presented to Council.			
07 Apr 2022 9:44am Johnston, Donna - Target Date Revision Target date changed by Johnston, Donna from 31 January 2022 to 30 September 2022 - Awaiting advice from EPA regarding Butler Street Reserve.			
07 Apr 2022 9:50am Johnston, Donna - Reallocation Action reassigned to Warner, Phil by Johnston, Donna - Butler Street Reserve project sits within Major Projects. All other actions completed.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-239	Mullumbimby Future Water Strategy Report: I2021/781	24/06/2021	20/10/2022
Directorate: Infrastructure Services Officer: Baulch, Dean			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.1 Mullumbimby Future Water Strategy File No: I2021/781			
<u>Committee Recommendation: 4.1.1</u>			
That Council:			
<ol style="list-style-type: none"> 1. Recognises that for the Mullumbimby township there are 2 water supply issues being considered at the moment, one being a potential drought next summer and the other being the long-term future water supply strategy. 2. Undertakes works to complete the connection of the emergency supply to the rest of Mullumbimby. 3. In relation to a long term strategy, firms up the management options including recognising the environmental impacts of each option, inclusive of impacts of Rous's own options (for options that use Rous water). 4. Aims to produce a draft long-term strategy to go to a Strategic Planning Workshop with a view to putting the strategy on public exhibition. 			
Mover: Sarah Ndiaye		Seconder: Paul Spooner	
Comments: 02 Jul 2021 11:52am Baulch, Dean Item 2. Commenced hydraulic assessment of existing emergency supply pipeline to extend through to Azalea Reservoir., Item 3. Finalising existing draft strategy with staff recommendations.			
29 Sep 2021 1:43pm Baulch, Dean - Target Date Revision Target date changed by Baulch, Dean from 26 July 2021 to 01 February 2022 - Working through the management options including recognising the environmental impacts of each option, inclusive of impacts of Rous' own options (for options that use Rous water).			
31 Mar 2022 2:20pm Clark, Cameron - Target Date Revision Target date changed by Clark, Cameron from 01 February 2022 to 30 May 2022 - COVID and FLOOD delays and shifted priorities			
31 Mar 2022 2:24pm Clark, Cameron 1) Staff notes committee recommendation 4.1.1 (1) , 2) Design spec currently being undertaken by Consultant , 3) Report has been drafted and will be reported to April Council meeting , 4) Forms part of the IWCM/SBP currently being undertaken by Consultant			
02 Jun 2022 10:27am Baulch, Dean - Target Date Revision Target date changed by Baulch, Dean from 30 May 2022 to 30 September 2022 - Need draft strategy to be finalised and a SPW date for presentation.			
07 Sep 2022 3:03pm Baulch, Dean - Target Date Revision Target date changed by Baulch, Dean from 30 September 2022 to 20 October 2022 - Aligns with next Water and Sewer Advisory Committee meeting			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-240	s7.11 and s7.12 Contributions Review Report: I2021/994	24/06/2021	26/07/2021
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved that Council:			
1.	Be provided with a report by February 2022 reviewing the s7.11 and s7.12 contribution policies and providing options for amendment, including addressing: <ul style="list-style-type: none">a) whether the separate s7.12 policy is working as envisaged, and in the best interests of our community, since development contributions were split into s7.11 and s7.12.b) whether the s7.12 policy and its current levels of contribution are 'fit for the future' given the current and predicted influx of larger DAs in the shire's non-residential areas.c) whether the s7.12 policy adequately covers the range of civic infrastructure facing increasing demands from non-residential development.d) whether the current s7.12 policy's failure to collect contributions for the road network be amended as non-residential development generates further demands on roads.		
2.	Be provided with a report by November 2021 which outlines the scope of the review above and flagged in the staff report.		
3.	Notes the proposed review for the contributions plan and considers the following within the scope of such a review: <ul style="list-style-type: none">a) strategic directions contained in town and village masterplansb) potential for contributions toward public transport infrastructurec) movement and place frameworkd) changes in community expectations due to the COVID pandemic, as to the use of public space and priority infrastructure		
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: 22 Sep 2021 11:09am Soulsby, Christopher The resolution is being actioned in the context of the review of the contributions system being undertaken by the NSW Department of Planning. A report on this matter will be presented to the November meeting of Council.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-254	Filming Policy and Application Processes Report: I2021/798	27/05/2021	30/11/2022
Directorate: Sustainable Environment and Economy Officer: Gilmore, Jess			
Resolved:			
1.	That Council reviews its Filming in Public Places Policy and application processes to:		
	a) ensure that they are consistent with the new realities of film production in the Shire and the region;		
	b) provide further definition as to filming activities for the purposes of online promotion of individuals that commercialise such filming activities; and		
	c) Consider best practice approaches to the process of film permit applications and reviews that other LGAs have implemented.		
	d) enable the Shire to consider the impacts, costs, and opportunities created by film projects in the region;		
	e) develop its own filming protocol specific to the needs of the Shire and in accordance with the state protocol		
2.	That Council reviews its film permit fee structure to:		
	a) enable the Shire to consider the cost of filming in the region;		
	b) enable the Shire to effectively manage the timing and delivery of film permits; and		
	c) adequately cover the cost of facilitating filming in the Shire.		
3.	That Council seek clarification from regulatory bodies around the categorisation of Byron Baes as an 'ultra-low impact' production.		
Mover: Cate Coorey		Seconder: Sarah Ndiaye	
Comments:			
25 Sep 2022 4:31pm Gilmore, Jess - Target Date Revision			
Target date changed by Gilmore, Jess from 30 July 2022 to 30 November 2022 - Again, further follow up with Office of Local Government (OLG), Screen NSW, and LG NSW regularly about the review of the LG Filming Protocol dates and processes has not been forthcoming. It was suggested that OLG will begin consultation on the review of the LG Filming Protocol from May 2022; to date Council has not been informed of this. The review of Council policy, application processes, and fees is dependant on State Government departments and Screen NSW imperative/priorities, pending their review of the LG Filming Protocol and its outcomes. , All points within the resolution relate to this process and will be reviewed once outcomes of the LG Filming Protocol are known.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-285	<p>PLANNING - NSW Flood Planning Reforms: Mandatory and Optional LEP clauses Report: I2021/1161</p> <p>Directorate: Sustainable Environment and Economy Officer: Caras, Alex</p>	05/08/2021	1/12/2022
<p>Resolved that Council:</p> <ol style="list-style-type: none"> notes the Mandatory 'Flood planning' Clause which took effect on 14 July 2021 and replaces the previous flood planning clause 6.3 in Byron LEP 2014; resolves to include the Optional 'Special Flood Consideration' Clause in Byron LEP 2014, noting this will not come into effect until the state government has completed a further extended period of consultation with the public, councils, and industry; and receives a further report to resolve which land uses will make up the optional clause definition of 'sensitive and hazardous development' and that this report be considered by the Floodplain Management Risk Committee prior. 			
<p>Mover: Sarah Ndiaye</p>		<p>Seconder: Michael Lyon</p>	
<p>Comments:</p> <p>10 Aug 2021 5:11pm Caras, Alex 1 Noted , 2 Noted , 3 To be actioned in coming months in consultation with the flood planning committee and Department of Planning, Industry & Environment.</p> <p>13 Aug 2021 12:45pm Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 06 September 2021 to 30 November 2021</p> <p>24 Sep 2021 11:37am Caras, Alex Department of Planning, Industry and Environment advised of resolution 21-285 to include Optional 'Special Flood Consideration' Clause in Byron LEP 2014, noting this will not come into effect until the state government has completed a further extended period of consultation with the public, councils, and industry.</p> <p>28 Oct 2021 4:57pm Caras, Alex Items 2 & 3 awaiting outcome of further consultation with Department of Planning, Industry and Environment.</p> <p>23 Dec 2021 12:37pm Caras, Alex Items 2 & 3 - consultation commenced with Department of Planning, Industry and Environment (DPIE). Council to complete a Special Flood Clause 'Rationale form' and return to DPIE by Friday 11 February 2022.</p> <p>29 Mar 2022 4:15pm Caras, Alex Special Flood Clause 'Rationale form' completed and submitted to DPIE in February (#E2022/7453). Further engagement to follow with DPIE.</p> <p>21 Jun 2022 12:52pm Caras, Alex Awaiting further advice from DPE regarding next steps and timeframe for consultation with councils on this LEP clause.</p> <p>28 Jun 2022 7:57am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 30 November 2021 to 01 December 2022. Still awaiting further advice from DPE regarding next steps.</p> <p>29 Aug 2022 3:24pm Caras, Alex Still awaiting further advice from DPE regarding next steps and timeframe for consultation with councils on Optional 'Special Flood Consideration' Clause in Byron LEP 2014. Clause to be considered in upcoming review of DCP flood planning chapter.</p>			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-290	Naming Historical Site Report: I2021/1162	05/08/2021	29/04/2022
Directorate: Infrastructure Services Officer: Savage, Deanna			
<p>Resolved that Council consult with key stakeholders regarding the naming of the historical site and primary beach access at Belongil beach, as highlighted on the map below and report back to Council prior to any submission going to the Geographical Names Board.</p>			
Mover: Jan Hackett		Seconder: Basil Cameron	
<p>Comments:</p> <p>29 Sep 2021 11:17pm Elford, Evan Resource availability and covid restrictions impacting stakeholder engagement</p> <p>02 Dec 2021 11:49am Flockton, James - Target Date Revision Target date changed by Flockton, James from 06 September 2021 to 29 April 2022 - Awaiting staff resourcing.</p> <p>27 Jun 2022 9:26am Savage, Deanna Will organise an email to Arakwal and to Crown Land giving notice of the request to have the access way named as the land is a Crown Reserve. We will need to gain some input into thoughts on an indigenous name for the beach access. The land is under Native Title Non-Exclusive rights and needs to go to a Bundjalung of Byron Bay Aboriginal Corporation (Arakwal) Board meeting which meets approximately monthly. Special meetings are organised for Native Title Matters.</p>			

Res No	Report Title	Meeting Date	Due Date
21-320	Review Asset Management Policy in accordance with Resolution 20-741 Report: I2021/864	26/08/2021	27/10/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
<p>Resolved that Council adopt the following Committee Recommendations:</p>			
<p>Report No. 4.1 Review Asset Management Policy in accordance with Resolution 20-741 File No: I2021/864</p>			
<p><u>Committee Recommendation 4.1.1</u></p>			
<ol style="list-style-type: none"> 1. That the draft Asset Management Policy is expanded to include the Road Access and Safety Principles (RASPs), part 1 of res 20-741 is placed on 28 days public exhibition and if there are no submissions the revised Policy be adopted. 2. That TIAC and Council receive a further report detailing the methodology for the application of RASPs. 			
Mover: Michael Lyon		Seconder: Jeannette Martin	
<p>Comments:</p> <p>29 Sep 2021 3:08pm Jones, Mila 1 - Policy adopted per resolution following public exhibition of draft (with no submission received). Weblinks updated., 2 - Report to be developed for next TIAC meeting. Date of meeting is yet to be confirmed. Draft report to created in info Council in preparation.</p> <p>31 Mar 2022 11:53am Flockton, James 1. Complete., 2. Staff working on documentation to present to Infrastructure Committee. Recent emergency events have reduced resourcing available for this task.</p> <p>27 Jun 2022 8:59am Flockton, James - Reallocation Action reassigned to Cornwall, Judd by Flockton, James</p> <p>28 Sep 2022 11:06am Cornwall, Judd - Target Date Revision Target date changed by Cornwall, Judd from 01 July 2022 to 27 October 2022 - Report has been created to present to IAC 7/10/2022 and will be presented to reported to Council on the 27/10/2022</p> <p>30 Sep 2022 1:44pm Cornwall, Judd This matter will be reported to the Infrastructure Advisory Committee 7 October 2022.</p>			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-342	Barbed wire ban Report: I2021/1180	26/08/2021	31/08/2022
Resolved:			
1. That Council reviews its use of barbed wire on Council properties with a view to improving the conservation and protection of animals.			
2. That Council works with key stakeholders to develop an information and education program for the community and landowners in order to: a) review the impacts of barbed wire on native fauna and b) provide ideas for alternatives to barbed wire or measures to mitigate the impacts.			
3. That this issue be referred to the Biodiversity Advisory Committee for further consideration.			
4. That the review be undertaken and a report be provided to Council before June 2022.			
Mover: Cate Coorey		Seconder: Sarah Ndiaye	
Comments:			
07 Sep 2021 8:52am Burt, Shannon 1 Review to be undertaken by relevant staff and form part of a report to BAC, November 2022., 2 Staff to prepare a report on information and education program options for BAC meeting in 2022.			
29 Sep 2021 7:21am Caddick, Lizabeth Report to be prepared for Biodiversity Advisory Committee by June 2022. Use of barbed wire and options for alternatives to be discussed with Agriculture Cluster Group Nov 2021.			
09 Nov 2021 3:34pm Caddick, Lizabeth Discussed issue with Agriculture Cluster Group. E2021/137315			
17 Dec 2021 7:26am Caddick, Lizabeth Report to be prepared for Biodiversity Advisory Committee by June 2022.			
23 Mar 2022 1:18pm Caddick, Lizabeth Will report to next Biodiversity Advisory Committee - meeting date 19 May			
24 Jun 2022 1:25pm Caddick, Lizabeth 24/6/22 - To discuss with Biodiversity Advisory Committee at a future meeting. Other priority projects / grant funded projects have taken priority to date.			
28 Jun 2022 8:00am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 27 September 2021 to 31 August 2022			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-344	YouthSay Program - Report and Recommendations Report: I2021/950	26/08/2021	27/09/2021
Directorate: Corporate and Community Services Officer: Wood , Isabelle			
Resolved:			
1.	That Council thanks the young people from Mullumbimby High School involved in the Byron Shire YouthSay Program and notes their report and presentation during public access at the 27 May Ordinary Meeting of Council.		
2.	That Council notes the feedback and report from the YouthSay program and implements the following suggestions from the young people:		
	a) undertakes a survey of young people about their transport needs		
	b) provides a report to Council detailing opportunities to develop or implement on demand public transport including for trials and to obtain grant funding.		
	c) coordinates a youth volunteer clean-up day in November 2021		
3.	Noting the request for a Youth Council and Res 21.242, Council undertakes targeted engagement to determine the preferred model that can give young people an effective voice in raising issues of concern to young people.		
4.	That Council receives a report regarding the outcomes of this youth engagement and the proposed forum for future youth engagement to commence in 2022.		
Mover: Basil Cameron		Seconder: Sarah Ndiaye	
Comments:			
29 Sep 2022 3:22pm Wood, Isabelle			
1.	Completed ,		
2.	a) Completed: a broader youth survey was developed and included transport needs. b) Deferred and will be included in the 2022/23 OP. c) Postponed due to COVID-19 and flood priorities. ,		
3.	In development, delayed due to the flood recovery priorities. Data from the Byron Youth Survey 2021 is being reviewed and will inform the Byron Youth Survey 2021 Findings Report. Once this report is finalised, it will be distributed internally within Council and externally with local youth services and community organisations. The findings will help determine the next targeted youth engagement activities that are planned and conducted with young people. ,		
4.	To be completed once additional youth engagement activities have concluded and the proposed forum for future youth engagement has been strategically considered.		

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-372	Mayoral Minute - Infrastructure Contributions Reforms Report:	16/09/2021	18/10/2021
Resolved:		Directorate: Infrastructure Services Officer: Soulsby, Christopher	
<ol style="list-style-type: none"> That Council calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament. That Council calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system. 			
Mover: Michael Lyon		Seconded:	
Comments: 22 Sep 2021 11:41am Soulsby, Christopher Letter to be drafted and sent to the Department of Planning.			

Res No	Report Title	Meeting Date	Due Date
21-387	The Buttery - connection to sewerage system Report: I2021/1216	23/09/2021	31/12/2022
Resolved that in relation to the connection of 346 Lismore Road, Binna Burra (<i>The Buttery</i>) to the Bangalow Sewerage System, Council:		Directorate: Infrastructure Services Officer: Baulch, Dean	
<ol style="list-style-type: none"> Supports the connection on the basis that <i>The Buttery</i> is a registered charitable organisation, the community benefit it provides and its ongoing provision of community services. Supports the deferral of s64 Contributions on the basis the conditions detailed in the Report. Requires a special agreement for connection to sewerage system to be prepared by the relevant staff and executed by the General Manager; and Determines that all costs relating to installation, required approvals, ongoing operation, maintenance, repair and replacement are borne by <i>The Buttery</i>. 			
Mover: Michael Lyon		Seconded: Cate Coorey	
Comments: 28 Sep 2021 8:34am Holloway, Phillip Utilities staff to advise the "Buttery" of the outcome 29 Sep 2021 1:44pm Baulch, Dean - Target Date Revision Target date changed by Baulch, Dean from 25 October 2021 to 25 October 2021 - Letter sent to advise 'The Buttery' of support E2021/126456 12 Oct 2021 1:44pm Baulch, Dean Special agreement to be drafted as per Item 3. 31 Mar 2022 2:19pm Clark, Cameron - Target Date Revision Target date changed by Clark, Cameron from 25 October 2021 to 30 May 2022 - COVID and FLOOD related as priorities have shifted 02 Jun 2022 10:23am Baulch, Dean - Target Date Revision Target date changed by Baulch, Dean from 30 May 2022 to 31 December 2022 - Buttery still investigating option for connection. Agreement not required until construction begins			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-389	Byron Shire Rail with Trail (Update) Report: I2021/1418	23/09/2021	25/10/2021
Directorate: Infrastructure Services Officer: Black, Therese			
Resolved that Council continues to work with Transport for NSW on the delivery of outcomes articulated in Resolutions 20-127, 20-572, and 21-234.			
Mover: Michael Lyon		Seconder: Cate Coorey	
Comments: 18 Oct 2021 9:07am Black, Therese Council continues to work with Transport for NSW on the delivery of outcomes articulated in Resolutions 20-127, 20-572, and 21-234. 29 Oct 2021 11:42am Black, Therese Council continues to work with Transport for NSW on the delivery of outcomes articulated in Resolutions 20-127, 20-572 and 21-234. 23 Dec 2021 4:45pm Black, Therese Council continues to work with Transport for NSW on the delivery of outcomes articulated in Resolutions 20-127, 20-572 and 21-234. 09 Mar 2022 9:40am Black, Therese Council is continuing to work with TfNSW on the delivery of outcomes articulated in Resolutions 20-127, 20-572 and 21-234. 20 Jun 2022 11:06am Black, Therese Council is continuing to work with TfNSW on the delivery of outcomes articulated in Resolutions 20-127, 20-572 and 21-234.			

Res No	Report Title	Meeting Date	Due Date
21-447	Lot 12 Bayshore Drive - Valuation as per Resolution 21-188 Report: I2021/1095	28/10/2021	1/10/2024
Directorate: General Manager Officer: Meir, Matt			
Resolved that Council endorses the valuation range of \$1,811 /m ² to \$1,860/m ² of land area as per confidential annexures (Attachments 4 and 5) for the sale of land marked 'Lot 1' in the Subdivision Concept Plan (refer Attachment 2), and that sale negotiations continue as previously defined in Council resolution 21-188.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: 30 Sep 2022 2:01pm Meir, Matt ET further considered matter on 14/9. Council meeting with Capital on 26/9. Contract negotiations narrowing toward resolution.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-451	Workshop - Ocean Shores to Brunswick Valley STP Transfer Report: I2021/1495	28/10/2021	29/11/2021
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved that Council adopts the Committee Recommendations:			
Report No. 4.1 Workshop - Ocean Shores to Brunswick Valley STP Transfer File No: I2021/1495			
<u>Committee Recommendation 4.1.1</u>			
That Council, in relation to Ocean Shores and Brunswick Valley STP's:			
1. Notes the status report.			
2. Recommits to reducing I/I in all sewer catchments.			
3. Proceeds to detailed design for infrastructure to transfer sewage flows from Ocean Shores STP to Brunswick Valley STP for:			
a) All current and projected flows to Ocean Shores STP (for the purpose of temporary closure for repairs and flows in excess of wet weather capacity), and,			
b) With facility to continue to discharge an adjustable proportion of the flows to Ocean Shores STP (up to ~100% of current sewage flows) on an ongoing basis.			
4. Investigates options for upgrades to Ocean Shores STP to rectify its prevailing condition, configuration, and redundancy issues, and to improve its efficiency and reliability. The capacity of the upgraded plant would not be required to be increased through the upgrades, and may be marginally reduced where cost effective to do so.			
5. Investigates options (including options with no Balancing Pond) for upgrades to Brunswick STP to rectify any prevailing issues (particularly in UV disinfection), and as required to accommodate the fraction of loads which cannot be reliably treated at the upgraded Ocean Shores STP.			
6. Receives a forward expenditure strategy based on timing of upgrades in Parts 2 & 3 above, and on growth estimated in Council's planning strategies.			
7. Receives a briefing at its next Strategic Planning Workshop.			
Mover: Sarah Ndiaye		Seconder: Cate Coorey	
Comments: 30 Jun 2022 1:31pm Clark, Cameron Council staff noted., Works have progressed both from Process design options including environmental assessments., Hold point is ready to be reported to the WWSAC on the October meeting as requested by the committee members.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-463	Main Beach Shoreline Project - outcome of community consultation on the 7 options Report: I2021/33	28/10/2021	31/10/2022
Directorate: Sustainable Environment and Economy Officer: Dowsett, Chloe			
Resolved that Council:			
1.	Notes the outcomes of community engagement activities and feedback received for the Main Beach Shoreline Project outlined in this report.		
2.	Endorses the following three options:		
	<input type="checkbox"/> Option 6 - protective structure moved landward by up to 30m		
	<input type="checkbox"/> Option 7 - existing structure upgraded to contemporary standards		
	<input type="checkbox"/> Option 2 – berm rock revetment and pathway		
3.	Receives a further report once the detailed technical investigations on the three options are complete.		
Mover: Jan Hackett		Seconder: Paul Spooner	
Comments:			
13 Dec 2021 2:04pm Dowsett, Chloe Technical investigation (coastal modelling and geomorphological assessment) of the options being undertaken by Consultant with outcomes expected by March 2022.			
15 Mar 2022 10:42am Dowsett, Chloe - Target Date Revision Target date to be revised to September 2022 - Technical investigation due to be completed July/August 2022. Consultation with Council required.			
28 Jun 2022 8:01am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 30 June 2022 to 31 October 2022			
16 Sep 2022 11:23am Dowsett, Chloe Report due by 31 October 2022.			

Res No	Report Title	Meeting Date	Due Date
21-468	Expression of Interest for next village/town masterplan Report: I2021/1491	28/10/2021	1/12/2022
Directorate: Sustainable Environment and Economy Officer: FitzGibbon, Andrew			
Resolved:			
1.	That Council endorses an expression of interest process in early 2022 for the next village/town Masterplan as outlined in this report.		
2.	That Council receives a further report on the expression of interest process, with the report to include a recommendation for a preferred village/town masterplan and a project plan and resourcing plan showing staff time and other budget required to undertake the work.		
3.	That Council notes depending on 2, the timeframe for the new village/town masterplan may be delayed in part or all until Financial Year 2023/24.		
4.	That Council notes previous Resolution 20-432, particularly part 3.		
5.	That Council, with consultation, investigates further traffic calming and other treatments to slow traffic within the retail and service precinct as shown on the Pedestrian Amenity and Safety Plan including implementation of a 40kph or lower speed limit and a shared zone.		
Mover: Basil Cameron		Seconder: Cate Coorey	
Comments:			
28 Sep 2022 2:42pm FitzGibbon, Andrew 1 - Noted - EOI process opened 12 August and will close end of September 2022, 2 - Noted - Report to be prepared following assessment of EOI, 3 - Noted , 4 - Complete - noted - refer to resolution 20-432, 5 - Complete - noted - refer to resolution 20-432, see Resolution 22-216 also.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-493	PLANNING - 26.2019.10.1 Submissions Report - North Beach Byron Rezoning Planning Proposal Report: I2021/1415	04/11/2021	31/12/2022
Directorate: Sustainable Environment and Economy Officer: French, Sharyn			
Resolved that Council:			
1.	Forward the planning proposal, as contained in Attachment 1 (E2021/111179), along with updated Local Environmental Plan maps as detailed in this report, to the Department of Planning, Industry and Environment for finalisation.		
2.	Amend Byron Development Control Plan 2014 Chapter E5 - Certain Locations in Byron Bay and Ewingsdale by inserting Section E5.7A North Beach Byron E4 Land and include provisions for the subdivision of the land addressing the following matters:		
	i. the submission of a Vegetation Management Plan with any application for subdivision; and		
	ii. the provision of public beach access comprising a width of 10 metres increasing to a width of 20 metres at the boundary with Crown land.		
Mover: Michael Lyon		Seconder: Paul Spooner	
Comments:			
07 Dec 2021 9:23am French, Sharyn Applicant requested final confirmation of costs and expenses agreement for payment prior to finalising PP and forwarding to DPIE			
17 May 2022 4:16pm Tarrant, Sam Point 1 completed. LEP amendment in effect from 6/5/2022			
21 Jun 2022 1:21pm Caras, Alex Item '2' - draft DCP currently being prepared by Applicant for Council review.			
28 Jun 2022 8:04am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 06 December 2021 to 31 December 2022			
29 Sep 2022 3:22pm French, Sharyn Item 2 - Still awaiting draft DCP being prepared by applicant			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-501	Update Resolution 20-727 Proposed Off Leash Dog Park at Mullumbimby Recreation Grounds Report: I2021/1639	04/11/2021	1/12/2022
Directorate: Sustainable Environment and Economy Officer: Nagel, Sarah			
Resolved that Council:			
<ol style="list-style-type: none"> 1. Notes the staff update on Resolution 20-727 Opportunity for activation and increased passive surveillance at the Mullumbimby Skate Bowl and continues negotiations to further the pump track, upgrade the cricket pitch, the community centre project and the netball facilities upgrade. 2. Initiate discussions with The Bundjalung of Byron Bay Aboriginal Corporation (Arakwal) to gauge their potential support for these projects. 3. Not progress the concept plan prepared for activating the sports field adjacent to the Mullumbimby Skate Bowl with an Off Leash Dog Park at this time. 4. Look for an alternate site for an Off Leash Dog Park in Mullumbimby that is on Council owned or other land, failing that, include this in the discussions outlined in 2 above. 			
Mover: Jeannette Martin		Seconder: Michael Lyon	
Comments:			
29 Sep 2022 9:59am Burt, Shannon August 2022: draft Strategy available for feedback., Late 2022: Strategy reported to council for adoption.			

Res No	Report Title	Meeting Date	Due Date
21-531	Inflow and Infiltration - April 2021 update Report: I2021/718	25/11/2021	27/12/2021
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.1 Inflow and Infiltration - April 2021 update File No: I2021/718			
<u>Committee Recommendation 4.1.1</u>			
That Council:			
<ol style="list-style-type: none"> a) notes the report from Environmental Data Services; b) notes that the measuring system on which the report was based does not work when the manholes surcharge; c) investigates methods of assessing the benefits to Inflow and Infiltration of sewer repairs in our leakiest sewer catchments, to ascertain the efficacy of the repairs to date and into the future of ongoing repairs. 			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments:			
30 Jun 2022 1:30pm Clark, Cameron Council Staff noted., Staff are currently investigating methods for measuring I&I. This will be reported at the October 2022 WWSAC meeting.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-541	Petition Regarding More Traffic Calming Measures in Brandon Street Suffolk Park Report: I2021/1725	25/11/2021	24/11/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved:			
1. That Council notes the petition regarding Traffic measures in Brandon Street, Suffolk Park.			
2. That the petition be referred to the Director Infrastructure Services for reporting back to Council.			
Mover: Michael Lyon		Seconder: Basil Cameron	
Comments:			
02 Dec 2021 11:01am Flockton, James 1. Noted., 2. Investigation will be completed upon recruitment of new Traffic Engineer in 2022. Target report to April 2022 Council meeting.			
28 Sep 2022 11:13am Cornwall, Judd - Target Date Revision Target date changed by Cornwall, Judd from 20 October 2022 to 24 November 2022 - To be reported to Moving Byron Committee on the 4 October 2022, then to Council on the 24 November 2022.			
30 Sep 2022 1:55pm Cornwall, Judd This matter will be reported to the Moving Byron Advisory Committee on the 20 October 2022.			

Res No	Report Title	Meeting Date	Due Date
21-542	Drafting a Strategic Plan for Arts and Culture Report: I2021/1822	25/11/2021	31/01/2023
Directorate: Corporate and Community Services Officer: Firth, Melitta			
Resolved:			
1. That a briefing be provided to Councillors in March 2022, outlining progress thus far on development of a Strategic Plan for the Arts and Culture. This progress report to consider: a) Community and stake-holders engagement to date b) Community needs and wants c) What have we got, what's working for us, what's not? d) Where do we want to take the arts and culture in this Shire (Vision) e) Starting from what we've got, how might we reach our goals, over time.			
2. That the Strategic Plan for the Arts and Culture be delivered by October 2022.			
Mover: Jan Hackett		Seconder: Paul Spooner	
Comments:			
07 Sep 2022 12:57pm Firth, Melitta 1. Councillor briefing will occur at the next available Strategic Planning Workshop when a draft will be presented., 2. Timeline for finalisation of the Arts and Culture Action Plan has been impacted by flood recovery and prioritisation of Arts and Culture Summit.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
21-548	Water Sensitive Urban Design (WSUD) Report: I2021/1582	25/11/2021	31/03/2022
Directorate: Infrastructure Services Officer: Moffett, Scott			
Resolved that the following be presented to the next available Council meeting:			
1. Draft Water Sensitive Urban Design – Development Control Plan			
2. Draft Water Sensitive Urban Design – Guidance Materials			
3. Initial annual drainage infrastructure report			
Mover: Cate Coorey		Second: Sarah Ndiaye	
Comments: 26 Nov 2021 3:16pm Flockton, James - Target Date Revision Target date changed by Flockton, James from 27 December 2021 to 31 March 2022 - Target date now after the first available Council meeting. Needs to be reported to Council. 26 Nov 2021 3:17pm Flockton, James 1. Report to go to September 2022 Council meeting, 2. Report to go to September 2022 Council meeting, 3. Report to go to September 2022 Council meeting, Report delayed due to recent natural disaster and key consultancies and staff reprioritised. 23 Feb 2022 3:04pm Black, Sophie April / May document currently being finalised.			

Res No	Report Title	Meeting Date	Due Date
21-563	Terrace Reserve/Reflections Holiday Park boundaries and buffers Report: I2021/1825	25/11/2021	27/12/2021
Directorate: General Manager Officer: James, Ralph			
Resolved that Council:			
1.			
a) Convenes a community meeting with residents to seek clarification from staff as to the outcome of the Land and Environment Court ruling of 25 May 2021 between Crown Lands (Reflections) and Byron Council and their relationship to the setbacks and buffers in the approved Plan of Management and that Reflections Regional Manager Jennifer Scott be invited to attend			
b) that a map be drafted for the understanding of residents which accurately reflects the 3m minimum setbacks and buffers			
2. Recommits to the Pedestrian Access and Mobility Plan (PAMP) for Brunswick Heads which includes a shared foot path and bike path along the southern side of The Terrace from Tweed Street to Park Street, noting that The Terrace shared pathway will connect Brunswick Heads Primary School with the existing shared pathway from Bayside and the Brunswick Heads Sporting Fields.			
Mover: Cate Coorey		Second: Sarah Ndiaye	
Comments: 17 Dec 2021 9:33am James, Ralph Liaison with Cr Coorey re attendees continuing after delay by LG election. Reflections attendance confirmed. 28 Jul 2022 3:54pm Hardy, Jazz Still awaiting information from C Coorey			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-001	EV charging station in Station Street Report: I2022/1	03/02/2022	7/03/2022
	Directorate: Infrastructure Services Officer: Reilly, Len		
Resolved:			
1.	That Council reconfirm its commitment to reducing carbon emissions and confirms its support for Electric Vehicles over those driven by fossil fuels.		
2.	That the following issues at the EV charging station in Council's carpark be remedied as soon as a funding source is determined: a) pigeon poo splattering EV's due to pigeons roosting in the roof structure over the parking bays with EV chargers; and b) rainwater falling on the charging equipment and on people using it.		
3.	That Council receive a report within a month on funding options for remedying these issues.		
4.	That the Mayor be delegated to determine the option from that report between it being written and being considered by Council, should he so wish, to expedite the matter and to save time spent on it.		
5.	That Council receive a report in April 2022 on the resolution of the issues.		
Mover: Duncan Dey		Seconder: Sarah Ndiaye	
Comments:			
21 Feb 2022 12:19pm Adams, Julia Item 1. Noted, item 2. In progress - staff currently requesting quotations, items 3-5. pending following item 2.			
28 Mar 2022 2:19pm Reilly, Len - Completion Completed by Reilly, Len (action officer) on 28 March 2022 at 2:19:54 PM - a) Quote approved to install bird netting under the structure which will prevent Pigeons from roosting. Works to start in May 2022.			
31 May 2022 9:48pm Sills, Heather Resolution noted as incomplete by Council - see resolution 22-223.			
30 Jun 2022 2:17pm Reilly, Len Bird netting completed at a cost of 13.5k. Guttering requires major works and drainage which was not completed at the time of construction due to budget constraints. Investigating design and engineering for the gutter works. No budget allocation at this stage.			
28 Sep 2022 9:15am Reilly, Len Consultant Engineer required to undertake design for gutter and drainage. Original design of roof does not allow for traditional gutter systems as the solar panels are also the self supporting roof panels. It is recommended that no further action be taken at this and the resolution be completed.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-010	Arts and Culture Summit 2022 Report: I2022/8	03/02/2022	30/01/2023
Directorate: Corporate and Community Services Officer: Firth, Melitta			
Resolved:			
1.	That Council convenes an Arts and Creative Industries Summit to offer an opportunity for local Arts professionals to share their experiences and ideas about how we can reinvigorate the local creative arts and industry after such a challenging few years having to contend with Covid related instability. Council can also share the current opportunities and challenges being experienced in the sector from Council's perspective.		
2.	The summit to include presentations from Council, and the invitation extended to encompass a wide range of local input, including for example: <i>Community arts organisations, arts industry, Create NSW, Arts Northern Rivers, a local community organisation or institution, a representative from NSW Department of Planning and an arts policy specialist.</i> <i>Northern Rivers representative from Music NSW, Northern Rivers Screenworks, local festival representatives (e.g., Blues Fest, Mullum Music Festival, Byron Writers Festival, Byron Film Festival, Splendour, Falls, Surf, Byron Music, Bangalow Film, Bangalow Music Festival), The Mud Trail etc and possibly venues such as Byron Community and Cultural Centre and Brunswick Picture House.</i>		
3.	The summit to be open to invited stakeholders including state and federal political representatives.		
4.	The summit to include consideration of the following: a) current council policies, strategies and resolutions to promote the arts; b) current council policies, strategies and resolutions that inhibit the creative industries; c) proposals that could be trialled and implemented to support Arts and Culture in the Byron Shire.		
5.	That the summit be structured in a way that supports the development of an Arts and Cultural Strategic Plan for the Shire.		
6.	That Council consider a budget allocation of up to \$10,000 in the 2022/23 budget.		
Mover: Sarah Ndiaye		Seconder: Peter Westheimer	
Comments: 21 Sep 2022 1:48pm Fajerman, Emily 1-6. Planning for the Arts and Creative Industries Summit (Forum) is underway. Event is scheduled for Friday 25 November. Arts and Creative Industries Advisory Committee and Councillors supporting with strategic advice and recommendations.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-060	Economic Impact Assessment of Planning Proposal for Short-Term Rental Accommodation Report: I2022/98	24/02/2022	24/06/2023
	Directorate: Sustainable Environment and Economy Officer: Burt, Shannon		
	Resolved that Council:		
1.	Notes the findings and recommendations of the Economic Impact Assessment and that of the Peer Review of the Economic Impact Assessment by Dr Peter Phibbs in Attachments 1 and 2.		
2.	Notes the Planning Proposal Timeline including delays to it due to the changing State Government requirements placed on Council in Attachment 3.		
3.	Supports wholeheartedly the existing 90-day/365-day cap option and instructs staff to amend the current Planning Proposal to meet the requirements of the Gateway Determination in Attachment 4, except for Condition 1(b), point 3, which requires the Planning Proposal to reflect the recommendations of the DPIE endorsed Economic Impact Assessment.		
4.	Authorises staff to submit the Peer Review with the amended Planning Proposal to the Department of Planning and Environment for a revised Gateway Determination to enable public exhibition of the Planning Proposal.		
5.	Requests the Department of Planning and Environment to extend the Gateway Determination date to 31 December 2022 or to when the Planning Proposal is determined and/or notified.		
	Mover: Michael Lyon	Seconder: Sarah Ndiaye	
	Comments:		
	31 Mar 2022 3:25pm Scott, Noreen 1. noted, 2 noted, 3. noted, 4. noted 5. amended planning proposal submitted to DPE 30/3/22. awaiting gateway determination.		
	28 Jun 2022 8:21am Burt, Shannon Altered gateway determination issued by Minister for Planning 3/6/22. Staff to progress planning proposal community engagement requirements and reporting as per the gateway conditions.		
	28 Jun 2022 8:23am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 28 March 2022 to 24 June 2023 - to align with altered gateway determination		
	29 Sep 2022 10:15am Burt, Shannon Community engagement September to October as per gateway determination. Report to council to follow.		

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-063	Request for exemption of developer contributions by Byron Community Centre Report: I2022/63	24/02/2022	28/03/2022
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved:			
1.	That Council advises the developer that the contributions required by condition 7 of development consent 10.2021.59.1 will not be waived; and		
2.	That Council grants delegated authority to the General Manager to determine an application made by the Byron Community Centre to waive the water and sewer levies required by condition 6 of development consent 10.2021.59.1 provided that the developer demonstrates that they meet the requirements of section 2.7 of the Development Servicing Plan.		
Mover: Mark Swivel		Seconder: Michael Lyon	
Comments:			

Res No	Report Title	Meeting Date	Due Date
22-088	Former Mullumbimby Hospital Site Soil Contamination Cap and Soil Removal 2021-1218 Report: I2022/97	24/03/2022	25/04/2022
Directorate: Infrastructure Services Officer: Crosbie, Michael			
Resolved:			
1.	That Council awards Tender 2021-1218 Former Mullumbimby Hospital Site Soil Contamination Cap and Soil Removal to Synergy Resource Management.		
2.	That Council's seal be affixed to the relevant documents.		
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 2021.		
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-102	Vallances Road & Natural Burial Ground - Update Report: I2021/1584	24/03/2022	30/09/2022
	Directorate: Infrastructure Services Officer: Winter, Joshua		
Resolved that Council:			
1.	Acknowledges the access constraints at the Vallances Road site.		
2.	Prepares a feasibility of an access upgrade as a priority, including survey, concept design and costing, and that this be presented to Council by September 2022 to further clarify the potential development of this site, including for the provision of affordable housing.		
3.	Allocates an additional \$70,000 from the Sewer Capital Works Reserve to undertake these works.		
4.	Staff allocate members from the IS and SEE directorates to participate with Councillors Lyon and Dey and the Natural Burial Committee in bi-monthly Project Reference Group meetings, commencing in April 2022.		
5.	Add an additional Operational Plan activity to "Undertake the scoping, design and costing of the access upgrade to Vallances Road"		
6.	Amend the Operational Plan activity 2.3.7.6 to "Progress the delivery of the Natural Burial Ground at Vallances Rd via the Project Reference Group"		
7.	Brief Councillors on the Vallances Road site at a Strategic Planning Workshop in May 2022.		
Mover: Mark Swivel		Seconder: Michael Lyon	
Comments:			
29 Mar 2022 12:01pm Winter, Joshua			
1. Noted., 2. Survey work has commenced and deliverable is expected in April at which time design work can commence., 3. Noted and finance have been advised., 4. Inaugural meeting is being organised with dates of Councillor availability TBC., 5. Corporate services have been advised of new OP activity., 6. Corporate services have been advised to amend current OP activity.			
31 Mar 2022 2:14pm Winter, Joshua - Target Date Revision			
Target date changed by Winter, Joshua from 25 April 2022 to 30 September 2022 - Resolution requires a report to Council in September.			
23 Jun 2022 1:45pm Winter, Joshua			
Items 1, 3, 4, 5, 6 & 7 are complete., Item 2 is underway, with survey complete and planning advice/concept designs on track for Council in September 2022.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-112	Thank you to staff and community Report:	24/03/2022	25/04/2022
	Directorate: General Manager Officer: Arnold, Mark		
Resolved:			
1.	Council acknowledges the immense impact that the climate change fuelled flooding of late February has caused ours and neighbouring communities. Some people have lost their lives. This impact continues to be felt by many people, including those that have suffered damage to their homes, lost their homes and businesses and having their transport and communications options cut. The suffering is huge and will be long felt by many in the community right across the Northern Rivers.		
2.	Council applauds the extraordinary response of the community to the emergency in saving lives and property. The efforts in leading the recovery by many parts of the community have been extraordinary. We are acutely aware that important lessons need to be learned from this experience at every level of government and across all agencies.		
3.	Council recognises the effort that all Council staff have made over the past weeks to support our community through the devastation of the emergency flood response and the beginnings of the recovery. Council recognises the difficulty that staff faced in delivering services and engaging with each other and the community with such widespread destruction and intermittent or non-existent communication. Council recognises the personal impact that this disaster has also had on many staff. Council sincerely thanks all staff for their work right across the organisation.		
4.	A report be provided to council with options for holding an appropriate thank you and recognition day in the future to bring the community together and acknowledge the community effort in the emergency response and the recovery effort.		
5.	That point 3 of this motion be communicated to all staff by the General Manager.		
Mover: Asren Pugh		Second: Sarah Ndiaye	
Comments:			
30 Jun 2022 4:48pm Graham, Toni			
1. Complete. Acknowledgement by Council - no further action required. This acknowledgement included in related correspondence, media and social media., 2. Complete. As per above., 3. Complete. Acknowledgement by Council and actioned as in point 5., 5. Complete. Communicated to staff through email and at the Council Staff BRAVO Awards.			

Res No	Report Title	Meeting Date	Due Date
22-140	Mullum to Bruns Cycleway - Route Options for Community Consultation Report: I2022/323	28/04/2022	30/09/2022
	Directorate: Infrastructure Services Officer: Flockton, James		
Resolved that Council:			
1.	Commences community consultation on Route Options A and D as part of the Mullum to Bruns cycleway project.		
2.	Reports the findings of the community consultation back to Council with a view to inform a single preferred route for the cycleway which is to be progressed in terms of investigation, planning and design activities.		
Mover: Michael Lyon		Second: Sarah Ndiaye	
Comments:			
30 Jun 2022 3:10pm Flockton, James			
1. Consultation is ready to commence but has been paused due to with impacted land owners not supporting proposals. Awaiting direction from management., 2. Report to be prepared upon completion of consultation or outcome of management direction in item 1.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-148	Corporate Governance - Councillors Report: I2022/354	28/04/2022	13/09/2022
Directorate: Corporate and Community Services Officer: Keen, Alexandra			
Resolved:			
1.	That Council develops a communications protocol for immediate meetings and communication among councillors in the wake of a disaster or emergency - e.g. same day virtual; next day in person.		
2.	That Council gives Councillors, as part of their induction, an information session on how to respond during a disaster or emergency.		
Mover: Sarah Ndiaye		Seconder: Duncan Dey	
Comments: Completed by Keen, Alexandra (action officer) on 13 September 2022 at 3:09:58 PM - Process drafted and has been reviewed by Executive Team in August 2022.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-152	Temporary Accommodation - Flood Response Report: I2022/356	28/04/2022	30/12/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1.	Acknowledges the fantastic work by volunteers from the Mullumbimby District Neighbourhood Centre (MDNC) since the flood crisis hit, including in the accommodation space where much of the work in linking flood-affected people with accommodation and in the social wellbeing of members of the community		
2.	Includes an allocation of funds from a suitable grant funding source to the MDNC \$1,000/week for the next 10 weeks to assist in the provision of emergency accommodation		
3.	Assists the MDNC in their accommodation activities through Council media releases and other communications in consultation with the MDNC		
4.	Receives a report on Council's ability to enforce consent conditions existing or in the future which limit the use of short term rental use of residential accommodation		
Mover: Michael Lyon		Second: Sarah Ndiaye	
Comments: 21 Jun 2022 1:50pm Burt, Shannon 1. Council provided feedback to MDNC regarding the significant value of this work and advised of the associated funding that will be provided in acknowledgement (\$10k)., 2. Grant funds allocated under AGRN1012 Natural Disaster Funding (\$1 million) and submitted to funding body for approval, and Mullumbimby District Neighbourhood Centre advised., 3. Council staff continue to work closely with MDNC and undertake shared planning and communication regarding a range of activities, including accommodation support., 4. Advice being sought about Council's ability to enforce consent conditions existing or in the future which limit the use of short term rental use of residential accommodation. Will be subject to separate reporting as part of the STRA planning proposal. See Resolution 22-060.			

Res No	Report Title	Meeting Date	Due Date
22-169	NSW Employment Zones Reform Report: I2022/142	28/04/2022	1/10/2022
Directorate: Sustainable Environment and Economy Officer: Daniels, Steve			
Resolved that Council:			
1.	Provides in-principle endorsement of the Employment Zones Translation as detailed in Attachment 1 (E2022/32628) and Attachment 2 (E2022/32443) ahead of a state-wide public exhibition that is expected to take place in May 2022.		
2.	Notes the Department of Planning and Environment will have primary carriage of the public exhibition process; however support will be required from councils to ensure notice of the exhibition reaches relevant stakeholders and community members in their respective LGAs.		
3.	Following exhibition, receive a strategic planning workshop and report to Council with details of any recommended amendments for final endorsement of a submission to the Department of Planning, Industry and Environment.		
4.	Advises DPE of Council's intention to explore opportunities for work / live development in appropriate E Zones.		
Mover: Michael Lyon		Second: Mark Swivel	
Comments: 30 Sep 2022 1:56pm Daniels, Steve DPE exhibition finalised. DPE has not requested any further input from Councils. Outcomes of exhibition and associated staff investigations to be reported following notification of the amendment.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-171	Integrated Water Management Strategies Report: I2022/313	28/04/2022	30/05/2022
Resolved:		Directorate: Infrastructure Services Officer: Clark, Cameron	
<p>Resolved:</p> <ol style="list-style-type: none"> 1. That during Stage 2 of the IWCM Strategy (beyond 2028) further investigation into the groundwater supplies at Tyagarah Byron Shire, will be undertaken by Rous County Council to confirm infrastructure requirements and assess environmental impacts. 2. That during Stages 1 and 2, Rous County Council will continue investigations into the preferred long-term source augmentation strategy (Stage 3 options) which may include (around 2040): <ol style="list-style-type: none"> i) Expansion of the Tyagarah groundwater scheme (if viable). ii) Desalination of ocean feedwater at Byron Bay. iii) A regional desalination facility with interconnection of the Tweed and Rous County Council regional supplies. iv) Surface Water Supplies 3. That a draft of the Rous County Council Regional Demand Management Plan 2023 - 2026 will be on public exhibition during 2022 4. That, in relation to its long term water supply strategy for Mullumbimby, Council: <ol style="list-style-type: none"> a) firms up its four management options including recognising the environmental impacts of each option, inclusive of impacts of Rous's own options (for options that use Rous water). b) adds to Scenario S4 an alternative new groundwater source namely to buy back existing licences around Tyagarah. c) reports that revised information to a meeting (extraordinary if necessary) of the Water & Sewer Advisory Committee. d) aims to produce a draft long term strategy to go to a Strategic Planning Workshop with a view to putting the strategy on public exhibition during 2022. 			
Mover: Duncan Dey		Seconder: Sarah Ndiaye	
Comments:			
30 Jun 2022 1:27pm Clark, Cameron			
1. Council staff noted, a) Staff have drafted report that firms up its four management options including recognising the environmental impacts. Staff will report at options report at the 18 Aug WWSAC			

Res No	Report Title	Meeting Date	Due Date
22-203	Utilities Overview Report: I2022/291	26/05/2022	18/08/2022
Resolved that Council adopts the following Committee Recommendations:		Directorate: Infrastructure Services Officer: Clark, Cameron	
Report No. 3.3 Utilities Overview File No: I2022/291			
<u>Committee Recommendation 3.3.1</u>			
<ol style="list-style-type: none"> 1. That Council notes the presentation: Infrastructure Services Utilities Overview Presentation to Water & Sewer Advisory Committee 21 April 2022 (E2022/32261). 2. This summary to continue at the next Water and Sewer Advisory Committee. 			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments:			
01 Jun 2022 3:30pm Barnden, Rachel - Target Date Revision			
Target date changed by Barnden, Rachel from 27 June 2022 to 18 August 2022 - WSAC Meeting Date			
30 Jun 2022 1:26pm Clark, Cameron			
Staff Note: This summary to continue at the next Water and Sewer Advisory Committee.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-224	Byron Shire Rail with Trail (Update) Report: I2022/116	26/05/2022	27/06/2022
Directorate: Infrastructure Services Officer: Black, Therese			
Resolved that Council:			
1.	Continues to work with Transport for NSW on the delivery of outcomes articulated in Resolutions 20-127, 20-572, 21-234 and 21-389.		
2.	Continues to seek funding opportunities to allow reactivation of the rail corridor within the Byron Shire.		
3.	Engages in discussions with Lismore City Council regarding collaboration on improved public transport strategies and use of the rail corridor.		
4.	Writes to Tamara Smith MP to inform her of the current status of the \$100,000 funding from TfNSW for the clearing of the rail corridor and the difficulties with complying with the timelines for the approval of the licence to undertake the clearing.		
Mover: Peter Westheimer		Second: Duncan Dey	
Comments:			
20 Jun 2022 11:07am Black, Therese 1. Ongoing - Council continues to work with Transport for NSW on the delivery of outcomes articulated in Resolutions 20-127, 20-572, 21-234 and 21-389., 2. Ongoing - Council continues to seek funding opportunities from both State and Federal grant programs to allow reactivation of the rail corridor within the Byron Shire., 3. Ongoing - Council is in communication with Lismore City Council regarding collaboration on improved public transport strategies and use of the rail corridor. Below is the latest resolution from LCC at 22 March meeting:, 14.3 Northern Rivers Rail Trail - Bentley to Lismore - Project Funding, 65/22 RESOLVED that Council: , - Notes the project risks associated with the Northern Rivers Rail Trail between Bentley and the Lismore Railway Station project, and endorses the execution of the funding deed with the Federal government consistent with the support provided to date under Council's adopted Delivery Program. , 4. Completed - Council has been successful in rolling over to FY2023; \$100,000 funding from TfNSW for the clearing of the rail corridor.			

Res No	Report Title	Meeting Date	Due Date
22-228	Post Flood Event Update Report: I2022/345	26/05/2022	27/06/2022
Directorate: Infrastructure Services Officer: Moffett, Scott			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 3.2 Post Flood Event Update File No: I2022/345 <u>Committee Recommendation 3.2.1</u>			
That Council:			
1.	Notes the Report.		
2.	Receives a further report from the Floodplain Management Advisory Committee on reviewing the North Byron Floodplain Risk Management Plan.		
Mover: Michael Lyon		Second: Peter Westheimer	
Comments:			
30 Jun 2022 3:41pm Moffett, Scott 1) Noted, 2) Report to be developed			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-241	South Golden Beach west side flooding & drainage Report: I2022/570	09/06/2022	11/07/2022
Directorate: Infrastructure Services Officer: Moffett, Scott			
Resolved that Council receives a report on the following projects whether already under way or not in South Golden Beach west of Capricornia Canal, including how they can be funded and executed in the 2022-23 financial year and noting that more project detail appears in Councillor Dey's report attached to this Notice of Motion:			
a) investigate the sub-catchment of Marshals Creek that drains through South Golden Beach west side into Capricornia Canal, to determine capacities of its sub-surface and overland drainage networks, especially in the downstream area (SGB). That investigation should lead to upgrades in the piped network, to identification of overland flow-paths and to their upgrade.			
b) investigate whether South Golden Beach west of Capricornia Canal could benefit from a flood pump system similar to the one serving the east side.			
c) revitalise and complete the backyard easement project that commenced after the AWC Environmental Assessment of 2015.			
d) create a standing annual task for just prior to each wet season around routine inspection and maintenance of the flood gates in South Golden Beach.			
e) inspect the flood gates in South Golden Beach and carry out maintenance including (i) reinstalling a seal on gate #2 of 4 and (ii) removing mud accumulated on the concrete apron downstream of gate #4 of 4.			
f) consider in conjunction with the SES appointing a local warden to inspect those flood gates when flood warnings are issued.			
g) repair and restore the displaced concrete cover on the stormwater pit in the central road reserve of Shara Boulevard near Palmer Avenue, but preferably replace it with a steel grated cover.			
h) investigate and overcome the causes of persistent sewer pump failure at the pump station near #13 Elizabeth Street, South Golden Beach and setup communication with neighbours to monitor success of these measures for a year after their implementation.			
i) investigate and overcome the causes of persistent stagnant stormwater on the corner of Elizabeth and Clifford Streets, South Golden Beach and setup communication with neighbours to monitor success of these measures for a year after their implementation.			
Mover: Duncan Dey		Seconded: Asren Pugh	
Comments: 30 Jun 2022 3:36pm Moffett, Scott All items proposed to be funded under grant application being developed.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-244	Council submission to NRPP on Linnaeus DA 10.2021.170.1 Report: I2022/505	09/06/2022	31/10/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved:			
1.	That Councillors receive, on the day after it is lodged with the Northern Regional Planning Panel, a copy of the Assessment Report prepared by Council staff for DA 10.2021.170.1 for 27 cabins, 7 other buildings, alterations & additions, earthworks, vegetation removal, and change of use of 14 units from educational to tourism on the "Linnaeus Estate" at Broken Head.		
2.	That the elected Council note that Council's submission should not be prepared by persons involved in the assessment of the application but could be prepared by another council officer, or a consultant.		
Mover: Michael Lyon		Seconder: Peter Westheimer	
Comments:			
21 Jun 2022 10:47am Burt, Shannon 1 Notification of councillors about the DA assessment report to occur as per the PP Operations Procedure., 2. Noted.			
29 Sep 2022 1:13pm Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 30 September 2022 to 31 October 2022			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-246	Rural Land Use Strategy Action Audit Report: I2022/125	09/06/2022	30/01/2023
Directorate: Sustainable Environment and Economy Officer: Tarrant, Sam			
Resolved that Council:			
1.	Notes the substantial progress made to date on the actions contained within the Rural Land Use Strategy (Attachment 1 - E2022/34118).		
2.	Receives a report by end of November 2022 that details the scope of works and budget estimate needed to undertake a comprehensive five-year Rural Land Use Strategy review, with this report to inform a forward budget bid for this work to progress.		
3.	Requests staff to prioritise delivery of Rural Land Use Strategy Action 21 in the 2022/23 financial year, being: Investigate capacity for re-subdivision within existing Large Lot Residential estates.		
4.	Requests the preparation of an options paper on the potential for additional land to be nominated for rural lifestyle living opportunities and/or other emerging housing types in peri-urban areas e.g. villages as part of the 2022/23 work program.		
5.	a) includes options for more community title and intentional community lands in the scope of works as per Council resolution 21-221 and;		
	b) Puts to the Northern Rivers Joint Organisation (NRJO) that carbon sequestration and carbon farming be added to its Renewable Energy prospectus.		
Mover: Peter Westheimer		Seconder: Sarah Ndiaye	
Comments:			
21 Jun 2022 3:02pm Tarrant, Sam			
1. No action required., 2-5. Actions to commence 22/23 financial year			
29 Sep 2022 9:07am Tarrant, Sam			
Items 3 & 4 : Work has commenced on updating the suitability criteria for housing land in urban, peri-urban, new settlement and rural lifestyle living settings., Item 5b) Sustainability staff note that carbon sequestering and carbon farming is a method of emissions sequestration/reduction rather than a process to produce renewable energy and is therefore not within the brief of the Renewable Energy Prospectus.			
29 Sep 2022 9:10am Tarrant, Sam - Target Date Revision			
Target date changed by Tarrant, Sam from 11 July 2022 to 30 January 2023			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-247	Residential Strategy and Lot 22 Update Report: I2022/132	09/06/2022	1/12/2022
Directorate: Sustainable Environment and Economy Officer: Hancock, Natalie			
Resolved that Council:			
1. Not progress the Planning Proposal for Lot 22 on DP 1073165, Mullumbimby at this time until the implications of the 2022 Flood Events and any further potential natural disasters are understood on the suitability of this land for future development.			
2. Supports, subject to funds being allocated, the adopted Residential Strategy being updated as per the peer review report Option 1 (Attachment 2 - E2022/27777) and clarified by the Department of Planning and Environment correspondence (Attachment 1 - E2022/40467).			
3. Requests a draft of the updated Residential Strategy be reported back to Council.			
Mover: Mark Swivel		Seconder: Michael Lyon	
Comments:			
21 Jun 2022 10:59am Hancock, Natalie Item 1: regarding Lot 22, investigations into the 2022 Flood Events and any further potential natural disasters are ongoing. Item 2: Residential Strategy update, this is priority work however progression is influenced by funding, completion of NCRP review, additional flood modelling, flood inquiry recommendations, and new census data release.			
28 Jun 2022 8:18am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 11 July 2022 to 01 December 2022			
16 Sep 2022 12:31pm Hancock, Natalie Item 2: Funds have been sourced and work has commenced on revisiting the staging/sequencing of the 'investigation areas' to better reflect known constraints.			

Res No	Report Title	Meeting Date	Due Date
22-249	Proposal for a Discussion Paper - After the 2022 Floods: Working Out Possibilities Together Report: I2022/578	09/06/2022	31/12/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved:			
1. That Council notes that staff will be preparing a high-level discussion paper <i>After the Floods – Working Out Possibilities Together</i> for presentation to Council and community engagement later in 2022.			
2. That Council submits a request to the Department of Planning and Environment (DPE) for assistance with extra staff.			
Mover: Peter Westheimer		Seconder: Sarah Ndiaye	
Comments:			
21 Jun 2022 12:57pm Burt, Shannon 1 Staff to progress work on the discussion paper for community engagement later in 2022., 2 Staff have made various requests already for additional resourcing to DPE e.g grants and extra staff. These requests remain under ongoing consideration by DPE. Council has received some grant funding to assist with Flood Recovery Projects already.			
21 Jun 2022 1:09pm Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 11 July 2022 to 31 December 2022			
29 Sep 2022 10:21am Burt, Shannon Discussion paper prepared., Councillor Workshop 6 October., Community engagement as per engagement strategy to follow October - November., Report back to Council to follow.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-285	3.3 Moving Byron Integrated Transport Strategy 2022 to 2042 - Results of Community Consultation Report: I2022/148	23/06/2022	27/10/2022
	Directorate: Infrastructure Services Officer: Cornwall, Judd		
Resolved:			
Report No. 3.3	Moving Byron Integrated Transport Strategy 2022 to 2042 - Results of Community Consultation		
File No: I2022/148			
<u>Committee Recommendation 3.3.1</u>			
That the Committee recommends that Council note:			
1.	The report and the comments received from the exhibition period.		
2.	The Moving Byron Committee will receive a further detailed report that provides:		
	a)	commentary on each of the comments received during the exhibition period	
	b)	commentary on comments received from TfNSW	
	c)	an updated Moving Byron document for consideration	
	d)	details on the resourcing requirements in relation to the Moving Byron Action Plan	
3.	An invitation will be extended to Transport for NSW to attend the next Moving Byron Advisory Committee meeting or to nominate a time prior when they are able to attend.		
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments:			
30 Sep 2022 2:04pm Cornwall, Judd			
This matter was reported to the Moving Byron Advisory Committee on the 18 August 2022, it was recommended that; Council staff revise and expand the Submissions Summary Report as follows., , a) Amend heading for Figure 1 to read 'Rail Corridor options' and display levels of support for 'multi use', 'rail' and 'trains' as referenced in the submissions., , b) Amend commentary in the report and submissions table to refer to either 'multi use', 'rail' and 'trains' as referenced in each submission acknowledging that a 'rail trail' is understood by the community to be infrastructure that excludes provision for any type of rail activation or services., , c) Expand summary commentary in the report to include a fuller description of references to 'public transport' to include inter town and regional references the benefits discussed., , d) Expand summary commentary in the report to include a fuller description of submissions referring to 'rail' and 'trains' that is not limited to the 'heavy' or 'light' rail and that summarises the benefits, not just critical comments., , e) Include summary of key strategic themes referenced in submissions including but not limited to 'car dependence', the 'big picture challenge' to 'diversify' infrastructure and services, submissions referencing costed and technical assessments for multi use and or rail, submissions from prospective operators, safe hinterland road network access issues and other key themes., , f) otherwise amend the summary to ensure that it capture the flavour and nuance of the community submissions ., ,			
2.	Support Staff and at least two Councillors commencing detailed conversations with Transport for NSW on how both levels of government can partner together to achieve a fully comprehensive and endorsed Action Plan from the Moving Byron document (attachment 3 / E2021/149220)., ,		
3.	Support the work of the committee by allocating time at the next meeting for a discussion of the key strategic themes and objectives of the Strategy., ,		
4.	The Moving Byron Committee receive further reporting regarding a proposed way forward that is supported by Transport for NSW and allows for the Moving Byron documents to be adopted., , These outcomes from these actions will be reported to the Moving Byron Advisory Committee on the 20 October 2022.		

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-288	Strengthening our Festival Culture Report: I2022/676	23/06/2022	1/12/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved:			
1.	That Council creates an action plan to enable and encourage small and medium sized festivals to operate in Byron Shire.		
2.	That Council reviews small and medium sized festival proposals currently pending or recently determined to explore the feasibility for these festivals to be conducted in the period 2022-24.		
3.	That Council reviews its policy and processes to ensure we support enabling festivals to enhance our creative industries, provide jobs and opportunities for creative companies and workers, and to contribute to community well-being.		
4.	That as part of this process, council reviews their staffing and processes as part of an events strategy.		
5.	That council do further work to clarify the DA and tenure issues around local potential sites capable of hosting events of various sizes.		
Mover: Mark Swivel		Seconder: Sarah Ndiaye	
Comments:			
28 Jun 2022 3:49pm Burt, Shannon 1-4 Report to council to scope out work required and report back to council approach and resources needed., 5 Matrix of sites to be prepared.			
28 Jun 2022 4:02pm Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 25 July 2022 to 01 December 2022			
29 Sep 2022 11:13am Burt, Shannon Council has received funding under the NSW Govt Natural Disaster Funding for the development of an Event Strategy. This strategy will focus on small to medium size events to encourage and enable best practice event planning; it will consider existing venues and land available for small to medium events, and identify further site opportunities and key issues to streamline event approvals. Work is to progress on this strategy this FY.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-290	Fill for urban development in the Marshalls Creek floodplain Report: I2022/678	23/06/2022	1/12/2022
Directorate: Infrastructure Services Officer: Moffett, Scott			
Resolved that Council:			
1.	notes the many reasons why floodplains require special attention to avoid filling, including that: <ol style="list-style-type: none"> fill can prevent the passage of floodwater during major floods and may thus raise flood levels upstream of the fill site; fill occupies airspace that would otherwise attenuate flooding further downstream; and fill sends runoff outwards from the fill footprint, often onto neighbouring properties. 		
2.	receives a report VIA Council's Floodplain Advisory Committee about fill on the Shire's floodplains in general, including on the Marshalls Creek floodplain.		
3.	asks the owner and certifier under DA10.2017.749.1 to reconfigure the drainage plan and construct a system that pipes all roof water to the street in charged lines such that no roof water spills onto the site itself. This would mean not having detention tanks.		
Mover: Duncan Dey		Second: Michael Lyon	
Comments:			
28 Jun 2022 3:47pm Burt, Shannon 1 noted, 2 IS and SEE staff to respond to this item. , 3 SEE staff to contact certifier directly.			
05 Aug 2022 9:54am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 25 July 2022 to 01 December 2022 - Report preparation time and meeting cycle.			
10 Aug 2022 8:08am Burt, Shannon - Reallocation Action reassigned to Moffett, Scott by Burt, Shannon - items 1 and 3 complete			

Res No	Report Title	Meeting Date	Due Date
22-293	First Nations Voice to Council Report: I2022/675	23/06/2022	30/06/2023
Directorate: Corporate and Community Services Officer: Fajerman, Emily			
Resolved:			
1.	That Council notes Resolution 39 on a First Nations Voice to Council passed at the March 2022 Special Conference.		
2.	That Council engages with local First Nations stakeholders including the Arakwal MOU Committee, to develop an action plan on implementing Resolution 39 on a First Nations Voice to Council passed at the March 2022 Special Conference.		
3.	That Council aims to facilitate a First Nations Voice to Council by the end of its current term in September 2024.		
4.	That Council receives a report outlining the next steps for a comprehensive reconciliation action plan.		
Mover: Mark Swivel		Second: Sarah Ndiaye	
Comments:			
08 Sep 2022 9:05am Fajerman, Emily 1. Noted. Completed., 2 - 4. Council staff to undertake consultation with Aboriginal stakeholders to determine appropriate next steps.			
21 Sep 2022 1:53pm Fajerman, Emily - Target Date Revision Target date changed by Fajerman, Emily from 25 July 2022 to 30 June 2023 - Target date reflects need for collaboration and consultation with Aboriginal stakeholders.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-297	Flood problems at the end of Azalea Street Report: I2022/677	23/06/2022	25/07/2022
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved:			
1.	That Council notes that residents at the end of Azalea Steet have experienced flood problems often in recent years, culminating in houses being flooded including with raw sewage during the 2022 flood event.		
2.	That Council receives a report on at least three issues visible to the trained eye in relation to these problems, namely:		
a)	the hydraulic influence of the private driveway in diverting floodwater out of the creek that drains Tallowood estate (shown in image #1 below) and the potential for that crossing to be reconfigured to occupy less waterway area and thus send less water onto Azalea Street;		
b)	the reconfiguring of the overflow from the SPS 4006 so as not to deliver overflow towards houses #34 to 38, via the stormwater pit shown in image #2 below; and		
c)	the potential for adding or increasing emergency storage volume and for providing backup power during blackouts, so that sewage doesn't overflow as it did in 2022.		
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments:			
30 Jun 2022 1:23pm Clark, Cameron			
1.	Noted., 2. Staff are currently investigation options around resilience relating to SPS 4006		

Res No	Report Title	Meeting Date	Due Date
22-318	Local Government NSW Annual Conference 2022 Report: I2022/555	23/06/2022	25/07/2022
Directorate: Corporate and Community Services Officer: Bradbury, Richard			
Resolved that Council authorises the attendance of Crs Lyon, Balson and Swivel as voting delegates and Cr Ndiaye as a non-voting delegate at the Local Government NSW Annual Conference 2022, to be held from 23 to 25 October 2022.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments:			
29 Sep 2022 1:21pm Evans Crane, Amber - Reallocation			
Action reassigned to Bradbury, Richard by Evans Crane, Amber			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-321	Delineation of Byron Bay Beaches Report: I2022/278	23/06/2022	25/07/2022
Directorate: Infrastructure Services Officer: Robertson, Malcolm			
Resolved that Council:			
1. Approves the proposed refinement of mapping on public exhibition for 28 days; and			
2. Requests a further report on the resulting community feedback generated, for consideration of agreed naming.			
Mover: Sarah Ndiaye		Seconder: Peter Westheimer	
Comments:			

Res No	Report Title	Meeting Date	Due Date
22-323	First Sun Holiday Park Rail Land Report: I2022/559	23/06/2022	25/07/2022
Directorate: Infrastructure Services Officer: Ruck, Pattie			
Resolved that Council:			
1. Makes application to the Minister and the Governor for approval to acquire land described as part of Lot 4729 DP1228104 by compulsory process under section 186(1) of the <i>Local Government Act 1993</i> for the purpose of a caravan park and in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .			
2. Upon acquisition of the land described as part of Lot 4729 DP1228104 classifies this land as Operational Land.			
Mover: Alan Hunter		Seconder: Sarah Ndiaye	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-332	Adoption of Delivery Program 2022-26 and Operational Plan 2022/23, including Budget, Statement of Revenue Policy, and Fees and Charges Report: I2022/571	30/06/2022	30/12/2022
Directorate: Sustainable Environment and Economy Officer: Graineey, Kylie			
Resolved that Council:			
1.	Notes the submissions received during the public exhibition period for the Delivery Program 2022-26, and Operational Plan 2022/23 (including the Budget, Statement of Revenue Policy, and Fees and Charges) as outlined in Attachment 5 (#E2022/47680).		
2.	Adopts the following documents:		
a)	Delivery Program 2022-26 as exhibited, with the amendments (included in Attachment 1 #E2022/52932) discussed in this report under the heading 'Draft Delivery Program 2022-26 – Amendments'.		
b)	Operational Plan 2022/23 as exhibited, with the amendments (included in Attachment 2 #E2022/52933) discussed in this report under the heading 'Draft Operational Plan 2022/23– Amendments'.		
c)	Statement of Revenue Policy 2022/23 including fees and charges as exhibited, with the amendments (included in Attachment 3 #E2022/41253) discussed in the report under the headings 'Draft General Land Rates and Charges (Statement of Revenue Policy)' and 'Draft Fees and Charges (Statement of Revenue Policy)'		
d)	Budget Estimates 2022/23 as exhibited, with the amendments discussed in the report under the heading 'Draft 2022/23 Budget Estimates (Statement of Revenue Policy)' and included at Attachment 4 (#E2022/57288).		
3.	Noting Operational Plan Activity '2.2.4.2 Provide companion animal management services', requests staff to prepare a report to address the resourcing needs that are required to give effect to this activity and resolution 22-208 Report No 9.2 - Non-compliant companion animals at the August ordinary meeting.		
4.	Prepares a report to be delivered in September to provide options regarding fee structure for use of parking spaces and road reserves adjacent to construction sites for construction temporary use and events with the financial implications		
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments:			
17 Jul 2022 10:58pm Sills, Heather			
1. Noted., 2. Adopted documents have been published to Council's website., 3. To be reassigned to SEE directorate., 4. To be reassigned to SEE directorate.			
17 Jul 2022 10:59pm Sills, Heather - Reallocation			
Action reassigned to Graineey, Kylie by Sills, Heather			
05 Aug 2022 10:13am Burt, Shannon			
Update on point 3 - report 11 August on grant funding for Companion Animals management in the Shire. Report to 25 August 2022 on current resourcing/needs for animal enforcement team.			
05 Aug 2022 10:16am Burt, Shannon			
Update point 4 IS and SEE staff to prepare a report.			
30 Sep 2022 5:28pm Burt, Shannon			
Work on item 4 has been delayed due to higher work priorities of staff. Anticipate report by end of 2022.			
30 Sep 2022 5:30pm Burt, Shannon - Target Date Revision			
Target date changed by Burt, Shannon from 01 August 2022 to 30 December 2022			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-342	Report No. 6.1 Deacon Street Sight Distance Report: I2022/579	11/08/2022	12/09/2022
Directorate: Infrastructure Services Officer: Weallans, Kirk			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.1 Deacon Street Sight Distance File No: I2022/579			
<u>Committee Recommendation 6.1.1</u>			
That Council:			
1.	Supports "No stopping" treatments around the corners of the access into Bangalow Parklands from Deacon Street, Bangalow;		
2.	The proposed treatments include:		
a)	Line-marking (yellow), marked up to the existing footpath crossing the Bangalow Parklands access and will extend around the corners for approximately 24 metres on the eastern approach, and 12 metres on the western approach of Deacon Street (as per figure 3 in the LTC report); and		
b)	"No stopping" signs installed on the western corner of the access as shown in figure 3 (as per figure 3 in the LTC report).		
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: 06 Sep 2022 4:11pm Flockton, James - Reallocation Action reassigned to Weallans, Kirk by Flockton, James			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-343	Report No. 6.2 Events - Bangalow Billycart Derby 18 September 2022 Report: I2022/580	11/08/2022	12/09/2022
Directorate: Sustainable Environment and Economy Officer: Heasman, Alice			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.2 Events - Bangalow Billycart Derby 18 September 2022 File No: I2022/580			
<u>Committee Recommendation 6.2.1</u>			
1.	That Council endorses the change of date for the Bangalow Billy Cart Derby to be held on Sunday 18 September 2022 for the temporary road closure below:		
	a) Byron Street, Bangalow between Ashton Street and Granuaille Road, between 6am and 5pm on the event day.		
2.	That the approval provided in Part 1 is subject to:-		
	a) Separate approvals by NSW Police and TfNSW being obtained, noting that the event is on a state road or may impact the state road network;		
	b) Traffic Guidance Scheme(s) to be developed by people with the appropriate TfNSW accreditation;		
	c) Traffic Guidance Scheme(s) to be implemented by people with appropriate accreditation;		
	d) That the impact of the event be advertised 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; and		
	e) The event notified on Council's webpage.		
3.	That the event organiser:-		
	a) Undertake consultation with community and affected businesses including adequate response/action to any raised concerns;		
	b) Undertake consultation with emergency services and any identified issues addressed;		
	c) Holding \$20m public liability insurance cover which is valid for the event; and		
	d) Pays Council's Road Event Application Fee prior to the event.		
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-346	Report No. 6.5 No Overnight Parking - Bangalow Heritage House Report: I2022/629	11/08/2022	12/09/2022
Directorate: Infrastructure Services Officer: Weallans, Kirk			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.5 No Overnight Parking - Bangalow Heritage House File No: I2022/629			
<u>Committee Recommendation 6.5.1</u>			
That Council:			
<ol style="list-style-type: none">1. Supports the installation of "No Parking Area 1am – 6am" and "prohibitive activities" signs at the entrance to the informal carparking area adjacent Bangalow Heritage House on Ashton Street, Bangalow.2. Supports the removal of the existing "all day free parking" sign at the entrance to the informal carparking area adjacent Bangalow Heritage House on Ashton Street.3. Public Space Liaison Officers directly engage with people camping at the site, providing them with adequate notice about the changes in parking arrangements and helping to refer to appropriate supports prior to implementing proposed signage changes.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments:			

Res No	Report Title	Meeting Date	Due Date
22-350	Report No. 4.2 Byron Bay Drainage Upgrade Project Report: I2022/633	11/08/2022	12/09/2022
Directorate: Infrastructure Services Officer: Moffett, Scott			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.2 Byron Bay Drainage Upgrade Project File No: I2022/633			
<u>Committee Recommendation 4.2.1</u>			
That Council notes the current progress of the Byron Bay Drainage Strategy and the Floodplain Management Advisory Committee receive a further report with a consultation plan for the project.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-351	Report No. 4.3 Capricornia Canal and Marshalls Creek Report: I2022/636	11/08/2022	12/09/2022
Directorate: Infrastructure Services Officer: Moffett, Scott			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.3 Capricornia Canal and Marshalls Creek File No: I2022/636			
<u>Committee Recommendation 4.3.1</u>			
That Council endorses the Floodplain Management Advisory Committee receiving a further report with a proposed scope that includes recommendations received from the committee.			
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments:			

Res No	Report Title	Meeting Date	Due Date
22-353	Report No. 4.5 Voluntary House Raising Report: I2022/686	11/08/2022	12/09/2022
Directorate: Infrastructure Services Officer: Moffett, Scott			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.5 Voluntary House Raising File No: I2022/686			
<u>Committee Recommendation 4.5.1</u>			
That Council supports:			
<ol style="list-style-type: none">1. The Draft Byron Shire Council Voluntary House Raising Scheme Guidelines Attachment 1 (E2022/29988) being placed on public exhibition as per Council policy;2. The benefiting landowner being responsible for the one third funding contribution under the NSW Floodplain Management Program Voluntary House Raising funding grant;3. That for any approved Voluntary House Raising dwellings, Council's development applications fees be waived in order to minimise the costs related to these essential works4. The Floodplain Management Advisory Committee receives a further report that details the number of houses across the shire with floor levels below the 100-year flood level that are ineligible for funding under the NSW Floodplain Management Program Voluntary House Raising funding grant and the number of houses with floors between the 100 year flood level and the 500 year flood level.5. The use of \$59,425.31 remaining funds from an approved State Government grant from 2000/01 financial year to cover all associated development application fees associated with approved voluntary house raising dwellings that are listed as priorities within Council's adopted Flood Risk Management Plans.			
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments:			
06 Sep 2022 4:00pm Flockton, James 1. Consultation process under preparation, 2. Noted, 3. Noted, 4. This item is expected to be replaced by an upcoming NoM in September 2022, 5. Noted			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-357	Report No. 3.3 Myocum Quarry DA Compliance and Options Report Report: I2022/656	11/08/2022	12/09/2022
Directorate: Infrastructure Services Officer: Bourke, Nikki			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 3.3 Myocum Quarry DA Compliance and Options Report File No: I2022/656			
<u>Committee Recommendation 3.3.1</u>			
That Council supports:			
<ol style="list-style-type: none"> 1. The actions as recommended in the report "DA Compliance and Options Assessment for Myocum Quarry" (E2021/155252) in response to resolution 21-098 and including preparation of a section 4.55(2) modification to the original development consent. 2. The provision of six monthly updates to the Infrastructure Advisory Committee. 3. The first six monthly update to include consideration of budget implications. 			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: 30 Sep 2022 3:04pm Bourke, Nikki Resolutions noted and updates planned			

Res No	Report Title	Meeting Date	Due Date
22-360	Decreasing risk on the Shire's floodplain Report: I2022/926	11/08/2022	30/09/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
<ol style="list-style-type: none"> 1. Bring a report to the next meeting of our Floodplain Management Advisory Committee on the following proposition, on how Council should approach new development going onto the Shire's floodplains: <ul style="list-style-type: none"> that Council manage zoning and development on the Shire's floodplains to (i) minimise new flood-related risks; (ii) diminish current flood-related risks, and (iii) encourage flood compatible uses on land below current and future flood levels. 2. Investigate innovative design and new technology to address flood management 			
Mover: Sama Balson		Seconder: Alan Hunter	
Comments: 19 Aug 2022 4:40pm Burt, Shannon Staff report to be presented to September Flood Management Advisory Committee. Note this meeting was moved to 11/10/22 19 Aug 2022 4:41pm Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 12 September 2022 to 30 September 2022			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-361	Plan of management for Bangalow Sports Fields Report: I2022/927	11/08/2022	12/09/2022
		Directorate: Infrastructure Services Officer: Robertson, Malcolm	
Resolved that:			
<ol style="list-style-type: none"> 1. Council recognises the essential role that community and sporting clubs play in supporting the social, health and wellbeing of the community. Council recognises that operating these club is difficult and, while not core business for Council, Council has a role in supporting these organisations to be successful and continue to contribute to our community. 2. Council reiterates its commitment to reducing the harm caused by poker machines in our community. 3. Council ensures that the Bangalow sports Fields Plan of Management and Masterplan includes consideration of the Bowling Club, car parking areas and proposed site of the Bangalow Pool 4. That council support a workshop with Bowling Club stakeholders and a budget of up to \$2000 be made available to support this workshop 			
Mover: Asren Pugh		Seconder: Sarah Ndiaye	
Comments:			

Res No	Report Title	Meeting Date	Due Date
22-362	Voluntary Planning Agreement (VPA) - 53 McAuleys Lane Planning Proposal Report: I2022/161	11/08/2022	12/09/2022
		Directorate: Sustainable Environment and Economy Officer: Daniels, Steve	
Resolved that Council:			
<ol style="list-style-type: none"> 1. Endorses the draft Voluntary Planning Agreement (as contained in Attachment 1 to this report) for exhibition with the corresponding planning proposal for the subject land; and 2. Receives a submissions report following public exhibition to consider key issues raised. 3. Requests staff to consider the issues around traffic heading East on Mullumbimby Road and also traffic heading West from the entrance of the property onto McAuleys Lane. 			
Mover: Asren Pugh		Seconder: Michael Lyon	
Comments:			
30 Sep 2022 1:59pm Daniels, Steve Public exhibition closes 4 October 2022. Councillor Workshop 6 October and Council Report 27 October to consider outcomes of exhibition and staff investigations			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-366	Byron Shire Wildlife Corridor System Report: I2022/738	11/08/2022	12/09/2022
Directorate: Sustainable Environment and Economy Officer: Caddick, Lizabeth			
Resolved:			
1. That Council endorses the Byron Shire Wildlife Corridor System for public exhibition, with proposed updates to Council's Biodiversity DCP (as set out in this report) included as supporting information.			
2. That following exhibition, Council receives a submissions report to consider key issues raised and formally adopt the new Wildlife Corridor System.			
3. Following completion of '2' above, that Council:			
a) update DCP Chapter 'B1 – Biodiversity' to reflect the adopted Wildlife Corridor Map and any additional supporting amendments; and			
b) exhibit the DCP chapter updates in accordance with relevant legislative requirements.			
Mover: Peter Westheimer		Second: Sarah Ndiaye	
Comments: 30 Sep 2022 9:57am Caddick, Lizabeth Public exhibition planned following Councillor Workshop 6 Oct 2022.			

Res No	Report Title	Meeting Date	Due Date
22-380	Planning Proposal - 26.2020.2.1 Affordable housing contribution scheme submissions report Report: I2022/659	11/08/2022	12/09/2022
Directorate: Sustainable Environment and Economy Officer: Hancock, Natalie			
Resolved that Council			
1. adopts the planning proposal to amend Byron LEP 2014, together with the Affordable housing contribution scheme as contained in Attachment 2 (E2022/53312)			
2. forwards the adopted planning proposal and Affordable housing contribution scheme to NSW Parliamentary Counsel's Office (PCO) requesting that a draft LEP instrument be prepared			
3. pending receipt of PCO opinion that the plan can be made, forwards the plan to the NSW Department of Planning and Environment for notification on the NSW Government legislation website			
4. requests that staff write to the DPE requesting the NSW government amend the SEPP (Housing) 2021 to specify that any planning proposal lodged to upzone land after the issuing of a gateway determination for an Affordable Housing Contribution Scheme applying to the same land, will be subject to that AHCS should the Local Environmental Plan amendment and Affordable Housing Contribution Scheme come into effect.			
Mover: Michael Lyon		Second: Sarah Ndiaye	
Comments: 22 Aug 2022 8:14am Hancock, Natalie Items 1 - 2: The Affordable housing contribution scheme planning proposal was uploaded on 18 August 2022 to the Department of Planning planning portal to finalise the LEP amendment. 13 Sep 2022 11:40am Hancock, Natalie Item 4: Letter requesting consideration SEPP (Housing) 2021 amendment sent to DPE on 13 September 2022 #E2022/89169			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-399	Review Constitution of Strategic Business Advisory Committee Report: I2022/846	25/08/2022	26/09/2022
Directorate: Sustainable Environment and Economy Officer: Richards, Lisa			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 3.1 Review Constitution of Strategic Business Advisory Committee File No: I2022/469			
<u>Committee Recommendation 3.1.1</u>			
1. That the Strategic Business Advisory Committee recommend to Council to adopt the constitution at Attachment 1 (E2021/148723), with amendments to: a) the number of Councillors required for quorum to be one, at Point 7. b) Point 5 Membership, to include four members of the business community from a range of industry sectors. c) Key Objective 2. to 'Where appropriate take a leadership role to encourage new and emerging sectors to flourish' d) the name of the committee to the Business and Industry Advisory Committee.			
2. That the Strategic Business Advisory Committee recommend to Council to call for nominations for representatives from the business community from a range of business sectors.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: 29 Sep 2022 2:09pm Richards, Lisa 1a-d Constitution being revised., 2. Preparing advertising for nominations for the Business and Industry Advisory Committee.			

Res No	Report Title	Meeting Date	Due Date
22-407	Tennyson Street - No Parking Area Extension Report: I2022/721	25/08/2022	23/12/2022
Directorate: Infrastructure Services Officer: Giraldo , Cesar			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 7.1 Tennyson Street - No Parking Area Extension File No: I2022/721			
<u>Committee Recommendation 7.1.1</u>			
That the Local Traffic Committee supports the No Stopping areas proposed in Attachment 1 (E2022/55546) associated with the new pedestrian crossing on Tennyson Street adjacent to Ruskin Lane in accordance with Technical Note 2011/01A			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: 28 Sep 2022 9:53am Giraldo, Cesar Awaiting for funding and crews to become available 28 Sep 2022 9:55am Giraldo, Cesar - Target Date Revision Target date changed by Giraldo, Cesar from 26 September 2022 to 23 December 2022			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-409	North Rail Corridor Utilisation Report: I2022/1011	25/08/2022	26/09/2022
Directorate: Infrastructure Services Officer: Warner, Phil			
Resolved that Council:			
1. Notes the removal of train tracks from the rail corridor north of Byron Shire following Tweed Shire Council's decision to implement a bike path in the rail corridor in their Shire.			
2. Receives a report on the rail corridor from Mullumbimby station through to the northern shire border:			
a) Identifying known constraints of a trail beside the rail for the length of this section			
b) Detailing any offers or interest received from commercial or other operators to reinstate a form of rail transport in this section			
c) Identifying cost savings that may be realised by utilising the corridor as part of the Mullum to Brunswick bike trail			
d) Providing a cost estimate and identifying funding sources for converting and then maintaining this corridor section as a bike and pedestrian track			
e) Detailing any benefits to the broader 'Northern River Rail Trail' of connecting to the Tweed section			
Mover: Asren Pugh		Seconder: Michael Lyon	
Comments:			

Res No	Report Title	Meeting Date	Due Date
22-412	Western Rail Corridor Utilisation Report: I2022/1012	25/08/2022	26/09/2022
Directorate: Infrastructure Services Officer: Elford, Evan			
Resolved that Council:			
1. Notes the previous unanimous support of council for the utilisation of the Rail Corridor through Bangalow from Rifle Range Road for bike and pedestrian travel			
2. Receives a report on the rail corridor from Bangalow station through to Binna Burra:			
a) Identifying known constraints of a trail beside the rail for the length of this section			
b) Detailing any offers or interest received from commercial or other operators to reinstate a form of rail transport in this section			
c) Provide a cost estimate for implementing and maintaining annually a bike and pedestrian track along the rail corridor:			
i. from the Bangalow Station to Rifle Range Road			
ii. from the Bangalow Station to the Bangalow Industrial Estate			
iii. from the Bangalow Station to Binna Burra			
d) Detailing any benefits to the community of building a bike and pedestrian track as above			
Mover: Asren Pugh		Seconder: Michael Lyon	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-413	Affordable Housing - 57 Station Street, Mullumbimby Report: I2022/551	25/08/2022	30/12/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved:			
1. That Council delegates authority to the General Manager to run the tender process and documentation as described in this report, and to bring a report to Council to endorse the recommendations of the tender evaluation.			
2. That Council notes that updates on the project will be discussed with Councillors at quarterly workshops by the Community Housing Provider.			
3. That Council appoints the following staff to the Tender Evaluation Committee: Director Sustainable Environment and Economy and (Acting) Director Corporate and Community Services.			
4. That Council: a) requests staff develop a web landing page for the project to deliver regular updates to the community about the project progression b) assures the community that there will be regular consultation at relevant stages in the project			
Mover: Sama Balson		Second: Sarah Ndiaye	
Comments: 29 Sep 2022 10:19am Burt, Shannon Tender process being run. Report back to council once tender assessment process is complete. 29 Sep 2022 10:20am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 26 September 2022 to 30 December 2022			

Res No	Report Title	Meeting Date	Due Date
22-420	Dogs in Public Spaces Strategy Report: I2022/898	25/08/2022	26/09/2022
Directorate: Sustainable Environment and Economy Officer: Nagel, Sarah			
Resolved that Council:			
1. Notes the preparation of the draft Dogs in Public Spaces Strategy and Guide to Dog Areas in Byron Shire documents.			
2. Endorses that the draft Dogs in Public Spaces Strategy and Guide to Dog Areas in Byron Shire be placed on public exhibition for a minimum 6 weeks to allow for community feedback and submissions.			
3. Receives a submissions report following the public exhibition of the documents referred to in point 1 and 2.			
Mover: Duncan Dey		Second: Michael Lyon	
Comments: 31 Aug 2022 9:49am Nagel, Sarah 1. The preparation of the draft Dogs in Public Spaces Strategy and Guide to Dog Areas in Byron Shire documents has been noted., 2. On 30 August 2022, the draft Dogs in Public Spaces Strategy and Guide to Dog Areas in Byron Shire was placed on public exhibition until 11 October 2022 to allow for community feedback and submissions. Report back to council to follow.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-422	Mullumbimby Pool Feasibility Study Report: I2022/874	25/08/2022	26/09/2022
Directorate: Infrastructure Services Officer: Robertson, Malcolm			
Resolved:			
1.	Current Mullumbimby Memorial Centre – Petria Thomas Pool feasibility study be placed on hold pending consideration of Shire-wide Aquatic Facility requirements		
2.	Scope of current feasibility study to be expanded to provide Shire-wide strategic direction on the future development of existing and/or future public aquatic recreation requirements considering; a) Capacity of the existing Shire-Wide facilities to meet the current and changing needs of the community b) Operational performance, capital renewal costs and new capital expenditure requirements across existing facilities. c) Industry trends, opportunities, competitors, and target market expectations d) Equity of service provision across Byron Shire including cultural, physical, and social accessibility e) Required components to ensure financial viability and sustainability of pool facilities f) Potential for complementary commercial activity to improve financial sustainability and reduce long-term operating and maintenance costs g) Planning implications around expansion or upgrade of existing facilities including transport and parking h) Options on potential location for new or upgraded facilities including consideration of climate resilience, connectivity to community and potential benefits of co-location with other services. i) Best practice management options to minimise long-term operating and maintenance costs. j) Social, environmental, and economic benefits of public aquatic recreation		
3.	Additional funding requirement to be identified within the September quarterly budget review process.		
4.	Results of the expanded study to be reported back to Council in the form of an Options Report		
Mover: Sarah Ndiaye		Seconded: Alan Hunter	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-424	Report of the Arts and Creative Industries Advisory Committee Meeting held on 30 June 2022 Report: I2022/851	25/08/2022	26/09/2022
<p>Directorate: Infrastructure Services Officer: van Soest, Kimberley</p> <p>Resolved that Council notes the minutes of the Arts and Creative Industries Advisory Committee Meeting held on 30 June 2022. Mover: Sarah Ndiaye Seconder: Sama Balson</p>			
<p>Comments: 07 Sep 2022 12:41pm Sills, Heather - Reallocation Action reassigned to van Soest, Kimberley by Sills, Heather</p>			

Res No	Report Title	Meeting Date	Due Date
22-425	Sandhills skate park and recreation precinct - art and cultural features Report: I2022/728	25/08/2022	26/09/2022
<p>Directorate: General Manager Officer: McGarry, Claire</p> <p>Resolved that Council adopts the following Committee Recommendation:</p> <p>Report No. 3.1 Sandhills skate park and recreation precinct - art and cultural features File No: I2022/728</p> <p><u>Committee Recommendation:</u></p> <p>That the committee note the arts and cultural features which have been commissioned for the Byron skate park and recreation precinct.</p> <p>Mover: Sarah Ndiaye Seconder: Sama Balson</p>			
<p>Comments:</p>			

Res No	Report Title	Meeting Date	Due Date
22-427	Arts and Culture Overview Report: I2022/582	25/08/2022	5/12/2022
<p>Directorate: Corporate and Community Services Officer: Firth, Melitta</p> <p>Resolved that Council adopts the following:</p> <p>Report No. 3.3 Arts and Culture Overview File No: I2022/582</p> <ol style="list-style-type: none"> That the Arts and Creative Industries Advisory Committee notes the report. That Council holds the Summit prior to the end of October 2022. <p>Mover: Sarah Ndiaye Seconder: Sama Balson</p>			
<p>Comments: 21 Sep 2022 1:45pm Fajerman, Emily 1. No action required. 2. Planning for the Arts and Creative Industries Summit (Forum) is underway. Event is scheduled for Friday 25 November. Arts and Creative Industries Advisory Committee and Councillors supporting with strategic advice and recommendations.</p>			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-431	Community Awards Ceremony Report: I2022/965	25/08/2022	27/10/2022
Directorate: Corporate and Community Services Officer: Evans Crane, Amber			
Resolved that Council:			
1. Begin consultation with Byron Shire community stakeholders, particularly local Aboriginal community representatives, on a community recognition program with a view to: <ol style="list-style-type: none"> a) Discontinuing the Australia Day Awards Ceremony held by Byron Shire Council each year. b) Establishing a more inclusive annual Byron Shire Community Awards program to be held at another time during the year. c) Considering the flying of all flags at Council and on Council owned buildings at half-mast on 26 January & on Sorry Day, 26 May d) Considering any other relevant matters that pertain to Australia day. 			
2. That a report be provided back to Council on the outcomes of the consultation for decision.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: 30 Sep 2022 8:57am Evans Crane, Amber Consultation with community stakeholders has begun regarding replacement of the Australia Day Awards Ceremony with a more inclusive annual awards ceremony at another time of year. A survey is live on the BSC website, closing on 4 October. A report is being prepared back to the 27 October 2022 Council meeting with the feedback and recommendations.			
30 Sep 2022 9:04am Evans Crane, Amber - Target Date Revision Target date changed by Evans Crane, Amber from 26 September 2022 to 27 October 2022 - There are various stages to this action. Whether the Australia Day Awards Ceremony is replaced with another ceremony is expected to be determined at the 27 October Council meeting.			

Res No	Report Title	Meeting Date	Due Date
22-438	Rifle Range Road Traffic Calming Report: I2022/1013	25/08/2022	27/10/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council:			
1. Notes the recent listing of the NSW Koala Population as endangered.			
2. Notes the recent death of two breeding female Koalas and their Joeys in the Bangalow area			
3. Request that staff meet with residents from adjacent properties and prepares a report to Council on implementing and/or installing traffic calming options along the newly sealed section of Rifle Range Road in Bangalow north of Raftons Road.			
Mover: Asren Pugh		Seconder: Sama Balson	
Comments: 29 Aug 2022 7:59pm Flockton, James - Reallocation Action reassigned to Cornwall, Judd by Flockton, James			
28 Sep 2022 2:33pm Cornwall, Judd - Target Date Revision Target date changed by Cornwall, Judd from 26 September 2022 to 27 October 2022 - Awaiting to speak with the owners of the surrounding properties, before writing a report to Council for the 27 October 2022			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-453	North Byron Parklands - Splendour in the Grass 2022 Report: I2022/1014	08/09/2022	31/10/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved:			
1.	That Council requests the Minister to:		
a)	instigate an independent review of Splendour in the Grass 2022 with reference to, but not limited to, ecological impacts, health and safety, social impacts, public amenity, business impacts, and any other impacts on the Shire;		
b)	recognise that Council is the key stakeholder for the community and should contribute to the formulation of the terms of any review;		
c)	consider the findings of the review as a basis for the manner in which further events may occur on the site.		
2.	That Council and or the EPA, or the Consent Authority - being the Department of Planning - investigate that the conditions of consent for onsite sewage management are being complied with including the S68 approvals issued by Byron Shire Council.		
3.	That Council considers a planning agreement or Memorandum of Understanding to address the issues experienced on the site.		
Mover: Asren Pugh		Seconded: Mark Swivel	
Comments:			
30 Sep 2022 5:22pm Burt, Shannon Staff drafting letter			
30 Sep 2022 5:22pm Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 10 October 2022 to 31 October 2022			

Res No	Report Title	Meeting Date	Due Date
22-455	Fines imposed on house in Stuart Street Report: I2022/1015	08/09/2022	10/10/2022
Directorate: General Manager Officer: James, Ralph			
Resolved that Council:			
1.	revokes the \$3,000.00 fine imposed on Nicole Haberecht over the painting of her (now former) house in Stuart Street, on compassionate and hardship grounds;		
2.	advises Revenue NSW that the fine has been revoked and that all instalments paid by Ms Haberecht be reimbursed;		
3.	reviews the colour restrictions applying to houses in the general heritage conservation area with a view to liberalising the range of colours from which a home owner may choose;		
4.	advises home owners of the free "Minor Works and Maintenance Application" set out in Council's Fact Sheet titled "Consent requirements for Heritage Items and Heritage Conservation Areas" in any future colour disputes.		
Mover: Michael Lyon		Seconded: Sama Balson	
Comments:			
12 Sep 2022 9:00am Hardy, Jazz Office of Revenue advised on 9 August 2022 to cancel the infringement and to refund all monies paid by Ms Haberecht.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-457	PLANNING - 26.2022.1.1 Submissions report to permit secondary dwellings and dual occupancies on rural multiple occupancy and community title sites Report: I2022/876	08/09/2022	10/10/2022
Directorate: Sustainable Environment and Economy Officer: Tarrant, Sam			
Resolved that Council:			
1.	Adopts the amended planning proposal to permit secondary dwellings and dual occupancies on multiple occupancies and rural community title sites as attached to this report (Attachment 1 - #E2022/73196), and forwards this to the Department of Planning and Environment for finalisation.		
2.	Request staff to review and amend Byron DCP 2014 to reflect secondary dwellings and dual occupancies are now permitted with consent and to clarify Vegetation Management Plan (VMP) requirements and development application process and proceed to public exhibition with these changes.		
3.	Notes Resolution 22-152 where Council is to receive a report on its ability to enforce consent conditions existing or in the future which limits short term rental use of residential accommodation		
4.	Council confirms its intention that secondary dwellings and dual occupancies on rural multiple occupancy and community title sites should be used for long term residential purposes		
Mover: Sarah Ndiaye		Seconder: Peter Westheimer	
Comments: 27 Sep 2022 3:55pm Tarrant, Sam Staff liaising with Parliamentary Counsel on LEP amendment drafting. Plan to be made and effective in the coming months.			

Res No	Report Title	Meeting Date	Due Date
22-459	Wallum Place Affordable Housing Investigation Report: I2022/1104	08/09/2022	30/12/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1.	Receives a report into the suitability of the B4 Mixed Use part of Council-owned land at 42 Wallum Place (Lot 4 DP1004514) (excluding the Byron Herb Nursery), for an affordable housing development to provide much needed housing supply for key workers and low – moderate income residents living in Byron Shire.		
2.	Funds this investigation to the amount of \$10,000 from the Property Development Reserve.		
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: 27 Sep 2022 2:19pm Burt, Shannon 1 consultant engaged to undertake site suitability assessment. report to council to follow once completed., 2 noted 27 Sep 2022 2:20pm Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 10 October 2022 to 30 December 2022			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-460	Stormwater Investigation Requirements Report: I2022/1111	08/09/2022	30/12/2022
Directorate: Sustainable Environment and Economy Officer: Caras, Alex			
Resolved:			
1. That Council acknowledges the values of: a) infiltration of rainfall into the soil profile in all parts in the Shire, both for its provision of soil moisture for plant growth and for its reduction of stormwater runoff; and b) in rural parts in the Shire, dealing with the impacts of impervious surfaces on the property itself, rather than shedding those impacts onto a downstream "receiving" environment.			
2. That Council accommodates within presentations proposed under Resolution 21-548, a further presentation on options to amend the DCP and other guiding documents in relation to stormwater investigations to require: a) that the receiving catchment is investigated far enough downstream from any development site that development impacts on stormwater have become insignificant. Where this distance downstream cannot be otherwise determined, a test is made for a catchment of at least 10 times the catchment area on which runoff characteristics are proposed to be altered; b) that no urban property can make impervious more than a certain percentage (eg 80%) of the property area; and c) that no rural property (ie one with onsite sewage management) can make impervious more than a certain percentage (eg 60%) of the property area.			
Mover: Duncan Dey		Seconder: Sarah Ndiaye	
Comments:			
27 Sep 2022 2:15pm Burt, Shannon 1 noted , 2 work to be progressed by SEE/IS staff and report back to council as part of work being undertaken through resolution 21-548			
27 Sep 2022 2:16pm Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 10 October 2022 to 30 December 2022			
27 Sep 2022 2:18pm Burt, Shannon - Reallocation Action reassigned to Caras, Alex by Burt, Shannon - Work being undertaken SEE/IS as per resolution 21-458. Report back needed.			
30 Sep 2022 3:17pm Caras, Alex Actions to be considered as part of upcoming review of DCP flood planning chapters.			

Res No	Report Title	Meeting Date	Due Date
22-479	Grants August 2022 Report: I2022/1252	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Johnston, Donna			
Resolved that Council notes the report and Attachment 1 (#E2022/88612) for Byron Shire Council's grant submissions as at 31 August 2022.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments:			
Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-480	Lease to Katia Project Incorporated Report: I2022/736	29/09/2022	31/10/2022
Directorate: General Manager Officer: Telford, Paula			
Resolved that Council delegate to the General Manager, the authority to grant a lease to Katia Project Incorporated (A.B.N 69 379 739 388) t/as Byron Bay Herb Nursery under the following terms:			
a) over part Folio's 2/706286 and 4/1004514, 45 Wallum Place, Byron Bay,			
b) purpose of a vocational training centre in conjunction with a plant nursery,			
c) term three-years with option of further five-years with holding over,			
d) Lessor to subsidise rent in accordance with Councils Leasing and Councils Licencing Policy 2022 via a section 356 of the <i>Local Government Act</i> donation to the value of \$64,510 (ex GST),			
e) Lessee to pay base rent of \$490 (ex GST) for year one of the lease, with annual rent increased thereafter by Consumer Price Index All Groups Sydney for the term and any option,			
e) Lessee to be eligible for fully subsidised fixed rates and charges in accordance with Councils Policy Section 356 Donations Rates and Charges 2021,			
f) Lessee to pay all other outgoings for occupation of the premises including but not limited to public liability and contents insurance, annual fire safety inspections, annual pest inspections and control together with all structural repairs, renewals, and replacements to improvements on the land, and			
g) Council to waive document preparation fees as set by Councils 2022-2023 Fees and Charges.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments:			
Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-481	Land Acquisition of Folio 1/932719 and Folio 2/929377 for the purpose of the Bangalow Cemetery Report: I2022/1034	29/09/2022	31/10/2022
Directorate: General Manager Officer: Telford, Paula			
Resolved that Council:			
1. Endorses the land transfer to Council, by agreement, of each of Folio 1/932719 and Folio 2/929377 for \$1 for the purpose of providing facilities and services at the Bangalow Cemetery,			
2. authorises the acquisition and the execution of all documents necessary to affect the land acquisition and land transfer between Council and the Uniting Church in Australia Property Trust (N.S.W.) (AP AC970574) and Council and the Corporate Trustee of the Diocese of Grafton (Anglican), and			
3. approves the classification of Folio 1/932719 and Folio 2/929377 as operational land on completion of the land transfer.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments:			
Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-482	Code of Conduct Annual Report 1 September 2021 - 31 August 2022 Report: I2022/1274	29/09/2022	31/10/2022
Directorate: General Manager Officer: James, Ralph			
Resolved that the Code of Conduct Annual Report for the period 1 September 2021 to 31 August 2022 be noted.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-483	Council Investments - 1 August 2022 to 31 August 2022 Report: I2022/1195	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved: that Council notes the report listing Council's investments and overall cash position as at 31 August 2022.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-484	Tender 2022-1330 Cleaning of Council Administration Office Report: I2022/750	29/09/2022	31/10/2022
Directorate: Infrastructure Services Officer: Reilly, Len			
Resolved:			
1. That Council awards Tender 2022-1330 Cleaning of Council Administration Head Office to Command51, as identified in the tender evaluation report (Attachment 1 #E2022/58666).			
2. 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 2021.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-485	Local Approvals Policy 2022 Report: I2022/639	29/09/2022	31/10/2022
Directorate: Sustainable Environment and Economy Officer: McCarthy, Stephen			
Resolved that:			
1. Council endorses the exemption provisions of the Draft Local Approvals Policy 2022 (#2022/13577).			
2. The Draft Local Approvals Policy 2022 be placed on public exhibition for a period of 42 days.			
3. Where:			
a) no submissions are received, the Draft Local Approvals Policy 2022 is forwarded to the Departmental Chief Executive for consent to adopt the policy.			
b) submissions are received, the Draft Local Approvals Policy 2022 and submissions are reported to Council for endorsement, prior to forwarding to the Departmental Chief Executive for consent to adopt the policy.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-486	Butler St Reserve Contamination Investigation Report: I2022/558	29/09/2022	31/10/2022
Directorate: Infrastructure Services Officer: Warner, Phil			
Resolved:			
1. That the investigation budget be increased to \$150,000 for 2022/2023 with funding from the Waste Fund to progress the next stages of the poly-fluoroalkyl substances (PFAS) contamination off site hydrological and ecological investigations.			
2. That the outcomes of the hydrological and ecological investigations be reported to Council.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-487	Proposed Extenuating Circumstances - Johnstons Lane Bridge Construction Report: I2022/1276	29/09/2022	31/10/2022
Directorate: Infrastructure Services Officer: Kress, Hayden			
Resolved:			
1.	That pursuant to Section 55 (3) of the Local Government Act 1993, Council not proceed to invite tenders due to extenuating circumstances and the unavailability of competitive tenderers which apply to the "Johnstons Lane Bridge Installation" such that a satisfactory result would not be achieved by inviting tenders for the following reasons:		
i)	It is considered more of a benefit to the community and the environment to complete the works without the tender process, than to risk not completing the proposed work as soon as possible.		
ii)	Recent Request for Quotation for these bridge works resulted in only one price submission from Quickway Constructions after inviting 8 suppliers to provide a submission.		
iii)	Recent competitive Invitation to Tender for Contract 2021-0030 – Fixing Country Bridges resulted in Council accepting the lowest price submission from Quickway Constructions		
2.	That Council delegates authority to the General Manager to negotiate agreement with Quickway Constructions to complete the Proposed Works.		
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-488	Report of the Finance Advisory Committee Meeting held on 18 August 2022 Report: I2022/1098	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council notes the minutes of the Finance Advisory Committee Meeting held on 18 August 2022.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-489	Report No. 4.1 Budget Review - 1 April to 30 June 2022 Report: I2022/1098	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.1 Budget Review - 1 April to 30 June 2022 File No: I2022/990			
<u>Committee Recommendation 4.1.1</u>			
1. That Council authorises the itemised budget variations as shown in Attachment 2 (#E2022/77197) which includes the following results in the 30 June 2022 Quarterly Review of the 2021/2022 Budget:			
a) General Fund - \$126,500 decrease in Unrestricted Cash Result			
b) General Fund - \$27,657,600 increase in reserves			
c) Water Fund - \$4,366,600 increase in reserves			
d) Sewerage Fund - \$8,070,200 increase in reserves.			
2. That Council adopts the revised General Fund Estimated Unrestricted Cash Result of \$0 for the 2021/2022 financial year.			
Mover: Michael Lyon		Second: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-490	Report No. 4.2 Carryovers for inclusion in the 2022-2023 Budget Report: I2022/1032	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.2 Carryovers for inclusion in the 2022-2023 Budget File No: I2022/1032			
<u>Committee Recommendation 4.2.1</u>			
That the Committee recommends Council approves the works and services (with respective funding) shown in Attachment 1 (#E2022/76668) to be carried over from the 2021/2022 financial year and that the carryover budget allocations be adopted as budget revotes for inclusion in the 2022/2023 Budget Estimates.			
Mover: Michael Lyon		Second: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-492	Report No. 3.1 Review Constitution of Housing and Affordability Advisory Committee Report: I2022/936	29/09/2022	31/10/2022
Directorate: Sustainable Environment and Economy Officer: Chapman, Michelle			
Resolved that Council adopts the Committee Recommendation as follows:			
Report No. 3.1 Review Constitution of Housing and Affordability Advisory Committee File No: I2022/936			
<u>Committee Recommendation 3.1.1</u>			
That Housing and Affordability Advisory Committee recommends to Council to adopt the draft constitution at Attachment 1 #E2022/3414			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-498	Report No. 4.3 Safe and Secure Yield Report: I2022/583	29/09/2022	31/10/2022
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.3 Safe and Secure Yield File No: I2022/583			
<u>Committee Recommendation 4.3.1</u>			
1. That the Committee notes that the attachment was omitted from this report.			
2. That an extraordinary WSAC meeting is held to consider Hydrosphere's Mullumbimby Water Supply Strategy (IWCM) Hydrosphere July 2022			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-499	Report No. 4.4 West Byron STP Compliance Report Report: I2022/947	29/09/2022	31/10/2022
<p>Directorate: Sustainable Environment and Economy Officer: Larkin, Chris</p> <p>Resolved that Council adopts the following Committee Recommendations:</p> <p>Report No. 4.4 West Byron STP Compliance Report File No: I2022/947</p> <p><u>Committee Recommendation 4.4.1</u></p> <p>That the Water and Sewer Advisory Committee:</p> <p>a) Note the report and the attachments.</p> <p>b) Note from the report in terms of Condition 9, that 2791ET (1.65ML/day) were connected between December 2002 and April 2022, and that reuse capacity is 3416ET (2.016ML/day), being the Melaleuca regeneration area, the West Byron STP onsite reuse and the urban reuse.</p> <p>c) Note that further work on the recycled water applications is nearing completion and the committee receives a report at the next meeting.</p> <p>d) The Operational Environmental Management Plan (OEMP) be updated, and an application be made to amend the consent to reflect an updated OEMP.</p> <p>Mover: Michael Lyon Seconder: Alan Hunter</p>			
<p>Comments: Meeting held on 29 September – no update required for the period.</p>			

Res No	Report Title	Meeting Date	Due Date
22-500	Report No. 4.5 STP Quarterly Operational Performance Report Report: I2022/947	29/09/2022	31/10/2022
<p>Directorate: Infrastructure Services Officer: Clark, Cameron</p> <p>Resolved that Council adopts the following Committee Recommendation:</p> <p>Report No. 4.5 STP Quarterly Operational Performance Report File No: I2022/999</p> <p><u>Committee Recommendation 4.5.1</u></p> <p>That Council notes the report.</p> <p>Mover: Michael Lyon Seconder: Alan Hunter</p>			
<p>Comments: Meeting held on 29 September – no update required for the period.</p>			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-501	Report No. 4.6Byron STP Condition 9 Additional Load - Quarterly Report Report: I2022/955	29/09/2022	31/10/2022
Directorate: Infrastructure Services Officer: Baulch, Dean			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.6 Byron STP Condition 9 Additional Load - Quarterly Report File No: I2022/955			
<u>Committee Recommendation 4.6.1</u>			
That Council:			
a) Notes the report; and			
b) that the quarterly reporting become annual (financial year) reporting.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-502	Report of the Moving Byron Advisory Committee Meeting held on 18 August 2022 Report: I2022/1097	29/09/2022	31/10/2022
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council notes the minutes of the Moving Byron Advisory Committee Meeting held on 18 August 2022.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-503	Report No. 4.1 Moving Byron Submissions Report Report: I2022/762	29/09/2022	31/10/2022
	Directorate: Infrastructure Services Officer: Cornwall, Judd		
	Resolved that Council adopts the following Committee Recommendations:		
	Report No. 4.1 Moving Byron Submissions Report File No: I2022/762		
	<u>Committee Recommendation 4.1.1</u>		
	That the Moving Byron Committee recommend Council:		
	1. Revise and expand the Submissions Summary Report as follows.		
	a) Amend heading for Figure 1 to read 'Rail Corridor options' and display levels of support for 'multi use', 'rail' and 'trains' as referenced in the submissions.		
	b) Amend commentary in the report and submissions table to refer to either 'multi use', 'rail' and 'trains' as referenced in each submission acknowledging that a 'rail trail' is understood by the community to be infrastructure that excludes provision for any type of rail activation or services.		
	c) Expand summary commentary in the report to include a fuller description of references to 'public transport' to include inter town and regional references the benefits discussed.		
	d) Expand summary commentary in the report to include a fuller description of submissions referring to 'rail' and 'trains' that is not limited to the 'heavy' or 'light' rail and that summarises the benefits, not just critical comments.		
	e) Include summary of key strategic themes referenced in submissions including but not limited to 'car dependence', the 'big picture challenge' to 'diversify' infrastructure and services, submissions referencing costed and technical assessments for multi use and or rail, submissions from prospective operators, safe hinterland road network access issues and other key themes.		
	f) otherwise amend the summary to ensure that it capture the flavour and nuance of the community submissions.		
	2. Support Staff and at least two Councillors commencing detailed conversations with Transport for NSW on how both levels of government can partner together to achieve a fully comprehensive and endorsed Action Plan from the Moving Byron document (attachment 3 to the Report 4.1 of Moving Byron Committee Meeting of 18 August 2022 Agenda / E2021/149220).		
	3. Support the work of the committee by allocating time at the next meeting for a discussion of the key strategic themes and objectives of the Strategy.		
	4. The Moving Byron Committee receive further reporting regarding a proposed way forward that is supported by Transport for NSW and allows for the Moving Byron documents to be adopted.		
	Mover: Michael Lyon	Seconder: Alan Hunter	
	Comments: Meeting held on 29 September – no update required for the period.		

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-504	Report No. 4.2 Additional Discussion Items Report: I2022/1044	29/09/2022	31/10/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.2 Additional Discussion Items File No: I2022/1044			
<u>Committee Recommendation 4.2.1</u>			
That Council, when next reviewing the Bike Plan, reconsider the priority for the Brunswick-Byron Coastal Cycleway Project IT005.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-509	Request to use Denning Park by Byron Music Festival (part of Crown Reserve 82000) Report: I2022/1105	29/09/2022	31/10/2022
Directorate: Sustainable Environment and Economy Officer: Heasman, Alice			
Resolved that Council:			
1. Acknowledges the significant contribution to Byron Shire's cultural life, economy and promotion of the arts by the Byron Music Festival 2021;			
2. Supports the Festival being held within Byron township;			
3. Actively supports the continuance of BMF as an annual event showcasing local musicians and the local music industry;			
4. Notes that it has no lawful power to issue a licence to Byron Music Festival for use of Denning Park but that the Crown Lands' Minister does have the power to issue licences for commercial activities			
5. Encourages the proponents to apply directly to Crown Lands for a commercial activities licence for the 2023 Event;			
6. Writes to the Crown Lands Minister expressing Council's support for a single event in 2023 subject to the following conditions:			
i. that it is for a single event in 2023;			
ii. the licence period not exceed 2 days;			
iii. the patron numbers are limited to a maximum of 3,000;			
iv. that a dune stability assessment be undertaken by a qualified geotechnical engineer to determine that the event is not worsening conditions of the site and its surroundings;			
v. that this assessment be done as soon as possible and again within two to three weeks of the Festival commencement date, and			
vi. that, after the geotechnical assessment, should the BMF event be deemed as potentially injurious to the site and surrounding areas it must not proceed on Denning Park.			
7. Notes the short time available to produce the festival by June 2023 and actively aids and supports Byron Music Festival (BMF) to deliver by that date;			
8. For reasons of prudent and responsible service of alcohol, supports a second bar area in front of the main stage as per the application request made in 2021 and as per the recommendation by Byron Police and Tweed/Byron Licensing, and			
9. Intends that any future Plan of Management of Denning Park maintains the use of the Park as a community area.			
Mover: Cate Coorey		Seconder: Mark Swivel	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-513	PLANNING - DA10.2021.827.1 - Byron Bay Community Market Report: I2022/1186	29/09/2022	31/10/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved:			
1. Pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2021.827.1 for Byron Bay Community Market to be held Monthly, with Option of Twice a Month in December and January, be granted consent subject to the conditions in Attachment 2 (#E2022/85389)			
2. That council continue to engage with the Byron Community Markets to address the concerns raised over parking and challenges with transition to the new markets location			
3. That the market relocation is reviewed at 12 months and includes a review of the impact on the environment, businesses, residents, and traffic.			
Mover: Asren Pugh		Seconder: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-515	Council lease to Catholic Healthcare Ltd proposed Lot 50 in unregistered plan of subdivision (presently part Lot 188 DP 728535). Report: I2022/737	29/09/2022	31/10/2022
Directorate: General Manager Officer: James, Ralph			
Resolved:			
1. That Council delegate to the General Manager authority to offer Catholic Healthcare Limited (A.C.N 064 946 318) an additional one-year holding over on both leases to end 14 November 2023 at annual rent payable at the value immediately before commencement of holding over.			
2. That Council delegate to the General Manager authority to grant a single lease to Catholic Healthcare Limited (A.C.N 064 946 318) over proposed Lot 50 in the presently unregistered plan of subdivision (currently forming part of Lot 188 DP 728535) on the following:			
a) to commence 15 November 2023,			
b) term of 10 years plus a further two five year options, with holding over,			
c) For the purpose of Residential Aged Care Service and any ancillary use			
d) Base annual rent of \$135,000 plus GST and annual rent increased annually thereafter by Consumer Price Index All Groups Sydney, and			
e) Base annual rent to be redetermined to current market value rent on the commencement of Years 6, 11 and 16 of the lease.			
f) Lessee to pay outgoings payable on the land and for use of the land,			
g) All improvements on the land will vest in Council on expiry or termination of the lease			
Mover: Michael Lyon		Seconder: Cate Coorey	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-518	Appointment of Replacement Community Members to Advisory Committees Report: I2022/928	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Bradbury, Richard			
Resolved: <u>AMENDMENT</u>			
1. That community representatives, as recommended in confidential attachment 1 (E2022/63044), be appointed to each respective Advisory Committee for the 2022-2024 term ending September 2024: <ul style="list-style-type: none"> a) That the following nominees be appointed to the Biodiversity Advisory Committee: David Milledge and Leonard Cronin b) That the following nominees be appointed to the Coastal and ICOLL Advisory Committee: Lauren Morgan, Bill Payne, and Matthew Lambourne c) That the following nominees be appointed to the Floodplain Management Advisory Committee: Catherine Lane, Robert Crossley, Ziwat Sattouf d) That the following nominees be appointed to the Water & Sewer Advisory Committee: Bruce Clarke 			
2. That in the case of future resignations from Advisory Committees that replacement community members be appointed from the recommended list of previous applicants, and where no suitable or available applicants exist applications for new members are then advertised.			
3. That all appointed Advisory Committee members: <ul style="list-style-type: none"> a) be notified of their appointment to the committee; and b) complete induction, Code of Conduct, and confidentiality requirements. 			
4. That any unsuccessful nominees be notified.			
5. That Cr Lyon be appointed as the alternate to the Coast and ICOLL Advisory Committee and Floodplain Risk Management Advisory Committee in place of Cr Ndiaye.			
Mover: Michael Lyon		Seconder: Asren Pugh	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-521	Delivery Program 6-monthly Report and Operational Plan 2021/22 Quarter 4 Report - to 30 June 2022 Report: I2022/940	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved that Council notes the Delivery Program 6-monthly Report and 2021/22 Operational Plan Fourth Quarter Report for the period ending 30 June 2022 (Attachment 1 #E2022/67538).			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-522	Report of the Coastal and ICOLL Advisory Committee Meeting held on 30 June 2022 Report: I2022/845	29/09/2022	31/10/2022
Directorate: Sustainable Environment and Economy Officer: Chapman, Michelle			
Resolved that Council notes the minutes of the Coastal and ICOLL Advisory Committee Meeting held on 30 June 2022.			
Mover: Duncan Dey		Seconded: Sarah Ndiaye	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-523	Report No. 3.1 Update on the development of Coastal Management Programs (CMPs) for the Byron Shire Coastline Report: I2022/61	29/09/2022	31/10/2022
Directorate: Sustainable Environment and Economy Officer: Dowsett, Chloe			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 3.1 Update on the development of Coastal Management Programs (CMPs) for the Byron Shire Coastline File No: I2022/61			
<u>Committee Recommendation 3.1.1</u>			
That the Coastal and ICOLL Advisory Committee:			
<ol style="list-style-type: none"> 1. Notes the legislated process and associated extended timeframes associated with preparing Coastal Management Program(s) under the NSW Coastal Management Framework. 2. Advises Council that a particular hazard at Belongil namely end of wall effect on estuary opening needs consideration in the Stage 2 Coastal Hazard Assessment Study. 3. Advises Council that there is a need to recognise 'coastal squeeze' as a threat on both the coast and in the estuaries. 4. Advises Council that there is a need to recognise the important shorebird breeding, feeding and roosting area at Belongil and Marshalls Creek. 			
Mover: Duncan Dey		Seconded: Sarah Ndiaye	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-524	Report No. 3.4 Review Constitution of Coastal and ICOLL Advisory Committee Report: I2022/682	29/09/2022	31/10/2022
Directorate: Sustainable Environment and Economy Officer: Chapman, Michelle			
Resolved: that Council adopts the following Committee Recommendations:			
Report No. 3.4 Review Constitution of Coastal and ICOLL Advisory Committee File No: I2022/682			
<u>Committee Recommendation 3.4.1</u>			
That the Coastal and ICOLL Advisory Committee recommends to Council to adopt the constitution at Attachment 1 (E2022/11708) with the following changes:			
a) Amend the name of the committee to Coast and ICOLL Advisory Committee.			
b) Amend 2a. Purpose to: Advise Council in the development of Coastal Management Programs for the Shire's coast, estuary and ICOLLs			
c) Amend 2b. Purpose to: Advise on projects, plans and strategies related to the coast, estuary and ICOLLs.			
d) Update 5. Membership to read: "Membership is to include: <input type="checkbox"/> 2 Councillors <input type="checkbox"/> 6 relevantly qualified community representatives Representatives from: <input type="checkbox"/> Department of Planning and Environment <input type="checkbox"/> DPI Fisheries - Cape Byron Marine Park <input type="checkbox"/> National Parks and Wildlife Service <input type="checkbox"/> Crown Lands <input type="checkbox"/> State Emergency Services <input type="checkbox"/> Transport for NSW <input type="checkbox"/> Bundjalung of Byron Bay Aboriginal Corporation (Arakwal) <input type="checkbox"/> Jali Local Aboriginal Land Council <input type="checkbox"/> Tweed Byron Local Aboriginal Land Council <input type="checkbox"/> Byron Shire Council General Manager (or staff member delegate)"			
<i>Note: Staff members and state agency representatives participating on the Committee do not have any voting entitlements.</i>			
e) Amend 7. Quorum to: A quorum is to constitute at least half the number of community members and Councillors plus one (resulting half numbers go down), one of which is to be a Councillor. The General Manager or delegate, who must be a member of staff, is to attend the committee meeting and is not counted in the quorum for the meeting. State government and indigenous organisation representatives do not form part of the quorum.			
f) Amend 10a. Voting to: Each member of the Committee (with the exception of Council staff and state government agency representatives) is to have one vote, with the Chairperson to have the casting vote in addition to a deliberate vote.			
g) Amend 10 Voting to include: Representatives of Bundjalung of Byron Bay Aboriginal Corporation (Arakwal), Jali Local Aboriginal Land Council and Tweed Byron Local Aboriginal Land Council can elect to have voting rights			
Mover: Duncan Dey		Seconded: Sarah Ndiaye	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-525	Report No. 3.5 Consideration of Dredging of Capricornia Canal and Marshalls Creek and the Removal of the Marshalls Creek Training Walls Report: I2022/699	29/09/2022	31/10/2022
Directorate: Sustainable Environment and Economy Officer: Dowsett, Chloe			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 3.5 Consideration of Dredging of Capricornia Canal and Marshalls Creek and the Removal of the Marshalls Creek Training Walls			
File No: I2022/699			
<u>Committee Recommendation 3.5.1</u>			
That the Coast and ICOLL Advisory Committee:			
1	Notes the report and outline of the issue.		
2.	Notes that the Floodplain Advisory Committee will receive a further report with a proposed scope that includes recommendations received from the Committee.		
3.	Advises Council as part of the review of the 2022 Floods, again consider options of (i) dredging Capricornia Canal and Marshalls Creek, and (ii) removing rockwalls at the south end of Readings Bay, as to:		
	a)	what benefit would have resulted for the 2022 flood (lower flood levels);	
	b)	what costs may be incurred (financial, environmental, social),	
	c)	what prohibitions may be in place (eg disturbing seagrass in a Marine Park); and	
	d)	what approvals would need to be sought; and	
	e)	that the findings be shared with the public, including visually by way of representative creek cross sections for the dredging option	
Mover: Duncan Dey		Seconder: Sarah Ndiaye	
Comments:			
Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-526	Data on flood impacted homes and businesses Report: I2022/1206	29/09/2022	31/10/2022
	Directorate: Infrastructure Services Officer: Flockton, James		
	Resolved that Council:		
1.	Writes to Premier Dominic Perotet thanking him for NSW Government efforts on flood relief and on re-housing flood-displaced people, and also reminding him of: a) the opportunities as expressed in the state's Floodplain Risk Management Plans to make existing buildings safer against flood risks, using various actions that are listed in most such Floodplain Plans; b) the legacy role of the state in having approved buildings in flood-prone areas, many of which are the subject of Floodplain Plans; c) the numbers of buildings that could benefit from those various actions, namely 1,454 in Byron Shire - about half as many as Lismore Shire's 2,682 (data source: SES Built Impact Data, April 2022); d) the likelihood that many of Byron Shire's buildings can be returned to use by these actions (especially house raising) because peak flood levels are not as deep as in other areas; e) the Queensland government's commitment of \$741million to its "Resilient Homes Fund"; and f) the quantum of funding potentially required for our Shire's buildings to be made more resilient, costed an indicative average of \$100,000 per building at a minimum of \$145m excluding buy backs which could be an additional \$35m		
2.	Considers through the September Budget Review a budget to implement advice by Council's Floodplain Management Advisory Committee in relation to the report described in Part 3 below.		
3.	Brings to the next meeting of Council's Floodplain Management Advisory Committee a report on flood resilience options and on further investigation needed for properties impacted by the 2022 floods and by potential future floods in the face of climate change. The report should: <input type="checkbox"/> quantify residential and commercial properties suitable for House Raising, Buy Back, Wet Proofing or Flood Protection <input type="checkbox"/> consider various flood levels beyond the 100 year event, to ensure the full regime of property risks are understood throughout the Shire <input type="checkbox"/> consider how Climate Change will impact resilience and the number of properties needing protection measures <input type="checkbox"/> tap into existing supporting data sources that maybe available from State Emergency Service Rapid Assessments, Recovery NSW and Mullumbimby Resident Association <input type="checkbox"/> identify data gaps and data collection needs to ensure all properties are suitably considered <input type="checkbox"/> take into account resourcing options for further investigations <input type="checkbox"/> identify funding options for further investigations <input type="checkbox"/> aim to produce documentation to support Council successfully lobbying government to increase funding support to increase property resilience.		
4.	Liaises with neighbouring Shires to align our information if possible with the forms in which their information is gathered or presented.		
	Mover: Duncan Dey	Second: Sarah Ndiaye	
	Comments: Meeting held on 29 September – no update required for the period.		

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-527	Petition regarding the upgrade of Manns Road and one way trial for Towers Drive/Smith Street Report: I2022/919	29/09/2022	31/10/2022
Directorate: Infrastructure Services Officer: Provis, Joshua			
Resolved:			
1.	That the petition regarding Upgrading Mullumbimby Industrial Estate be noted.		
2.	That Council notes the current proposal to undertake an asphalt overlay (resurface) of Manns Road under the ECG program by February 2023.		
3.	That Council allocates through the September Budget Review a budget of \$30,000 from the asphalt Overlay Program for the design and implementation of a one-way trial at Towers Drive and Smith Street.		
Mover: Michael Lyon		Seconder: Peter Westheimer	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-529	Sub-licence to Zephyr Equine Pty Ltd (A.C.N. 638 961 850) and Cape Byron Seahorses Riding Centre for access through Crown Land. Report: I2022/1189	29/09/2022	31/10/2022
Resolved:			
Directorate: General Manager Officer: Telford, Paula			
1.	That Council authorises the General Manager, under delegation, to grant a sub-licence to Zephyr Equine Pty Ltd (A.C.N. 638 961 850) for a term of 12 -months for the purpose of access through Lot 407 DP 729057 being Crown Reserve R755695 on condition that Zephyr Equine Pty Ltd must:		
	a) hold a current permit with Cape Byron Marine Park for the term of the sub-licence, and		
	b) take all steps necessary to ensure that all horse droppings are removed from the sub-licenced area during and at the end of each access session, and		
	c) access Lot 407 DP 729057 via the Sub-Licenser approved access track as an essential clause of the sub-licence, and		
	d) hold valid public liability insurance cover for a minimum value of \$20million, and		
	e) handle all horse in a public area in a safe manner, and		
	f) not exceed the number of horses permitted by the Cape Byron Marine Park Permit in any guided horse tour.		
2.	That Council authorises the General Manager to grant a sub-licence to Cape Byron Seahorses Riding Centre for a term of 12-months for the purpose of access through Lot 428 DP 729272 being Crown Reserve R81780 on condition that Cape Byron Seahorses Riding Centre:		
	a) holds a current permit with Cape Byron Marine Park for the term of the sub-licence; and		
	b) takes all steps necessary to ensure that all horse droppings are removed from the sub-licenced area during and at the end of each access session; and		
	c) holds valid public liability insurance cover for a minimum value of \$20million, and		
	d) handles all horse in a public area in a safe manner, and		
	e) not exceed the number of horses permitted by the Cape Byron Marine Park Permit in any guided horse tour, and		
	f) loads and unloads horses at the designated site on Crown Land adjacent to South Beach Road Brunswick Heads and must collect all horse droppings from the designated site before and after guided horse tours.		
3.	That each sub-licence fee is set in accordance with Councils current Fees and Charges.		
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-530	Election of Deputy Mayor - 2022-2023 Report: I2022/994	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Evans Crane, Amber			
Resolved:			
1. That Council elects a Deputy Mayor for the period from 29 September 2022 until September 2023.			
2. That the method of election of the Deputy Mayor be by way of open voting.			
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-533	Update to Section 355 Committee Guidelines Report: I2022/1130	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Wood , Isabelle			
Resolved that Council:			
1. Adjusts the updated 'Section 355 Committee Guidelines' (Attachment 1, E2022/83249) in the following clauses:			
a) in section 3, change paragraph 2 to read:			
The term of office for Committees is the same as the current term of Council, with the addition of up to six extra months after the General Election of Councillors, until the new Council has appointed a new Committee. Committee members are eligible for re-appointment in the new term of Council following the nomination process.			
b) in section 3,3, change the third bulleted paragraph to read:			
If the member fails to attend two consecutive meetings without a formal apology or reasonable excuse provided to the Committee			
c) in section 3.8, change the first sentence to:			
An Annual General Meeting (AGM) should be held every twelve months starting a year after commencement of the Committee.			
2. Endorses the 'Section 355 Committee Guidelines' as modified in Part 1 above.			
3. Notifies s355 Committee members of the new Guidelines and invites them to submit feedback for a 'house-keeping' revision.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-534	Pay Parking Potential Report: I2022/866	29/09/2022	31/10/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved:			
1.	That in relation to parking in Brunswick Heads, Council;		
a)	allocates \$140,000 in the September quarterly budget review to fund an updated parking study including an expansion of the pay parking areas and an assessment of current supply and demand, time limits; and		
b)	receives a further report in April 2023 on the above and also on comparative pay parking rates in other Local Government Areas.		
2.	That in relation to parking within Mullumbimby, staff:		
a)	Consult with Transport for New South Wales (TfNSW) in relation to parking/overflow associated with the temporary housing within the rail corridor and possible legacy outcomes from this initiative related to parking areas; and		
b)	provide a further report on options to progress/fund a revised parking study.		
3.	That staff provide a further report recommending rules on the number of parking permits per residence and how a permit relates to a residence.		
4.	That Council notes, that stage 1 of the Broken Head Reserve Road parking improvements is scheduled to commence in September/October 2022 and at the completion of these works, a parking assessment to consider an expansion of the existing pay parking precinct will be undertaken and reported to Council for consideration		
Mover: Michael Lyon		Seconder: Peter Westheimer	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-535	Report of the Audit, Risk and Improvement Committee Meeting held on 18 August 2022 Report: I2022/1106	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Jones, Mila			
Resolved that Council notes the minutes of the Audit, Risk and Improvement Committee Meeting held on 18 August 2022.			
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-536	Report No. 4.1 Update from OLG on membership requirements for Audit, Risk and Improvement Committees Report: I2022/925	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.1 Update from OLG on membership requirements for Audit, Risk and Improvement Committees File No: I2022/925			
<u>Committee Recommendation 4.1.1</u>			
That Council notes the update provided by the Office of Local Government in Circular 22-21 pertaining to the draft Guidelines for Risk Management and Internal Audit for Local Councils in NSW.			
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-537	Report No. 4.2 Draft Constitution of the Audit, Risk and Improvement Committee Report: I2022/828	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Jones, Mila			
Resolved that Council adopts the following Committee and Management Recommendations:			
Report No. 4.2 Draft Constitution of the Audit, Risk and Improvement Committee File No: I2022/828			
<u>Committee Recommendation 4.2.1</u>			
That Council adopt the Draft Audit, Risk and Improvement Committee Constitution (Attachment 1 E2022/73365).			
<u>Council Recommendation</u>			
That the Draft Audit, Risk and Improvement Committee Constitution be amended at part 9 <i>Secretariat</i> to allow for the agenda to be distributed 14 days prior to the meeting, rather than a week prior to the meeting.			
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-538	Report No. 4.3 Financial Reporting to Audit, Risk and Improvement Committee Report: I2022/996 Directorate: Corporate and Community Services Officer: Brickley, James	29/09/2022	31/10/2022
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.3 Financial Reporting to Audit, Risk and Improvement Committee File No: I2022/996			
<u>Committee Recommendation 4.3.1</u>			
1. That a revised version of the financial reporting update be presented to the Committee at the November 2022 meeting.			
2. That Council notes that the Audit, Risk and Improvement Committee receive financial reporting updates.			
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-539	Report No. 4.4 Internal Audit Plan 2022-2024 Report: I2022/823 Directorate: Corporate and Community Services Officer: Jones, Mila	29/09/2022	31/10/2022
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.4 Internal Audit Plan 2022-2024 File No: I2022/823			
<u>Committee Recommendation 4.4.1</u>			
1. That Council endorses the Internal Audit Plan 2022-2024 (E2022/61398).			
2. That the proposed audits for 2023-2024 be brought to the Audit, Risk and Improvement Committee Meeting in November 2022.			
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-540	Report No. 4.5 Delivery Program 6-monthly Report and Operational Plan 2021/22 Quarter 4 Report - to 30 June 2022 Report: I2022/987	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.5 Delivery Program 6-monthly Report and Operational Plan 2021/22 Quarter 4 Report - to 30 June 2022 File No: I2022/987			
<u>Committee Recommendation 4.5.1</u>			
That Council notes that the Audit, Risk, and Improvement Committee noted the Delivery Program 6-monthly Report and 2021/22 Operational Plan Fourth Quarter Report for the period ending 30 June 2022 (Attachment 1 #E2022/67538).			
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-541	Quarter 4 2021-22 Risk Report Report: I2022/732	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Watt, Amber			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 5.1 Quarter 4 2021-22 Risk Report File No: I2022/732			
<u>Committee Recommendation 5.1.1</u>			
That Council notes the Strategic and Operational Risk Reports for the quarter ending 30 June 2022 (Attachment 1 E2022/63424) and improvements planned or underway.			
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-542	Report No. 5.2 Internal Audit Report - 2021-2022 Quarter 4 (and 2021-2022 Quarter 1 report deferred from the ARIC meeting of 19 May 2022) Report: I2022/826	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Jones, Mila			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 5.2 Internal Audit Report - 2021-2022 Quarter 4 (and 2021-2022 Quarter 1 report deferred from the ARIC meeting of 19 May 2022)			
File No: I2022/826			
<u>Committee Recommendation 5.2.1</u>			
That Council:			
1. Notes the Summary of Internal Audit Recommendations for Quarter 1 2021-2022 (Attachment 1 E2021/123033).			
2. Endorses the recommendations from the Executive Team and Audit, Risk and Improvement Committee to close off four internal audit recommendations from Quarter 1 2021-2022 as listed in Table 1 of this report (which is a summary from Attachment 1 E2021/12033).			
3. Notes the Summary of Internal Audit Recommendations for Quarter 4 2021-2022 (Attachment 2 E2022/63964).			
4. Endorses the recommendations from the Executive Team and Audit, Risk and Improvement Committee to close off seven internal audit recommendations from Quarter 4 2021-2022 as listed in Table 2 of this report (which is a summary from Attachment 3 E2022/62825).			
5. Requests management to record any findings needing further action from the Internal Audit of Payroll – Data Analytics (Attachment 4 E2022/69122) in Council's Internal Audit Register.			
6. Endorses the proposal to shift the Inventory Internal Audit from Quarter 2 2021-2022 to Quarter 1 2022-2023			
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-543	Report No. 5.3 Social Engineering Incident - Reporting of Independent Investigation Report: I2022/506	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 5.3 Social Engineering Incident - Reporting of Independent Investigation			
File No: I2022/506			
<u>Committee Recommendation 5.3.1</u>			
That Council:			
1. Notes the outcome of the investigation and the importance of being constantly aware of social engineering and cyber security.			
2. Notes the progress of implementing the recommendations proposed following the independent investigation.			
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-544	Report No. 5.4 Cyber Security and IT System Outages Quarterly Update Report: I2022/904	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Baker, Colin			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 5.4 Cyber Security and IT System Outages Quarterly Update File No: I2022/904			
<u>Committee Recommendation 5.4.1</u>			
1. That Council notes the report.			
2. That the Audit, Risk and Improvement Committee receives ongoing cyber security and system outage status reports.			
Mover: Alan Hunter		Seconded: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

Res No	Report Title	Meeting Date	Due Date
22-545	Report No. 5.5 External Audit Actions Quarter 4 2021-2022 Update Report: I2022/1001	29/09/2022	31/10/2022
Directorate: Corporate and Community Services Officer: Jones, Mila			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 5.5 External Audit Actions Quarter 4 2021-2022 Update File No: I2022/1001			
<u>Committee Recommendation 5.5.1</u>			
1. That Council notes the external audit activity update for the quarter ending 30 June 2022 as outlined in Confidential Attachment 1 (#E2022/76444).			
2. That Council endorses the closure of Issue 2 from the 2021 Year End Audit Management Letter regarding 'Confirming orders after invoicing'.			
Mover: Alan Hunter		Seconded: Michael Lyon	
Comments: Meeting held on 29 September – no update required for the period.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2022

Res No	Report Title	Meeting Date	Due Date
22-546	Lease for Massenger Street Byron Bay treehouse Report: I2022/741	29/09/2022	31/10/2022
Directorate: Infrastructure Services Officer: Flockton, James			
Resolved that Council authorises the 28-day public exhibition of a twelve-month lease over the road reserve adjoining 77 Massinger Street Byron Bay for the purpose of a Children's Treehouse Artwork, and			
a)	If no submissions are received, then Council delegates to the General Manager the authority to grant a lease to Ms Mell Coppin over an unused portion of the road reserve adjoining 77 Massinger Street Byron Bay on the following:		
i)	term of twelve months with no holding over,		
ii)	annual rent of \$1 (excluding GST),		
iii)	purpose of a Children's Treehouse Artwork, and		
iv)	public liability cover to a minimum of \$20 million noting Byron Shire Council as an interested party.		
v)	not preclude public traversal through the road reserve		
b)	If submissions are received, then a further report be tabled at the next ordinary meeting of Council.		
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments: Meeting held on 29 September – no update required for the period.			