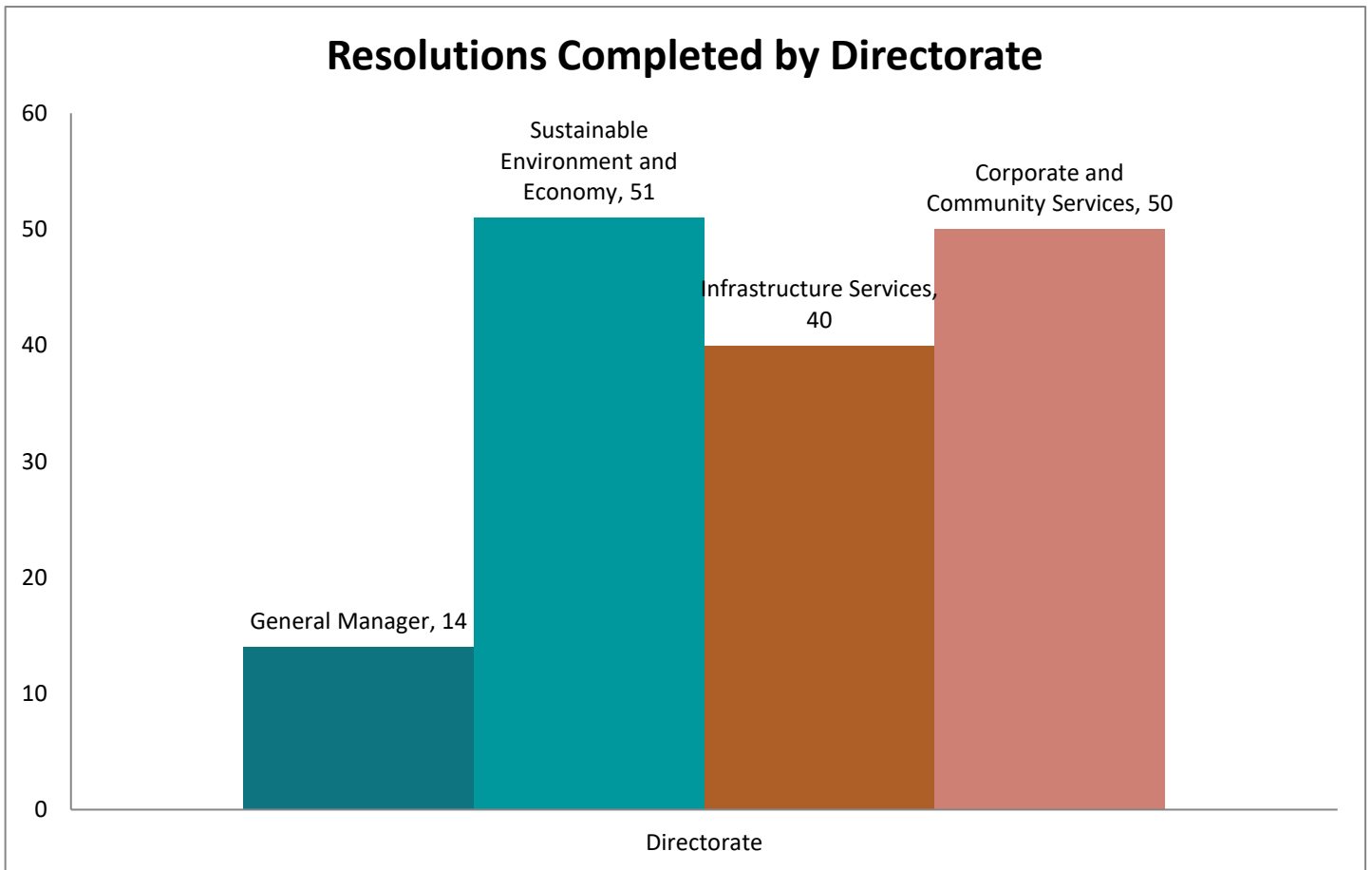
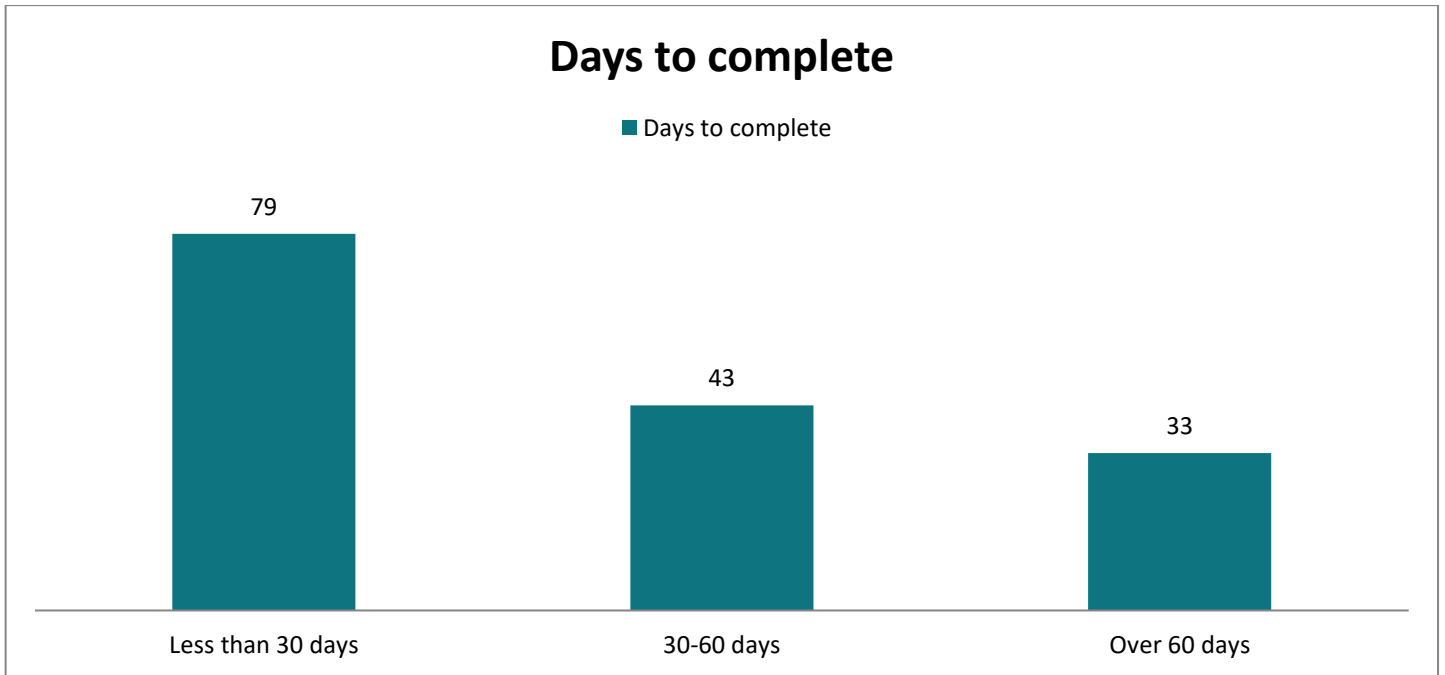


COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Total number resolutions completed in reporting period: **155**



COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
19-062	Butler Street Reserve Access During Byron Bay Bypass Construction Report: I2019/47	28/02/2019	22/12/2022
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: Completed by McGarry, Claire (action officer) on 22 December 2022 at 3:11:51 PM - Completed. Farmers Markets returned to Butler Street Reserve and Community Market relocated to the town centre. If Butler Street Reserve becomes available for the community market to return in future this can be considered by separate resolution then.			

Res No	Report Title	Meeting Date	Completed Date
19-076	Railway Park rotunda location Report: I2019/46	28/02/2019	22/12/2022
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: Completed by McGarry, Claire (action officer) on 22 December 2022 at 2:48:30 PM - Completed. EOI no longer required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
21-181	PLANNING - 26.2021.1.1 Planning Proposal to permit Community Title & R5 Large Lot Residential Development - 53 McAuleys Lane, Myocum Report: I2021/474	10/06/2021	7/12/2022
Directorate: Sustainable Environment and Economy Officer: Daniels, Steve			
Resolved that Council:			
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:			
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.			
2. Require that a draft VPA be prepared in accordance with the amended letter of offer.			
3. Amend the Planning Proposal (Attachment 1 E2021/72620) to reflect the recommendations contained in this report and as shown below:			
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.			
4. Forward the amended planning proposal to the NSW Department of Planning, Industry and Environment for a Gateway determination.			
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.			
6. Undertake public exhibition of the planning proposal in accordance with the Gateway determination requirements.			
7. Consider a submissions report post-exhibition that includes any recommended changes to the planning proposal for final adoption.			
Mover: Basil Cameron		Seconder: Cate Coorey	
Comments: Completed by Daniels, Steve (action officer) on 07 December 2022 at 8:37:15 AM - Planning Proposal & Planning Agreement have been amended accordance with Res. Exhibition outcome reported to Council 27 October, Council resolved to finalise LEP amendment and planning agreement (Res 22-587)			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed 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	16/11/2022
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: Completed by Cornwall, Judd (action officer) on 16 November 2022 at 1:31:29 PM - This action has been completed please refer to resolution number 22-593.			

Res No	Report Title	Meeting Date	Completed Date
21-320	Review Asset Management Policy in accordance with Resolution 20-741 Report: I2021/864	26/08/2021	14/10/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopt the following Committee Recommendations:			
Report No. 4.1 Review Asset Management Policy in accordance with Resolution 20-741 File No: I2021/864			
<u>Committee Recommendation 4.1.1</u>			
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		Seconded: Jeannette Martin	
Comments: Completed by Cornwall, Judd (action officer) on 14 October 2022 at 9:09:37 AM - Following the Infrastructure Advisory Committee (7 October 2022) the committee supported the development of the Road Access and Safety Principles through a Road Safety Plan that is prepared once the Byron Integrated Transport Strategy (Moving Byron) is formally adopted. Item 1, of this recommendation has already been resolved, the Asset Management Policy has been adopted per resolution following public exhibition of the draft (with no submissions received). Weblinks have been updated.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
21-468	Expression of Interest for next village/town masterplan Report: I2021/1491	28/10/2021	6/12/2022
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: Completed by FitzGibbon, Andrew (action officer) on 06 December 2022 at 1:16:36 PM - 1 - Complete - EOI process opened 12 August and closed end of September 2022, 2 - Complete - Report to Council 8 December 2022, 3 - Complete - note only , 4 - Complete - noted - refer to resolution 20-432, 5 - Complete - noted - refer to resolution 20-432			

Res No	Report Title	Meeting Date	Completed Date
21-541	Petition Regarding More Traffic Calming Measures in Brandon Street Suffolk Park Report: I2021/1725	25/11/2021	16/11/2022
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: Completed by Cornwall, Judd (action officer) on 16 November 2022 at 1:34:00 PM - This is action has been completed please refer to resolution number 22-572.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-010	Arts and Culture Summit 2022 Report: I2022/8	03/02/2022	5/12/2022
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 trialed 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		Second: Peter Westheimer	
Comments: Completed by Firth, Melitta (action officer) on 05 December 2022 at 9:51:49 AM - Event held on 25 November 2022			

Res No	Report Title	Meeting Date	Completed Date
22-169	NSW Employment Zones Reform Report: I2022/142	28/04/2022	7/12/2022
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: Completed by Daniels, Steve (action officer) on 07 December 2022 at 8:27:34 AM - DPE has notified the amendment.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-203	Utilities Overview Report: I2022/291	26/05/2022	2/11/2022
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 3.3 Utilities Overview File No: I2022/291			
<u>Committee Recommendation 3.3.1</u>			
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: Completed by Stanley, Jason on behalf of Clark, Cameron (action officer) on 02 November 2022 at 11:55:16 AM - Overview was noted and accepted by Committee			

Res No	Report Title	Meeting Date	Completed Date
22-228	Post Flood Event Update Report: I2022/345	26/05/2022	17/10/2022
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		Seconder: Peter Westheimer	
Comments: Completed by Moffett, Scott (action officer) on 17 October 2022 at 9:00:50 AM - Report to be developed by Department of Planning and Environment			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-241	South Golden Beach west side flooding & drainage Report: I2022/570	09/06/2022	17/10/2022
	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	Seconder: Asren Pugh	
	Comments: Completed by Moffett, Scott (action officer) on 17 October 2022 at 9:00:04 AM - Grant application submitted to Department of Planning and Environment and awaiting approval		

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-244	Council submission to NRPP on Linnaeus DA 10.2021.170.1 Report: I2022/505	09/06/2022	28/10/2022
		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: Completed by Burt, Shannon (action officer) on 28 October 2022 at 2:38:26 PM - actions complete			

Res No	Report Title	Meeting Date	Completed Date
22-285	3.3 Moving Byron Integrated Transport Strategy 2022 to 2042 - Results of Community Consultation Report: I2022/148	23/06/2022	13/10/2022
		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		Seconder: Sarah Ndiaye	
Comments: Completed by Cornwall, Judd (action officer) on 13 October 2022 at 10:09:12 AM - This will be completed within the next/revised report to the Moving Byron Advisory Committee on the 20 October 2022			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-318	Local Government NSW Annual Conference 2022 Report: I2022/555	23/06/2022	31/10/2022
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: Completed by Sills, Heather on behalf of Bradbury, Richard (action officer) on 31 October 2022 at 10:53:52 PM - The LGNSW Annual Conference was held from 23 to 25 October 2022. Crs Lyon, Balson and Swivel attended the LGNSW Annual Conference as voting delegates and Cr Ndiaye as a non-voting delegate.			

Res No	Report Title	Meeting Date	Completed Date
22-323	First Sun Holiday Park Rail Land Report: I2022/559	23/06/2022	13/10/2022
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: Completed by Robertson, Malcolm on behalf of Ruck, Pattie (action officer) on 13 October 2022 at 2:33:10 PM - Application to the Minister and the Governor for approval to acquire land by compulsory process under section 186(1) of the Local Government Act 1993 for the purpose of a caravan park is now being progressed.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed 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	7/12/2022
	Directorate: Infrastructure Services Officer: Cornwall, Judd		
	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: Completed by Cornwall, Judd (action officer) on 07 December 2022 at 3:34:26 PM - 1. Completed		

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-343	Report No. 6.2 Events - Bangalow Billycart Derby 18 September 2022 Report: I2022/580	11/08/2022	31/10/2022
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: Completed by Heasman, Alice (action officer) on 31 October 2022 at 10:37:53 AM - Event took place as planned and went well on all accounts. No complaints or issues raised to Council post event.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-350	Report No. 4.2 Byron Bay Drainage Upgrade Project Report: I2022/633	11/08/2022	17/10/2022
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: Completed by Moffett, Scott (action officer) on 17 October 2022 at 8:58:59 AM - Council endorsement of preferred supplier due 27 Oct (Council meeting). Project inception and development of comms plan to be presented at the next Flood Advisory Committee.			

Res No	Report Title	Meeting Date	Completed Date
22-351	Report No. 4.3 Capricornia Canal and Marshalls Creek Report: I2022/636	11/08/2022	17/10/2022
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		Seconder: Sarah Ndiaye	
Comments: Completed by Moffett, Scott (action officer) on 17 October 2022 at 8:56:49 AM - Scoping report presented to the Flood Advisory committee 11/10/22.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-353	Report No. 4.5 Voluntary House Raising Report: I2022/686	11/08/2022	17/10/2022
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:			
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 works			
4. 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		Seconder: Sarah Ndiaye	
Comments: Completed by Moffett, Scott (action officer) on 17 October 2022 at 8:58:21 AM - All actions complete. Awaiting outcomes from the Department of Planning and Environment grant.			

Res No	Report Title	Meeting Date	Completed Date
22-360	Decreasing risk on the Shire's floodplain Report: I2022/926	11/08/2022	28/10/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
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:			
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: Completed by Burt, Shannon (action officer) on 28 October 2022 at 2:45:23 PM - actions complete			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-361	Plan of management for Bangalow Sports Fields Report: I2022/927	11/08/2022	25/11/2022
Directorate: Infrastructure Services Officer: Robertson, Malcolm			
Resolved that:			
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: Completed by Robertson, Malcolm (action officer) on 25 November 2022 at 12:06:43 PM - All actions within resolution have been addressed. The Plan of Management is being progressed and includes consideration of the points raised in this resolution.			

Res No	Report Title	Meeting Date	Completed Date
22-362	Voluntary Planning Agreement (VPA) - 53 McAuleys Lane Planning Proposal Report: I2022/161	11/08/2022	7/12/2022
Directorate: Sustainable Environment and Economy Officer: Daniels, Steve			
Resolved that Council:			
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: Completed by Daniels, Steve (action officer) on 07 December 2022 at 8:32:58 AM - Planning Agreement has been amended and in the process of being registered.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-420	Dogs in Public Spaces Strategy Report: I2022/898	25/08/2022	19/12/2022
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		Seconder: Michael Lyon	
Comments: Completed by Nagel, Sarah (action officer) on 19 December 2022 at 12:51:16 PM - Report to Council 15 December 2022 completed			

Res No	Report Title	Meeting Date	Completed Date
22-422	Mullumbimby Pool Feasibility Study Report: I2022/874	25/08/2022	13/10/2022
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		Seconder: Alan Hunter	
Comments: Completed by Robertson, Malcolm (action officer) on 13 October 2022 at 1:33:56 PM - Mullumbimby Pool feasibility study completed to draft stage but is on hold and will be incorporated into a larger Shire-wide study into aquatic facility requirements.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-424	Report of the Arts and Creative Industries Advisory Committee Meeting held on 30 June 2022 Report: I2022/851	25/08/2022	5/10/2022
Directorate: Infrastructure Services Officer: van Soest, Kimberley			
Resolved that Council notes the minutes of the Arts and Creative Industries Advisory Committee Meeting held on 30 June 2022. Mover: Sarah Ndiaye Seconders: Sama Balson			
Comments: Completed by van Soest, Kimberley (action officer) on 05 October 2022 at 8:18:04 AM - A report was prepared to Council with the minutes included.			

Res No	Report Title	Meeting Date	Completed Date
22-425	Sandhills skate park and recreation precinct - art and cultural features Report: I2022/728	25/08/2022	29/11/2022
Directorate: General Manager Officer: McGarry, Claire			
Resolved that Council adopts the following Committee Recommendation: Report No. 3.1 Sandhills skate park and recreation precinct - art and cultural features File No: I2022/728 <u>Committee Recommendation:</u> That the committee note the arts and cultural features which have been commissioned for the Byron skate park and recreation precinct. Mover: Sarah Ndiaye Seconders: Sama Balson			
Comments: Completed by McGarry, Claire (action officer) on 29 November 2022 at 3:52:50 PM - Artwork has been incorporated into final detailed design			

Res No	Report Title	Meeting Date	Completed Date
22-427	Arts and Culture Overview Report: I2022/582	25/08/2022	5/12/2022
Directorate: Corporate and Community Services Officer: Firth, Melitta			
Resolved that Council adopts the following: Report No. 3.3 Arts and Culture Overview File No: I2022/582 1. That the Arts and Creative Industries Advisory Committee notes the report. 2. That Council holds the Summit prior to the end of October 2022. Mover: Sarah Ndiaye Seconders: Sama Balson			
Comments: Completed by Firth, Melitta (action officer) on 05 December 2022 at 9:53:00 AM - Event Held on 25 November 2022.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-431	Community Awards Ceremony Report: I2022/965	25/08/2022	22/12/2022
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:		
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		Secunder: Sama Balson	
Comments: Completed by Evans Crane, Amber (action officer) on 22 December 2022 at 10:33:23 AM - Consultation was undertaken with the community, including through a YourSay Survey. A report on this resolution was provided to the 27 October 2022 Ordinary Council meeting with the findings. Further consultation was also undertaken with Arakwal Corporation in relation to the citizenship ceremony on Australia Day.			

Res No	Report Title	Meeting Date	Completed Date
22-453	North Byron Parklands - Splendour in the Grass 2022 Report: I2022/1014	08/09/2022	28/10/2022
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		Secunder: Mark Swivel	
Comments: Completed by Burt, Shannon (action officer) on 28 October 2022 at 2:51:48 PM - actions complete			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed 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	22/11/2022
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: Final LEP drafting currently underway with Parliamentary Counsel – amendment to be made early 2023			

Res No	Report Title	Meeting Date	Completed Date
22-479	Grants August 2022 Report: I2022/1252	29/09/2022	19/10/2022
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: Completed by Johnston, Donna (action officer) on 19 October 2022 at 5:39:55 PM - Minutes noted			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-480	Lease to Katia Project Incorporated Report: I2022/736	29/09/2022	4/10/2022
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: Completed by Telford, Paula (action officer) on 04 October 2022 at 11:35:16 AM - Offer of new lease provided in accordance with resolution (22-480) by letter to Katia Project Inc see E2022/95844.			

Res No	Report Title	Meeting Date	Completed 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	25/10/2022
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: Completed by Telford, Paula (action officer) on 25 October 2022 at 11:15:15 AM - Letter to Anglican Diocese of Grafton (E2022/100001) and letter to Uniting Church in Australia Synod Office of NSW and ACT (E2022/99946) requesting both vendors engagement Solicitors to progress land transfer.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-482	Code of Conduct Annual Report 1 September 2021 - 31 August 2022 Report: I2022/1274	29/09/2022	4/10/2022
		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		Seconded: Alan Hunter	
Comments: Completed by Hardy, Jazz on behalf of James, Ralph (action officer) on 04 October 2022 at 8:55:47 AM - Completed			

Res No	Report Title	Meeting Date	Completed Date
22-483	Council Investments - 1 August 2022 to 31 August 2022 Report: I2022/1195	29/09/2022	4/10/2022
		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		Seconded: Alan Hunter	
Comments: Completed by Brickley, James (action officer) on 04 October 2022 at 10:51:23 AM - No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-484	Tender 2022-1330 Cleaning of Council Administration Office Report: I2022/750	29/09/2022	13/10/2022
		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		Seconded: Alan Hunter	
Comments: Completed by Reilly, Len (action officer) on 13 October 2022 at 2:42:16 PM - Contract awarded and executed on 07/10/2022. Doc # E2022/97540			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-487	Proposed Extenuating Circumstances - Johnstons Lane Bridge Construction Report: I2022/1276	29/09/2022	17/11/2022
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: Completed by Flockton, James on behalf of Kress, Hayden (action officer) on 17 November 2022 at 5:05:25 PM - Contract has been awarded to quickway			

Res No	Report Title	Meeting Date	Completed Date
22-488	Report of the Finance Advisory Committee Meeting held on 18 August 2022 Report: I2022/1098	29/09/2022	4/10/2022
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: Completed by Brickley, James (action officer) on 04 October 2022 at 10:53:28 AM - No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-489	Report No. 4.1 Budget Review - 1 April to 30 June 2022 Report: I2022/1098	29/09/2022	4/10/2022
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		Seconded: Alan Hunter	
Comments: Completed by Brickley, James (action officer) on 04 October 2022 at 10:54:46 AM - No further action required. Information in review used to assist completion of 2022 financial statements.			

Res No	Report Title	Meeting Date	Completed Date
22-490	Report No. 4.2 Carryovers for inclusion in the 2022-2023 Budget Report: I2022/1032	29/09/2022	4/10/2022
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		Seconded: Alan Hunter	
Comments: Completed by Brickley, James (action officer) on 04 October 2022 at 10:55:45 AM - Also reported to Council in August 2022. Budget carryover amounts updated in Authority Budget records. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-492	Report No. 3.1 Review Constitution of Housing and Affordability Advisory Committee Report: I2022/936	29/09/2022	28/10/2022
Directorate: Sustainable Environment and Economy Officer: Scott, Noreen			
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: Completed by Burt, Shannon on behalf of Scott, Noreen (action officer) on 28 October 2022 at 2:58:16 PM - action complete			

Res No	Report Title	Meeting Date	Completed Date
22-500	Report No. 4.5 STP Quarterly Operational Performance Report Report: I2022/947	29/09/2022	2/11/2022
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.5	STP Quarterly Operational Performance Report		
File No: I2022/999			
<u>Committee Recommendation 4.5.1</u>			
That Council notes the report.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Stanley, Jason on behalf of Clark, Cameron (action officer) on 02 November 2022 at 11:45:47 AM - Report for noting only			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-501	Report No. 4.6 Byron STP Condition 9 Additional Load - Quarterly Report Report: I2022/955	29/09/2022	2/11/2022
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: Completed by Stanley, Jason on behalf of Baulch, Dean (action officer) on 02 November 2022 at 11:56:26 AM - Noted and actioned to become an annual report			

Res No	Report Title	Meeting Date	Completed Date
22-502	Report of the Moving Byron Advisory Committee Meeting held on 18 August 2022 Report: I2022/1097	29/09/2022	12/10/2022
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: Completed by Tomanek, Dominika (action officer) on 12 October 2022 at 1:47:02 PM - noted			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-503	Report No. 4.1 Moving Byron Submissions Report Report: I2022/762	29/09/2022	7/12/2022
	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: Completed by Cornwall, Judd (action officer) on 07 December 2022 at 3:47:59 PM - The community submissions report has been accepted by the Moving Byron Committee. Please refer to the Agenda for the Ordinary Council meeting Thursday, 15 December 2022, report No.14.7.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-504	Report No. 4.2 Additional Discussion Items Report: I2022/1044	29/09/2022	13/10/2022
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: The action was completed at the last Moving Byron Committee meeting (18 August 2022).			

Res No	Report Title	Meeting Date	Completed Date
22-513	PLANNING - DA10.2021.827.1 - Byron Bay Community Market Report: I2022/1186	29/09/2022	18/10/2022
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: Completed by Larkin, Chris (action officer) on 18 October 2022 at 11:46:14 AM - consent created, plans stamped and uploaded			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-518	Appointment of Replacement Community Members to Advisory Committees Report: I2022/928	29/09/2022	29/11/2022
Resolved:		Directorate: Corporate and Community Services Officer: Bradbury, Richard	
<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:		
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:		
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: Completed by Bradbury, Richard (action officer) on 29 November 2022 at 1:27:49 PM - Replacement Advisory Committee members have been advised, inducted and declarations of code of conduct and pecuniary interest returned and filed.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed 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: Completed by Sills, Heather (action officer) on 31 October 2022 at 10:35:09 PM - Quarterly report provided on Council's website.			

Res No	Report Title	Meeting Date	Completed Date
22-522	Report of the Coastal and ICOLL Advisory Committee Meeting held on 30 June 2022 Report: I2022/845	29/09/2022	6/10/2022
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		Seconder: Sarah Ndiaye	
Comments: Completed by Chapman, Michelle (action officer) on 06 October 2022 at 1:23:45 PM - noted			

Res No	Report Title	Meeting Date	Completed 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	6/12/2022
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:			
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		Seconder: Sarah Ndiaye	
Comments: Completed by Dowsett, Chloe (action officer) on 06 December 2022 at 12:53:26 PM - All items of the resolution have been noted by staff for consideration in the preparation of Coastal Management Programs (CMPs).			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-524	Report No. 3.4 Review Constitution of Coastal and ICOLL Advisory Committee Report: I2022/682	29/09/2022	6/10/2022
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: Completed by Chapman, Michelle (action officer) on 06 October 2022 at 1:25:22 PM - constitution updated			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed 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	6/12/2022
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		Seconded: Sarah Ndiaye	
Comments:			
Completed by Dowsett, Chloe (action officer) on 06 December 2022 at 12:54:40 PM - All items of the resolution have been noted by staff. All items of the resolution moving forward rest with Council's Floodplain Advisory Committee.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed 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	4/10/2022
Directorate: General Manager Officer: Telford, Paula			
Resolved:			
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: Completed by Telford, Paula (action officer) on 04 October 2022 at 11:33:50 AM - Offer of new sub-licences forwarded in accordance with resolution (22-529) E2022/96027 and E2022/96048.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-530	Election of Deputy Mayor - 2022-2023 Report: I2022/994	29/09/2022	21/10/2022
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: Completed by Evans Crane, Amber (action officer) on 21 October 2022 at 9:47:37 AM - Cr Ndiaye elected as Deputy Mayor for 22-23 period.			

Res No	Report Title	Meeting Date	Completed Date
22-533	Update to Section 355 Committee Guidelines Report: I2022/1130	29/09/2022	21/12/2022
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: Completed by Wood, Isabelle (action officer) on 21 December 2022 at 3:52:48 PM - 1. a), b), c) Guidelines were updated to include all changes. Completed.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-535	Report of the Audit, Risk and Improvement Committee Meeting held on 18 August 2022 Report: I2022/1106	29/09/2022	5/10/2022
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: Completed by Jones, Mila (action officer) on 05 October 2022 at 7:51:23 AM - Minutes noted. No action required.			

Res No	Report Title	Meeting Date	Completed 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: Completed by Sills, Heather (action officer) on 31 October 2022 at 10:28:57 PM - Noted. No further action at this time.			

Res No	Report Title	Meeting Date	Completed Date
22-537	Report No. 4.2 Draft Constitution of the Audit, Risk and Improvement Committee Report: I2022/828	29/09/2022	17/10/2022
Directorate: Corporate and Community Services Officer: Jones, Mila			
Resolved that Council adopts the following Committee and Council 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: Completed by Jones, Mila (action officer) on 17 October 2022 at 2:57:55 PM - Draft Constitution finalised and published to Council's website (E2022/53506)			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-538	Report No. 4.3 Financial Reporting to Audit, Risk and Improvement Committee Report: I2022/996	29/09/2022	3/12/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
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: Completed by Brickley, James (action officer) on 03 December 2022 at 11:00:33 AM - Further report provided to Audit Risk and Improvement Committee at the 17 November 2022 Ordinary Meeting. Proposed financial reporting established.			

Res No	Report Title	Meeting Date	Completed Date
22-539	Report No. 4.4 Internal Audit Plan 2022-2024 Report: I2022/823	29/09/2022	5/10/2022
Directorate: Corporate and Community Services Officer: Jones, Mila			
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: Completed by Jones, Mila (action officer) on 05 October 2022 at 9:13:42 AM - Report prepared for ET for 16/10/2022 and for ARIC for 17/11/2022 for part 2 of the recommendation which requests a report on proposed audits for 2023-2024.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed 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: Completed by Sills, Heather (action officer) on 31 October 2022 at 10:29:40 PM - Noted. Subject to separate Council Resolution (22-521)			

Res No	Report Title	Meeting Date	Completed 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: Completed by Sills, Heather on behalf of Watt, Amber (action officer) on 31 October 2022 at 10:56:59 PM - Noted. No further action required at this time.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed 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 Directorate: Corporate and Community Services Officer: Jones, Mila	29/09/2022	5/10/2022
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: Completed by Jones, Mila (action officer) on 05 October 2022 at 8:30:07 AM - Closed off internal audit recommendations in Pulse from Quarters 1 and 4 2021-2022. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-543	Report No. 5.3 Social Engineering Incident - Reporting of Independent Investigation Report: I2022/506 Directorate: Corporate and Community Services Officer: Brickley, James	29/09/2022	4/10/2022
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: Completed by Brickley, James (action officer) on 04 October 2022 at 10:57:08 AM - Implementation of EFTSure has commenced as a further security measure and processes updated. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-544	Report No. 5.4Cyber Security and IT System Outages Quarterly Update Report: I2022/904	29/09/2022	4/10/2022
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		Seconder: Michael Lyon	
Comments: Completed by Baker, Colin (action officer) on 04 October 2022 at 8:28:54 AM - Ongoing cyber report to be provided to ARIC.			

Res No	Report Title	Meeting Date	Completed Date
22-545	Report No. 5.5External Audit Actions Quarter 4 2021-2022 Update Report: I2022/1001	29/09/2022	5/10/2022
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		Seconder: Michael Lyon	
Comments: Completed by Jones, Mila (action officer) on 05 October 2022 at 9:32:26 AM - Issue 2 from the 2021 Year End Audit Management Letter has now been closed per part 2 of this resolution.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-550	PLANNING - S4.55(2) 10.2018.534.2 – Retrospective modification to change the approved height of an approved dual occupancy and minor internal changes. Report: I2022/743	13/10/2022	31/10/2022
Directorate: Sustainable Environment and Economy Officer: Grant, Ben			
Resolved pursuant to Section 4.55 of the Environmental Planning & Assessment Act 1979, that Application No. 10.2018.534.2, for S4.55 to Modify Height of Dwelling Number 2 and Internal Changes, be refused for the following reasons:			
<ol style="list-style-type: none">1. Pursuant to Section 4.15(1)(a)(i) of the <i>Environmental Planning and Assessment Act 1979</i>, the modified development is inconsistent with the Objectives of Clause 4.3 Height of Buildings in <i>Byron Local Environmental Plan 2014</i>.2. Pursuant to Section 4.15(1)(a)(i) of the <i>Environmental Planning and Assessment Act 1979</i>, the modified development is inconsistent with the Objectives of the R2 Low Density Residential zone.3. Pursuant to Section 4.15(1)(a)(iii) of the <i>Environmental Planning and Assessment Act 1979</i>, the modified development is inconsistent with the Objectives and Performance Criteria of Byron Development Control Plan 2014, Parts D1.2.4, D1.5.2, E5.8.3 and E5.8.4.4. Pursuant to Section 4.15(1)(e) of the <i>Environmental Planning and Assessment Act 1979</i>, the proposed modification is likely to set an undesirable precedent if approved and is contrary to the public interest.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Scott, Noreen on behalf of Grant, Ben (action officer) on 31 October 2022 at 11:55:15 AM - notice of refusals issued E2022/102661			

Res No	Report Title	Meeting Date	Completed Date
22-551	PLANNING - 10.2022.389.1 Temporary use of land in the Byron Rail Corridor to undertake a pop-up Information and Education Facility and associated temporary structures from Wednesday 26 October 2022 to Monday 31 October 2022 in association with the annual Byron Bay Film Festival and to hold similar events in 2023 and 2024. Report: I2022/1295	13/10/2022	18/10/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2022.389.1 for Temporary use of the land for an information and education facility including the erection of temporary structures from Wednesday 26 October 2022 to Monday 31 October 2022, and to hold similar events in 2023 and 2024 be granted consent subject to conditions of consent in Attachment 1.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Larkin, Chris (action officer) on 18 October 2022 at 11:45:20 AM - Consent created and plans stamped and uploaded			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-558	PLANNING - 10.2021.582.1 Demolition of Existing Dwelling and Construction of Multi Dwelling Housing comprising of Six (6) Dwellings at 8 Kumbellin Glen Ocean Shores Report: I2022/1099	13/10/2022	31/10/2022
Directorate: Sustainable Environment and Economy Officer: Vickers, Jordan			
Resolved that pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2021.582.1 to demolish an existing dwelling house and to construct a multi dwelling housing development containing 6 dwellings, be granted consent subject to conditions in Attachment 2.			
Mover: Alan Hunter		Seconder: Sama Balson	
Comments: Completed by Scott, Noreen on behalf of Vickers, Jordan (action officer) on 31 October 2022 at 11:48:10 AM - Notice of Determination issued #E2022/101793			

Res No	Report Title	Meeting Date	Completed Date
22-559	Council report to NRPP on Linnaeus DA 10.2021.170.1 Report: I2022/1322	13/10/2022	9/12/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved:			
1. That Councillors receive, as a standard procedure, a copy of the Assessment Report prepared by Council staff for any DA that is to be determined by the Northern Regional Planning Panel on the next working day after it is lodged on the Planning Portal.			
2. That Council seeks advice from the NSW Department of Planning and Environment a method and timeframe by which a Council could make a timely submission to a Planning Panel in line with the procedure described in the Department's own Sydney and Regional Planning Panels operational procedures (clause 11.12).			
Mover: Duncan Dey		Seconder: Sarah Ndiaye	
Comments: Completed by Burt, Shannon (action officer) on 09 December 2022 at 11:18:13 AM - items complete			

Res No	Report Title	Meeting Date	Completed Date
22-560	PLANNING - Planning Proposal - 26.2021.6.1 - 103 Yagers Lane, Skinners Shoot Report: I2022/1198	13/10/2022	31/10/2022
Directorate: Sustainable Environment and Economy Officer: Johnstone, Dylan			
Resolved that Council:			
1. proceeds with the planning proposal as attached to this report (Attachment 1) to amend LEP 2014 to permit a dual occupancy (detached) with consent on the subject land;			
2. forwards the planning proposal to the NSW Department of Planning and Environment for a Gateway determination;			
3. pending a positive Gateway determination and completion of further studies by the applicant (if required), undertakes public exhibition of the planning proposal in accordance with the determination requirements;			
4. considers a submissions report post-exhibition that includes any recommended changes to the planning proposal for final adoption.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Johnstone, Dylan (action officer) on 31 October 2022 at 12:10:30 PM - PP has been referred to DPE for gateway determination			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-562	Byron Community Market parking assistance Report:	13/10/2022	22/12/2022
Resolved:		Directorate: General Manager Officer: James, Ralph	
1. That Byron Community Market stallholders be exempt from permissive and paid parking requirements in Cowper St, north of Carlyle St, for the remainder of their tenure on the Byron foreshore (Reserve 82000).			
2. Request staff to facilitate the appropriate permits and approvals to enable point 1.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Hardy, Jazz on behalf of James, Ralph (action officer) on 22 December 2022 at 12:27:30 PM - Completed			

Res No	Report Title	Meeting Date	Completed Date
22-566	Grants September 2022 Report: I2022/1463	27/10/2022	31/10/2022
Resolved that Council notes the report and Attachment 1 (#E2022/99455) for Byron Shire Council's grant submissions as at 30 September 2022.		Directorate: Corporate and Community Services Officer: Johnston, Donna	
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: Completed by Sills, Heather on behalf of Johnston, Donna (action officer) on 31 October 2022 at 10:58:16 PM - Noted. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-567	Community Engagement Strategy Report: I2022/1469	27/10/2022	9/12/2022
Resolved:		Directorate: General Manager Officer: Lewis, Annie	
1. That Council endorses the Draft Community Engagement Strategy to be placed on public exhibition for 28 days (Attachment 1 #E2022\100711).			
2. That:			
a) If no submissions are received, the Community Engagement Strategy is adopted.			
b) If submissions are received, the Community Engagement Strategy and submissions are reported to Council for consideration, prior to adoption of the Strategy.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: Completed by Lewis, Annie (action officer) on 09 December 2022 at 2:43:48 PM - The Draft Community Engagement Strategy has been exhibited and a report written for the agenda on 15 December 2022.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-569	Termination of Brunswick Valley Community Centre Section 355 Management Committee Report: I2022/1284	27/10/2022	2/11/2022
		Directorate: Corporate and Community Services Officer: Durkin, Pamela	
Resolved that Council rescinds adopted fees and charges as set in Council's 'Revenue Policy including Fees and Charges 2022 to 2023' for the Brunswick Valley Community Centre.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: Completed by Durkin, Pamela (action officer) on 02 November 2022 at 10:00:12 AM - Fees and charges were rescinded as recommended to Council.			

Res No	Report Title	Meeting Date	Completed Date
22-570	Council Investments - 1 September 2022 to 30 September 2022 Report: I2022/1397	27/10/2022	3/12/2022
		Directorate: Corporate and Community Services Officer: Brickley, James	
Resolved that Council notes the report listing Council's investments and overall cash position as at 30 September 2022.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: Completed by Brickley, James (action officer) on 03 December 2022 at 10:54:07 AM - No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-571	Former Mullumbimby Hospital - Land Use Planning Update Report: I2022/1312	27/10/2022	6/12/2022
		Directorate: Sustainable Environment and Economy Officer: FitzGibbon, Andrew	
Resolved that Council:			
1. Notes the draft Site Strategy and Urban Design Protocol (refer Attachment 1 E2022/93131) for the former Mullumbimby Hospital site as a document that will inform the next steps of planning control amendments;			
2. Undertakes a pre-planning proposal community feedback period of the draft Site Strategy and Urban Design Protocol for a minimum of 14-days;			
3. Receives a report on the outcomes of the community feedback period and a draft planning proposal recommending amendments to the planning controls to support the redevelopment of the site;			
4. Notes that the planning proposal can only be submitted to the Department of Planning Industry and Environment after the site auditor concludes the remediation process with the issue of a formal Site Audit Statement.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: Completed by FitzGibbon, Andrew (action officer) on 06 December 2022 at 1:14:02 PM - 1 - Note only - complete, 2 - Community feedback period completed, 3 - To be reported to Council Meeting 15 December 2022 - action complete, 4 - Note only - complete			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-574	Report of the Arts and Creative Industries Advisory Committee Meeting held on 15 September 2022 Report: I2022/1456	27/10/2022	6/12/2022
Directorate: Corporate and Community Services Officer: Firth, Melitta			
Resolved that Council notes the minutes of the Arts and Creative Industries Advisory Committee Meeting held on 15 September 2022.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: Completed by Firth, Melitta (action officer) on 06 December 2022 at 8:41:36 AM - Completed. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-577	Report of the Water and Sewer Advisory Committee Meeting held on 28 September 2022 Report: I2022/1415	27/10/2022	29/11/2022
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council notes the minutes of the Water and Sewer Advisory Committee Meeting held on 28 September 2022.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: Completed by Tomanek, Dominika (action officer) on 29 November 2022 at 9:00:06 AM - Noted. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-578	Adoption of Minutes for Previous Meeting Report: I2022/1309	27/10/2022	29/11/2022
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 3.1 Adoption of Minutes for Previous Meeting File No: I2022/1309			
<u>Committee Recommendation 3.1.1</u>			
That the minutes of the Water and Sewer Advisory Committee Meeting held on 18 August 2022 be confirmed.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: Completed by Tomanek, Dominika (action officer) on 29 November 2022 at 9:00:21 AM - Noted. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-580	Report of the Local Traffic Committee Meeting held on 11 October 2022 Report: I2022/1481	27/10/2022	31/10/2022
Directorate: Infrastructure Services Officer: Flower, Shelley			
Resolved that Council notes the minutes of the Local Traffic Committee Meeting held on 11 October 2022.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: Completed by Flower, Shelley (action officer) on 31 October 2022 at 2:53:13 PM - No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-582	Durrumbul Pre-School Road Safety Improvements Report: I2022/1290	27/10/2022	11/11/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 6.2	Durrumbul Pre-School Road Safety Improvements		
File No: I2022/1290			
<u>Committee Recommendation 6.2.1</u>			
That Council endorses the installation for 'No Stopping' signage to be installed as shown in the signage installation plan - Figure 3 in document I2022/1290, subject to changes as discussed.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: Completed by Cornwall, Judd (action officer) on 11 November 2022 at 1:01:52 PM - This matter will be actioned as soon as practicable. Signage will be installed as soon as practicable. I am meeting with the School on 16 November 2022, to advise them of the restrictions.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-583	Event - Falls Festival 2022/23	27/10/2022	1/12/2022
	Report: I2022/1294	Directorate: Sustainable Environment and Economy	Officer: Gilmore, Jess
Resolved that Council adopts the following Committee Recommendations:			
Report No. 7.1	Event - Falls Festival 2022/23		
File No: I2022/1294			
<u>Committee Recommendation 7.1.1</u>			
1.	That the Local Traffic Committee support Falls Festival 2022-23 to be held from 31 December 2022 to 2 January 2023 (with campers arriving from 29 th December 2022 and allowed to depart no later than 3 rd January 2023).		
2.	That the Local Traffic Committee's support in Part 1 is subject to: a) Approval from NSW Police and TfNSW respectively; b) The development of a Traffic Management Plan and Traffic Control Plan(s) by those with relevant TfNSW accreditation. These plans are to be submitted to Byron Shire Council at least 2 months prior to the event for approval of traffic regulation on roads under Byron Shire control; c) The Traffic Management Plan and the Traffic Control Plan to be implemented by those with relevant and current TfNSW accreditation; d) The temporary 'No Stopping' where applied, including on Brunswick Valley Way and Tweed Valley Way (between Shara Boulevard and north to the Shire boundary), is implemented prior to the event and in accordance with relevant state requirements and Australian Standards; e) A communications protocol be developed and maintained by those involved in the implementation of traffic management, including monitoring during the event and ability to implement contingency plans as and when directed; f) Monitoring of vehicle volumes that arrive and depart the festival site and on the local road network; g) The holding of an event debrief within the month following the festival which should include but not be limited to Council, TfNSW and Police.		
3.	The event organiser is to: a) advertise the impact of the event via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect, noting it must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints; b) provide a copy of the advert to Council for the Council website; c) give consideration to any submissions received; d) inform the community and businesses that are directly impacted (e.g. adjacent to the event) via written information which is delivered to the property in a timely manner. Document, consider and respond to any concerns raised; e) arrange for private property access and egress affected by the event; f) liaise with bus and taxi operators and ensure arrangements are made for provision of services during the event; g) consult with emergency services and address any identified issues; h) hold \$20m public liability insurance cover which is valid for the event; and i) pay Council's Road Event Application Fee and Local Traffic Committee Fee prior to the event.		
4.	The approval extend to include the signs and devices necessary to effect the changed traffic conditions.		
Mover: Michael Lyon		Secunder: Sama Balson	
Comments: Completed by Gilmore, Jess (action officer) on 01 December 2022 at 2:31:06 PM - Actions to be completed per usual LTC / events process.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-584	DA10.2022.372.1 - North Byron Hotel Traffic Management Plan - Byron Bay Craft Beer and Cider Festival/ Caper Event Report: I2022/1338	27/10/2022	14/11/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 7.2	DA10.2022.372.1 - North Byron Hotel Traffic Management Plan - Byron Bay Craft Beer and Cider Festival/ Caper Event		
File No: I2022/1338			
<u>Committee Recommendation 7.2.1</u>			
1.	That Council endorses the submitted Traffic Management Plan and Traffic Guidance Scheme for the Byron Bay Craft Beer and Cider Festival/ Caper Byron Festival at the North Byron Hotel on 11 – 13 November 2022.		
2.	That the approval is subject to:		
a)	Separate approvals by NSW Police and Transport for NSW being obtained.		
b)	The Traffic Management Plan be amended to document, the persons who are authorised to change the TGS on the day for unforeseen circumstances.		
c)	The Traffic Guidance Scheme to be implemented by those with relevant and current Transport for NSW accreditation.		
3.	That the event organiser must:		
a.	Advertise the impact of the event via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect. The notification 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,		
b.	Notify the public of event details on Council's webpage. Details to be supplied to Council by the event organisers,		
c.	Undertake consultation with community and affected businesses including adequate response/action to any concerns raised,		
d.	Undertake consultation with emergency services and any identified issues addressed,		
e.	Hold \$20m public liability insurance cover which is valid for the event.		
4.	The approval extend to include the signs and devices necessary to effect the changed traffic conditions.		
Mover: Michael Lyon		Second: Sama Balson	
Comments: Completed by Larkin, Chris (action officer) on 14 November 2022 at 10:45:15 AM - noted			

Res No	Report Title	Meeting Date	Completed Date
22-589	Report of the Infrastructure Advisory Committee Meeting held on 7 October 2022 Report: I2022/1452	27/10/2022	29/11/2022
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council notes the minutes of the Infrastructure Advisory Committee Meeting held on 7 October 2022.			
Mover: Sarah Ndiaye		Second: Michael Lyon	
Comments: Completed by Tomanek, Dominika (action officer) on 29 November 2022 at 9:00:32 AM - Noted. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-590	Adoption of Minutes from Previous Meeting Report: I2022/1334	27/10/2022	29/11/2022
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 3.1 Adoption of Minutes from Previous Meeting File No: I2022/1334			
<u>Committee Recommendation 3.1.1</u>			
That the minutes of the Infrastructure Advisory Committee Meeting held on 16 June 2022 be confirmed. Mover: Sarah Ndiaye Seconder: Michael Lyon			
Comments: Completed by Tomanek, Dominika (action officer) on 29 November 2022 at 9:00:42 AM - Noted. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-592	Application of Road Access and Safety Principles Report: I2022/865	27/10/2022	7/12/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.2 Application of Road Access and Safety Principles File No: I2022/865			
<u>Committee Recommendation 4.2.1</u>			
The Infrastructure Advisory Committee recommend that Council:			
<ol style="list-style-type: none">Places the Draft Road Access and Safety Principles Policy (attachment 1 of Report 4.2 to Floodplain Management Advisory Committee Agenda E2021/47301) on public exhibition in accordance with Council policy.Supports development of the Road Access and Safety Principles through a Road Safety Plan that is prepared once the Byron Integrated Transport Strategy (Moving Byron) is formally adopted			
Mover: Sarah Ndiaye Seconder: Michael Lyon			
Comments: Completed by Cornwall, Judd (action officer) on 07 December 2022 at 3:40:40 PM - 2. Moving Byron Strategy has been endorsed by the Moving Byron Committee, and will be reported to Council on the 15 December 2022. The RASPS will be formulated into a Shire "Road Safety Plan" as part of the ITP works in partnership with Transport for New South Wales.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-593	Paterson Street Road Safety Concerns petition Report: I2022/864	27/10/2022	11/11/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.3	Paterson Street Road Safety Concerns Petition		
File No: I2022/864			
<u>Committee Recommendation 4.3.1</u>			
That Council investigates a footpath linking the existing BB022 shared footpath on Massinger Street, between Lawson Street and Marvel Street extending to Bangalow Road via Paterson Street as part of a future review of footpaths and priorities in Council's Pedestrian Access and Mobility Plan.			
Mover: Sarah Ndiaye		Seconder: Michael Lyon	
Comments:			
Completed by Cornwall, Judd (action officer) on 11 November 2022 at 1:20:35 PM - This matter will be addressed within the review of the PAMP. It was recommended at the Infrastructure Advisory Committee that: That Council staff investigate a footpath linking the existing BB022 shared footpath on Massinger Street, between Lawson Street and Marvel Street extending to Bangalow Road via Paterson Street as part of a future review of footpaths and priorities in Council's Pedestrian Access and Mobility Plan.			

Res No	Report Title	Meeting Date	Completed Date
22-597	PLANNING - Supplementary Report res 22-248 10.2021.470.1 Mullumbimby Ex Services Club at Dalley Street Mullumbimby Report: I2022/1315	27/10/2022	6/12/2022
Directorate: Sustainable Environment and Economy Officer: Docherty, Patricia			
Resolved:			
1. That Council considers the written offer signed by the Mullumbimby Ex Services Club pursuant to S7.7 (3) of the Environmental Planning and Assessment Act for a specified dollar (\$) amount of \$54,499.66 in lieu of 6.30 on site car spaces @ \$ 8,650.74 per space in accordance with Byron DCP 2014 Chapter B4 Traffic Planning, Vehicle Parking, Circulation and Access - Section B4.2.10 Monetary Contributions.			
2. That Pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2021.470.1 for Alterations and Additions to the Mullumbimby Ex-Services Club Ltd, be granted consent subject to the conditions of approval attached to this report with one modification which is the removal of option B from condition 12 and deletes condition 39.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments:			
Completed by Scott, Noreen on behalf of Docherty, Patricia (action officer) on 06 December 2022 at 12:38:29 PM - notice of determination issued #A2022/41935			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-598	Report of the Heritage Advisory Committee Meeting held on 15 September 2022 Report: I2022/1279	27/10/2022	14/11/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Council notes the minutes of the Heritage Advisory Committee Meeting held on 15 September 2022.			
Mover: Sama Balson		Seconded: Sarah Ndiaye	
Comments: Completed by Larkin, Chris (action officer) on 14 November 2022 at 10:44:39 AM - noted			

Res No	Report Title	Meeting Date	Completed Date
22-599	Heritage Program Update Report: I2022/1084	27/10/2022	6/12/2022
Directorate: Sustainable Environment and Economy Officer: Scott, Noreen			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 3.1 Heritage Program Update File No: I2022/1084			
<u>Committee Recommendation 3.1.1</u>			
That the Heritage Advisory Committee:			
1. Notes the heritage program update report.			
2. Supports a report being prepared to Council to progress a Planning Proposal for the following six properties to be included into the Byron LEP 2014:			
<input type="checkbox"/> 7 Leslie Street, Bangalow			
<input type="checkbox"/> Carabene Ewingsdale Road Ewingsdale			
<input type="checkbox"/> 40 Cowper Street, Byron Bay			
<input type="checkbox"/> Robinson Subdivision and group of cottages Lismore Road, Bangalow			
<input type="checkbox"/> Longfield, 175 Wilsons Creek Road, Mullumbimby			
<input type="checkbox"/> 221 Coolamon Scenic Drive, Coorabell			
Mover: Sama Balson		Seconded: Sarah Ndiaye	
Comments: Completed by Scott, Noreen (action officer) on 06 December 2022 at 11:37:30 AM - report to 8 December planning meeting re proposed heritage listings			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-600	Heritage colours Report: I2022/1088	27/10/2022	6/12/2022
Directorate: Sustainable Environment and Economy Officer: Scott, Noreen			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 3.3 Heritage colours File No: I2022/1088			
<u>Committee Recommendation 3.3.1</u>			
That the Heritage Advisory Committee:			
1. Notes the staff report on heritage colours and provides feedback on Byron Development Control Plan 2014 Chapter C1.4.5 Colours.			
2. Requests Council to clarify the existing preferred heritage colour range and conduct community consultation in reference to Council resolution 22-455 point 3.			
Mover: Sama Balson		Seconder: Sarah Ndiaye	
Comments: Completed by Scott, Noreen (action officer) on 06 December 2022 at 11:39:13 AM - 1 noted, 2. community consultation to occur online in early 2023. Report to follow			

Res No	Report Title	Meeting Date	Completed Date
22-601	Report of the Floodplain Management Advisory Committee Meeting held on 11 October 2022 Report: I2022/1478	27/10/2022	29/11/2022
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council notes the minutes of the Floodplain Management Advisory Committee Meeting held on 11 October 2022.			
Mover: Duncan Dey		Seconder: Sama Balson	
Comments: Completed by Tomanek, Dominika (action officer) on 29 November 2022 at 9:00:51 AM - Noted. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-602	Adoption of Minutes from Previous Meeting Report: I2022/1399	27/10/2022	29/11/2022
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council adopt the following Committee Recommendation:			
Report No. 3.1 Adoption of Minutes from Previous Meeting File No: I2022/1399			
<u>Committee Recommendation 3.1.1</u>			
That the minutes of the Floodplain Management Advisory Committee Meeting held on 16 June 2022 be confirmed.			
Mover: Duncan Dey		Seconder: Sama Balson	
Comments: Completed by Tomanek, Dominika (action officer) on 29 November 2022 at 9:02:22 AM - Noted. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-611	Annual Review of GM's Performance Report: I2022/1400	27/10/2022	30/11/2022
Directorate: General Manager Officer: Armstrong, Kylie			
Resolved:			
1. That Council notes the findings and endorses recommendations from the performance review panel with respect to the annual performance review for the General Manager contained in Attachment 1 (E2022/97969).			
2. That Council endorses the 2022/2023 Performance Agreement for the General Manager contained in Attachment 2 (E2022/97833).			
3. That Council offers a new contract of employment to the existing General Manager.			
4. That Council delegates to the Mayor authority, following consultation with Councillors, to enter into a contract of employment on Council's behalf with the existing General Manager with the contract commencing on 2 July 2023.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Armstrong, Kylie (action officer) on 30 November 2022 at 11:21:46 AM - all actions finalised			

Res No	Report Title	Meeting Date	Completed Date
22-617	PLANNING - Report of the Planning Review Committee held 6 October 2022 Report: I2022/1424	10/11/2022	6/12/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council endorses the outcomes of the Planning Review Committee meeting held on 6 October 2022. (Lyon/Westheimer)			
Mover:		Seconder:	
Comments: Completed by Scott, Noreen on behalf of Burt, Shannon (action officer) on 06 December 2022 at 11:41:17 AM - report ned and endorsed			

Res No	Report Title	Meeting Date	Completed Date
22-618	PLANNING - 10.2021.752.1 - Demolition of Existing Dual Occupancy and Ancillary Structures, New Dual Occupancy (Attached), Two (2) Swimming Pools, Removal of Two (2) Trees and Strata Subdivision - 140 Alcorn Street, Suffolk Park Report: I2022/1436	10/11/2022	6/12/2022
Directorate: Sustainable Environment and Economy Officer: Johnstone, Dylan			
Resolved that demolition of existing dual occupancy and ancillary structures, new dual occupancy (attached), two (2) swimming pools, removal of two (2) trees and strata subdivision, be granted consent subject to the conditions in Attachment 4 (#E2022/101359).			
Mover: Michael Lyon		Seconder: Peter Westheimer	
Comments: Completed by Scott, Noreen on behalf of Johnstone, Dylan (action officer) on 06 December 2022 at 12:28:01 PM - notice of determination issued #A2022/45533 10/11/22			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-619	PLANNING - Quarter 3 SEPP Variations July to September 2022 Report: I2022/1487	10/11/2022	14/11/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Council adopts the report on exceptions to development standards for the period July to September 2022.			
Mover: Michael Lyon		Seconder: Peter Westheimer	
Comments: Completed by Larkin, Chris (action officer) on 14 November 2022 at 10:42:27 AM - Noted			

Res No	Report Title	Meeting Date	Completed Date
22-620	PLANNING - 10.2021.425.1 Community Title Subdivision Twenty (20) Lots, Multi-Dwelling Housing comprising of Twenty (20) Dwelling Houses Report: I2022/1491	10/11/2022	17/11/2022
Directorate: Sustainable Environment and Economy Officer: Holland, Ivan			
Resolved that pursuant to Section 4.16 of the <i>Environmental Planning & Assessment Act 1979</i> , Development Application No. 10.2021.425.1 for community title subdivision twenty (20) lots, multi-dwelling housing comprising of twenty (20) dwelling houses, be granted consent subject to the conditions of approval in attachment 3.			
Mover: Michael Lyon		Seconder: Peter Westheimer	
Comments: Completed by Holland, Ivan (action officer) on 17 November 2022 at 11:06:13 AM - Determination documents completed ready for issue			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-623	Bring Julian home; drop the charges Report: I2022/1532	10/11/2022 Directorate: General Manager Officer: Spinner, Zali	15/12/2022
Resolved that Council:			
1.	Recognises Julian Assange is an Australian citizen and a journalist with WikiLeaks who aided in exposing possible war crimes and civilian casualties in the release of documents which included Afghanistan War logs in 2010 and Guantanamo Bay files in 2011, supplied to WikiLeaks by Chelsea Manning, a former United States Army intelligence analyst.		
2.	Acknowledges Mr Assange genuinely believed his actions were for the purpose of: a) government accountability, transparency and integrity; and b) the broader public interest and for the interest of justice.		
3.	Notes that since the publication of those documents, Mr Assange has been forced into isolation or imprisoned over the course of 10 years (including 4 years in His Majesty's Prison Belmarsh) resulting in the serious deterioration of his health and mental wellbeing.		
4.	Recognises Mr Assange's impending prosecution by the United States of America constitutes a serious attack on the fundamental democratic freedoms of the press.		
5.	Questions: a) the legitimacy of prosecuting Mr Assange in the United States through that country's Espionage Act of 1917 (carrying a penalty of up to 175 years imprisonment); b) whether that Act applies to non-US citizens either living and / or working in other countries, at the time of any alleged offending; and c) whether, by approving the extradition, the UK Government isn't violating the US-UK Extradition Treaty and international law which states that extradition should not be for political purposes.		
6.	Calls on the Mayor to write: a) to President of the United States, Joe Biden, expressing Council's desires that President Biden (i) show clemency by intervening in the extradition and prosecution of Mr Assange, and (ii) instruct the US Attorney-General and the US Department of Justice to withdraw all charges on medical and humanitarian grounds; b) to the Prime Minister of Australia, the Right Honourable Anthony Albanese, and to Minister for Foreign Affairs, the Honourable Senator Penny Wong, requesting them to write to the President of the United States and to the US Ambassador to Australia, Ms Caroline Kennedy, expressing Australia's concerns regarding Mr Assange's prosecution.		
7.	Notes a poll conducted by the Sydney Morning Herald in January 2022 which showed 71% support for Mr Assange being returned to Australia.		
Mover: Duncan Dey		Seconded: Sarah Ndiaye	
Comments: Completed by Spinner, Zali (action officer) on 15 December 2022 at 12:10:50 PM - Letters to Prime Minister, Foreign Minister, and President of the United States were sent out on 24/11/22. Doc references: E2022/113846, E2022/113851, E2022/113860.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-627	PLANNING - 10.2021.212.1 Temporary Use - Rural Function Centre at 36 Keys Road, Coorabell Report: I2022/892	10/11/2022	6/12/2022
	Directorate: Sustainable Environment and Economy Officer: Docherty, Patricia		
	<p>Resolved that pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2021.212.1 for Temporary Use - Rural Function Centre, be granted consent subject to the conditions of approval as presented in Attachment 2 to this Report 13.3 with the following amendments:</p> <p><u>Amend Condition 2 To read</u></p> <p>2. NSW Police and Byron Shire Council requirements</p> <p>The following conditions must be complied with at all times:</p> <p>a. The sale, supply and/or consumption of liquor shall be prohibited, unless an appropriate 'Liquor Licence' is in force.</p> <p>b. Events/Functions shall be limited to a maximum of twenty (20) per year & not more than one (1) event/function per week. No more than one (1) event will be held at the function centre on any one weekend (Friday to Sunday). Only one (1) function can occur at any given time.</p> <p>c. A register specifying the event/function type, date, trading hours and expected & then actual patron numbers shall be kept, and updated for each event. This register shall be made public and searchable on a website or similar and shall be immediately produced to Council Inspector and/or Police Officer on request. The register to be maintained by the owners of the property.</p> <p>d. The proponent must provide Council and Local Police District Commander with written notice of any event/function at least seven (7) days prior. This notice must specify event/function type, date, trading hours & expected patron numbers.</p> <p>e. A written letter to be dropped in immediately adjoining residential properties is to be completed no later than 7 days before bump in activities commence. The written notice is to include details including name, contact details, and phone number of the nominated Manager as well as a complaints management process. The complaints management process must be a user friendly procedure for recording remedying complaints made by members of the public. Information on how to lodge a complaint must be clearly detailed in the letter.</p> <p>Provision of a sign located so that it can be viewed from a public space outside of the property notifying the name and contact phone number of the nominated manager is to be installed prior to and during each event.</p> <p>f. Hours of Operation shall be 12:00pm until 10:00pm seven (7) days, hours of operation shall be reviewable every twelve 12 months including after twelve (12) months of operation and at again at twenty-four 24 months of operation subject to the satisfaction of NSW Police and Byron Shire Council. Note. See Trial Period.</p> <p>g. The maximum number of patrons permitted on the venue at any one time is one hundred & fifty (150) excluding the event staff & organizer.</p> <p>h. Entertainment shall be restricted by type - the type of entertainment permitted shall be restricted to acoustic soloists & duos and/or low background amplified music only.</p> <p>i. The LA10 noise level emitted from the development shall not exceed the background noise level in any Octave Band centre Frequency (31.5Hz - 8kHz inclusive) by more than 5dB between 07:00am and 12:00 midnight at the boundary of any affected residence.</p> <p>Notwithstanding compliance with the above, the noise from the development shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 07:00 am.</p> <p>j. The development must not generate traffic, parking or light spill that will significantly impact on residences in surrounding areas.</p> <p>k. The development must not impair the use of the surrounding land for agriculture or rural industries.</p> <p>l. The development is not for the purpose of a convention centre, exhibition centre or for music festivals.</p> <p>m. The use of fireworks, helicopters and/or other comparable activities is prohibited to occur on this site at all times.</p> <p>n. Under no circumstances are patrons to enter another property. The Events Management Plan must include arrangements to ensure patrons remain on the site to avoid illegal trespass and any potential biosecurity incursions.</p> <p>The written contract for each event is to include a provision to ensure the event manager is briefed on the importance of biosecurity in rural settings even if there is no obvious farming activity nearby.</p> <p><u>Amend Condition 4 to read</u></p>		

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

4. Annual reviews of this consent

The hours of operation and/or of other parameters of this Consent can be reviewed, if required by NSW Police and/or by Byron Shire Council after a review to be conducted every twelve (12) months. Those reviews will also consider any complaints made and substantiated over the period of this Consent.

Amend Condition 6a to read

a) not redirect the flow of any surface water or ground water onto an adjoining property, or cause sediment to be transported onto an adjoining property or into a waterway (including the Wilsons River)

Amend Condition 11 to read

11. Access road - signage to be installed

Clear and obvious signage is to be installed along the access road raising awareness of the potential presence of koalas and other native fauna.

Amend Condition 22

22. Traffic management plan

Consent from Council must be obtained for a Traffic Management Plan pursuant to Section 138 of the Roads Act 1993. The plans and specifications are to include the measures to be employed to control traffic during the event from the intersection of Coorabell Road and Keys Road leading into the development access. The traffic management plan is to be designed in accordance with the requirements of the Roads and Traffic Authority's Manual, Traffic Control at Work Sites Version 2, and the current Australian Standards, Manual of Uniform Traffic Control Devices Part 3, 'Traffic Control Devices for Works on Roads'.

The report must incorporate measures to ensure that motorists using road adjacent to the development, residents and pedestrians in the vicinity of the development are subjected to minimal time delays due to the event.

The traffic management plan must be prepared by a suitably qualified and RTA accredited Work Site Traffic Controller

Mover: Duncan Dey

Seconder: Michael Lyon

Comments:

Completed by Scott, Noreen on behalf of Docherty, Patricia (action officer) on 06 December 2022 at 12:04:59 PM - Notice of Determination issued with all amendments #A2022/47134

Res No	Report Title	Meeting Date	Completed Date
22-631	Revised Constitution of Climate Change and Resource Recovery Advisory Committee Report: I2022/1508	10/11/2022	15/11/2022
	Directorate: Sustainable Environment and Economy Officer: Adams, Julia		
	Resolved that Council defers the discussion of the proposed constitution at Attachment 1 (E2021/148037) and the proposition that Councillor Dey join the Committee.		
	Mover: Asren Pugh	Seconder: Michael Lyon	
	Comments:		
	Completed by Adams, Julia (action officer) on 15 November 2022 at 3:46:44 PM - Resolution noted, and report has been deferred to the Climate Change and Resource Recovery Advisory Committee for review and discussion.		

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-633	PLANNING - 10.2021.619.1 Demolition of Existing Structures and Construction of Multi Dwelling Housing comprising of Four (4) Dwellings and Strata Subdivision at 99 Station Street - Mullumbimby Report: I2022/1511	10/11/2022	6/12/2022
Directorate: Sustainable Environment and Economy Officer: Denize, Steven			
Resolved that pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2021.619.1 for demolition of existing structures and construction of multi dwelling housing comprising of four (4) dwellings and strata subdivision, be granted consent subject to the conditions of approval in Attachment 1 subject to the following amendments: Condition 6 be amended to include: Acoustic enclosure or relocation of the outdoor air conditioning units to be included on the construction certificate plans for approval.			
Mover: Duncan Dey		Seconder: Sarah Ndiaye	
Comments: Completed by Scott, Noreen on behalf of Denize, Steven (action officer) on 06 December 2022 at 12:08:47 PM - Notice of determination issued with amendments as per resolution #E2022/119312			

Res No	Report Title	Meeting Date	Completed Date
22-635	Draft 2021/2022 Financial Statements Report: I2022/1687	24/11/2022	3/12/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved:			
1. That Council adopts the Draft 2021/2022 Financial Statements incorporating the General Purpose Financial Statements (#E2022/112363) and Special Purpose Financial Statements (#E2022/112364).			
2. That Council approves the signing of the "Statement by Councillors and Management" in accordance with Section 413(2)(c) of the Local Government Act 1993 and Section 215 of the Local Government (General) Regulation 2021 in relation to the 2021/2022 Draft Financial Statements.			
3. That the Audited Financial Statements and Auditors Report be presented to the public at the Ordinary Meeting of Council scheduled for 15 December 2022 in accordance with Section 418(1) of the Local Government Act 1993.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Brickley, James (action officer) on 03 December 2022 at 10:55:55 AM - Audit Reports received on 25 November 2022. Financial Statements lodged with Office of Local Government on 26 November 2022. Financial Statements being presented to the public at the 15 December 2022 Ordinary Council Meeting. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-636	2022/23 Operational Plan Report - Q1 - September 2022 Report: I2022/1550	24/11/2022	2/12/2022
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved:			
1. That Council notes the 2022/23 Operational Plan Quarter 1 Report for the period ending 30 September 2022 (Attachment 1 #E2022/102504).			
2. That Council adopts the proposed amendments to the Operational Plan 2022/23 outlined in Attachment 2 (#E2022/84682).			
Mover: Michael Lyon		Second: Sarah Ndiaye	
Comments: Completed by Sills, Heather (action officer) on 02 December 2022 at 1:24:32 PM - 1. Q1 report published on Council's website. 2. Endorsed amendments updated in Council's corporate reporting system.			

Res No	Report Title	Meeting Date	Completed Date
22-637	Council Resolutions Quarterly Review - Q1 - 1 July to 30 September 2022 Report: I2022/1611	24/11/2022	2/12/2022
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved:			
1. That Council notes the information provided in this report on active Council Resolutions in Attachment 1 (#E2022/95661).			
2. That Council notes the completed Resolutions in Attachment 2 (#E2022/95738).			
3. That Council endorses the closure of Resolutions 22-001 and 22-120 as identified in Table 1: Council resolutions that are to be closed; and included in the completed Resolutions in Attachment 2 (#E2022/95738).			
Mover: Michael Lyon		Second: Sarah Ndiaye	
Comments: Completed by Sills, Heather (action officer) on 02 December 2022 at 1:26:36 PM - Noted. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-638	Council Investments - 1 October 2022 to 31 October 2022 Report: I2022/1613	24/11/2022	3/12/2022
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 October 2022			
Mover: Michael Lyon		Second: Sarah Ndiaye	
Comments: Completed by Brickley, James (action officer) on 03 December 2022 at 10:56:59 AM - No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-639	Grants October 2022 Report: I2022/1621	24/11/2022	28/11/2022
Directorate: Corporate and Community Services Officer: Johnston, Donna			
Resolved			
1. Council notes the report and Attachment 1 (#E2022/107655) for Byron Shire Council's grant submissions as at 31 October 2022.			
2. Council endorses the following project applications under the NSW Government Infrastructure Betterment Fund: a) Sandhills Wetlands Stormwater Retention Basin b) Byron Bay Drainage Implementation – Stage 1 c) Shire-wide automated flood signage d) New City Road and Avocado Court Drainage Betterment Program			
3. Council endorses the following project applications under the Regional Roads Transport Recovery a) Betterment of Mullumbimby Road b) Betterment of Wilsons Creek Road c) Main Arm Road Flood Resilience Upgrade			
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments: Completed by Johnston, Donna (action officer) on 28 November 2022 at 4:44:14 PM - Noted			

Res No	Report Title	Meeting Date	Completed Date
22-640	Recovery Action Plan Report: I2022/1617	24/11/2022	14/12/2022
Directorate: Corporate and Community Services Officer: Cheema, Geeta			
Resolved that Council adopts the Recovery Action Plan 2022-2024 in Attachment 1 (E2022/92056).			
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments: Completed by Cheema, Geeta (action officer) on 14 December 2022 at 11:03:12 AM - The Recovery Action Plan (RAP) was adopted by Council on 24 November 2022. The RAP will be published on Byron Shire Council's website.			

Res No	Report Title	Meeting Date	Completed Date
22-641	Refinance of Waste Loan No 66 Report: I2022/1652	24/11/2022	3/12/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council:			
1. Refinance Loan No 66 with a principal value of \$1,000,000 over the remaining ten year loan term and delegate to the General Manager to accept a loan finance offer based on these terms.			
2. Authorise a one off additional loan principal repayment of \$603,000 funded from the Other Waste Reserve on the maturity date of Loan No 66.			
3. Increase the overall Council loan principal repayment budget by \$603,000 from \$4,089,300 to \$4,692,300 for the 2022/2023 financial year.			
4. Authorise the affixing of the Council seal to all documents that may require it, in regard to this loan refinancing.			
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments: Completed by Brickley, James (action officer) on 03 December 2022 at 10:58:16 AM - Loan offer received from Bank on 28 November 2022. Offer accepted on 28 November 2022 with loan settlement scheduled for 5 December 2022. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-642	Byron Shire Local Heritage Grants Program 2022-23 Report: I2022/1551	24/11/2022	6/12/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved:			
1. That Council endorses the recommended funding allocations of the Byron Shire Local Places Heritage Grants Program 2022-23 for landowners to complete building repairs, enhancements, and maintenance to prominent local heritage items in main towns as follows: a) The applications in Attachments 2 and 3 to receive \$4,500 each; b) The Application in Attachment 1 to receive \$3,000;			
2. That the grant applicants be notified of Council's decision.			
Mover: Michael Lyon		Second: Sarah Ndiaye	
Comments: Completed by Scott, Noreen on behalf of Burt, Shannon (action officer) on 06 December 2022 at 11:50:05 AM - a) Letter of offer sent to both applicants being attachment 2 and 3 receiving \$4,400 #E2022/119693 and #E2022/119698, b) letter of offer sent to Applicant being Attachment 1 #E2022/119690, 2- grant applicant's notified of decision			

Res No	Report Title	Meeting Date	Completed Date
22-643	Report of the Arts and Creative Industries Advisory Committee Meeting held on 20 October 2022 Report: I2022/1528	24/11/2022	6/12/2022
Directorate: Corporate and Community Services Officer: Firth, Melitta			
Resolved that Council notes the minutes of the Arts and Creative Industries Advisory Committee Meeting held on 20 October 2022.			
Mover: Michael Lyon		Second: Sarah Ndiaye	
Comments: Completed by Firth, Melitta (action officer) on 06 December 2022 at 8:41:53 AM - Completed. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-645	Report of the Water and Sewer Advisory Committee Meeting held on 20 October 2022 Report: I2022/1605	24/11/2022	29/11/2022
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council notes the minutes of the Water and Sewer Advisory Committee Meeting held on 20 October 2022.			
Mover: Michael Lyon		Second: Sarah Ndiaye	
Comments: Completed by Tomanek, Dominika (action officer) on 29 November 2022 at 9:02:32 AM - Noted. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-653	Mayoral Fund 2022/2023 - Allocation of Funding Report: I2022/1643	24/11/2022	20/12/2022
Directorate: General Manager Officer: Spinner, Zali			
Resolved that Council confirms the donations from the Mayor's Discretionary Allowance 2022/2023 as per the recommendation in Confidential Attachment 1 (E2022/111103), including applications partially supported.			
Mover: Michael Lyon		Second: Sarah Ndiaye	
Comments: Completed by Spinner, Zali (action officer) on 20 December 2022 at 11:21:15 AM - All successful and unsuccessful applicants notified. See copy of correspondence in folder - F690\011.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date																																																																																
22-654	Meeting Schedule 2023 - Council Meetings, Committee Meetings, and Councillor Workshops Report: I2022/1445	24/11/2022	22/12/2022																																																																																
	Directorate: Corporate and Community Services Officer: Evans Crane, Amber																																																																																		
Resolved:																																																																																			
1.	That Council endorses the meeting frequency and cycle to generally follow the monthly pattern of:																																																																																		
	1st Thursday – Councillor Workshop & Planning Review Committee																																																																																		
	2nd Thursday - Planning Meeting																																																																																		
	3rd Tuesday – Committee meetings																																																																																		
	3rd Thursday - Committee meetings																																																																																		
	4th Thursday - Ordinary Meeting																																																																																		
	5th Thursday (where applicable) – Committee meetings or Councillor Workshop																																																																																		
2.	That Council continues to support a recess in January and July each year, where no meetings are scheduled.																																																																																		
3.	That Council adopts the following schedule of Ordinary and Planning Council Meetings, Councillor Workshops, and Committee Meetings for 2023:																																																																																		
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COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Quarterly Budget review updated in Authority system.

Res No	Report Title	Meeting Date	Completed Date
22-660	Report of the Coast and ICOLL Advisory Committee Meeting held on 20 October 2022 Report: I2022/1533	24/11/2022	6/12/2022
Directorate: Sustainable Environment and Economy Officer: Dowsett, Chloe			
Resolved that Council:			
1. Notes the minutes of the Coast and ICOLL Advisory Committee Meeting held on 20 October 2022.			
2. In relation to the Committee's report 4.1, support ongoing development of Council's Integrated Management System (IMS).			
3. In relation to the Committee's report 4.2, notes that:			
a) development is continuing of CMP's and CMP projects for the Byron Shire coastline,			
b) issues including lack of funding are hindering progress of the CMP's.			
4. Adopts the pathway forward and next steps for CMP preparation as recommended in the Committee's report 4.2, including dividing into several CMP's for geographical areas of our coastal zone (Tallow, Belongil and Brunswick Estuaries) and considering dividing our open coast into 3 segments.			
5. In relation to Committee report 4.3, notes the project "Bringing Back the Bruns" is ongoing.			
Mover: Duncan Dey		Seconded: Michael Lyon	
Comments: Completed by Dowsett, Chloe (action officer) on 06 December 2022 at 12:57:46 PM - All items of the resolution are noted by staff and considered in the preparation of Coastal Management Programs (CMPs).			

Res No	Report Title	Meeting Date	Completed Date
22-662	Report of the Local Traffic Committee Meeting held on 15 November 2022 Report: I2022/1698	24/11/2022	29/11/2022
Directorate: Infrastructure Services Officer: Flower, Shelley			
Resolved that Council notes the minutes of the Local Traffic Committee Meeting held on 15 November 2022.			
Mover: Michael Lyon		Seconded: Duncan Dey	
Comments: Completed by Flower, Shelley (action officer) on 29 November 2022 at 2:31:18 PM - Noted. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-663	Report No. 6.1 Additional information regarding Byron Bay Traffic and Pedestrian Management Strategy for the Christmas & New Years eve Period 2022 Report: I2022/1524	24/11/2022	29/11/2022
Directorate: Corporate and Community Services Officer: Bradbury, Richard			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.1	Additional information regarding Byron Bay Traffic and Pedestrian Management Strategy for the Christmas & New Years eve Period 2022		
File No: I2022/1524			
<u>Committee Recommendation 6.1.1</u>			
That the Local Traffic Committee notes:			
1.	The type of regulatory signage used in the TCP's is the appropriate signage endorsed by a qualified authority, and		
2.	That updated TCP's are provided for the information of the Committee showing altered traffic control arrangements, including the addition of Traffic Controllers in key areas over the event period.		
Mover: Michael Lyon		Seconder: Duncan Dey	
Comments: Completed by Bradbury, Richard (action officer) on 29 November 2022 at 1:28:21 PM - The resolution of the LTC has been noted and incorporated into the project plan for the Soul Street event.			

Res No	Report Title	Meeting Date	Completed Date
22-667	Mobile Library Suffolk Park, Beech Drive, Suffolk Park Report: I2022/1619	24/11/2022	30/11/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 6.6	Mobile Library Suffolk Park, Beech Drive, Suffolk Park		
File No: I2022/1619			
<u>Committee Recommendation 6.6.1</u>			
That the Local Traffic Committee endorse the installation of the no parking signage shown in figure 1.			
Mover: Michael Lyon		Seconder: Duncan Dey	
Comments: Completed by Cornwall, Judd (action officer) on 30 November 2022 at 3:30:20 PM - The signage for this program has been installed.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-668	Report No. 6.7 Intersection Reprioritisation - Tincogan Street at Dalley Street and Stuart Street Report: I2022/1632	24/11/2022	30/11/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendation 6.7.1 and subject to Local Traffic Committee endorsement at its 30 November 2022 Extraordinary meeting include the addition of a zebra crossing at the refuge location in attachment 1 (E2022/108371) and 2 (E2022/108372).			
That If a zebra crossing is not supported by the LTC, the reprioritisation of the intersections proceed while zebra crossing options are further investigated.			
Report No. 6.7 Intersection Reprioritisation - Tincogan Street at Dalley Street and Stuart Street File No: I2022/1632			
<u>Committee Recommendation 6.7.1</u>			
That the Local Traffic Committee endorse the reprioritisation of the intersections of Stuart / Tincogan Street and Dalley / Tincogan Street based on the layout contained within attachment 1 (E2022/108371) and 2 (E2022/108372) of this report.			
22-669			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 6.8 Station Street, Bangalow - Accessible Parking Space File No: I2022/1637			
<u>Committee Recommendation 6.8.1</u>			
That the Local traffic Committee support the provision for an accessible parking space adjacent 19 Station Street, Bangalow			
Mover: Michael Lyon		Seconder: Duncan Dey	
Comments: Completed by Cornwall, Judd (action officer) on 30 November 2022 at 3:33:25 PM - This action has been approved (Council and LTC) and will start construction this month.			

Res No	Report Title	Meeting Date	Completed Date
22-673	PLANNING - DA 10.2022.107.1 - 3 Lot Subdivision - 23 Bayshore Drive, Byron Bay Report: I2022/1558	08/12/2022	20/12/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2022.107.1 for Subdivision one (1) lot into three (3) lots, be granted consent subject to the conditions in Attachment 1 (E2022/106022).			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Scott, Noreen on behalf of Larkin, Chris (action officer) on 20 December 2022 at 10:07:33 AM - notice of determination issued #E2022/124753			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-674	PLANNING - Report of the Planning Review Committee held 3 November 2022 Report: I2022/1631	08/12/2022	20/12/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Council endorses the outcomes of the Planning Review Committee meeting held on 3 November 2022. Mover: Michael Lyon Seconded: Alan Hunter			
Comments: Completed by Scott, Noreen on behalf of Larkin, Chris (action officer) on 20 December 2022 at 10:04:25 AM - minutes noted			

Res No	Report Title	Meeting Date	Completed Date
22-675	13.10 PLANNING - DA 10.2021.685.1 - New Dwelling to Create Dual Occupancy (Detached), Swimming Pool and Strata Subdivision to create Two (2) Lots and Common Property – 2 Keats Street, Byron Bay Report:	08/12/2022	9/12/2022
Directorate: Sustainable Environment and Economy Officer: Smith, Greg			
Resolved that Development Application No. 10.2021.685.1 for New Dwelling to Create Dual Occupancy (Detached), Swimming Pool and Strata Subdivision to create Two (2) Lots and Common Property, be deferred until the 15 December 2022 pending advice on a suitable condition for the use of the shed and Condition 55(d). Mover: Alan Hunter Seconded: Michael Lyon			
Comments: Completed by Smith, Greg (action officer) on 09 December 2022 at 12:39:54 PM - Report prepared for Council meeting on 15/12/2022.			

Res No	Report Title	Meeting Date	Completed Date
22-676	PLANNING - DA 10.2022.370.1 - Use of alterations and additions to farm building, use of farm building as a cool room – 252 Middle Pocket Road Middle Pocket Report: I2022/1692	08/12/2022	14/12/2022
Directorate: Sustainable Environment and Economy Officer: Wall, Lachlan			
Resolved that pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2022.370.1 for Use of Alterations and Additions to Farm Building, Use of Farm Building as a Cold Room, be refused for the following reasons: <ol style="list-style-type: none">1. The development application is not satisfactory having regard to Section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act 1979 because the development is not a farm building by definition in the dictionary under clause 1.4 of the Byron Local Environmental Plan 2014, and is not permitted with development consent in the RU2 Zone.2. The development application is not satisfactory having regard to Section 4.15(1)(a)(iii) of the Environmental Planning & Assessment Act 1979 because the development does not comply with the objectives and performance criteria of Chapter D2.7.2 Farm Buildings, Sheds and other Structures of the Byron Development Control Plan 2014.3. The development application is not satisfactory having regard to Section 4.15(1)(b) of the Environmental Planning & Assessment Act 1979 and will have an adverse economic impact on rural land.4. The development application is not satisfactory having regard to Section 4.15(1)(e) of the Environmental Planning & Assessment Act 1979 because the development is not in the public interest. Mover: Michael Lyon Seconded: Alan Hunter			
Comments: Completed by Wall, Lachlan (action officer) on 14 December 2022 at 10:20:35 AM - Notice of Determination prepared and sent to development support team for issuing.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-679	Federal Village Main Street Concept Design Report: I2022/1483	08/12/2022	9/12/2022
Directorate: Sustainable Environment and Economy Officer: FitzGibbon, Andrew			
Resolved that Council endorses the Federal Main Street Concept Plan (as shown in Attachment 1 E2022/111275) to proceed to engineering design and costing, with a request for further community consultation on: a) the movement and management of buses in the design b) the width of footpaths in the design			
Mover: Duncan Dey		Secunder: Michael Lyon	
Comments: Completed by FitzGibbon, Andrew (action officer) on 09 December 2022 at 11:43:28 AM - 1 - Noted and Complete			

Res No	Report Title	Meeting Date	Completed Date
22-684	Expressions of Interest for Next Place Plan Report: I2022/1437	08/12/2022	20/12/2022
Directorate: Sustainable Environment and Economy Officer: Hawton, Isabelle			
Resolved that Council: 1. Selects the following locations for Place Plans to proceed in the order of priority: 1. Ocean Shores, 2. South Golden Beach 3. Brunswick Heads 2. Requests a further report to Council providing a detailed Place Plan project scope, methodology and budget for the first priority location, Ocean Shores. 3. Notes that given current budget constraints, a Place Plan for the first priority location, Ocean Shores, should be considered in the 2024/25 financial year			
Mover: Michael Lyon		Secunder: Peter Westheimer	
Comments: Completed by Hawton, Isabelle (action officer) on 20 December 2022 at 10:26:45 AM - Staff preparing scope and methodology for place plan for Ocean Shores.			

Res No	Report Title	Meeting Date	Completed Date
22-687	PLANNING - S4.55 Application No. 10.2014.743.5 - for Modified Stage 3 Design, to Increase the Number of Dwellings from 8 to 10 and Revised Internal Driveway Configuration - at 41 Matong Drive, 43 Matong Drive, 2 Kulgun Court and Pacific Highway, Ocean Shores Report: I2022/1549	08/12/2022	13/12/2022
Directorate: Sustainable Environment and Economy Officer: Smith, Greg			
Resolved that pursuant to Section 4.55 of the Environmental Planning & Assessment Act 1979, that Application No. 10.2014.743.5, for S4.55 for Modified Stage 3 Design, to Increase the Number of Dwellings from 8 to 10 and Revised Internal Driveway Configuration, be approved by modifying Development consent number 10.2014.743.1 in accordance with the recommended Modifications to Consent in Attachment 1.			
Mover: Duncan Dey		Secunder: Michael Lyon	
Comments: Completed by Smith, Greg (action officer) on 13 December 2022 at 1:53:56 PM - The Notice of Determination for Approval of the Application Uploaded to Planning Portal on 13/12/2022.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-695	Lease for Massinger Street Children's Treehouse Artwork Report: I2022/1535	15/12/2022	19/12/2022
Directorate: General Manager Officer: Telford, Paula			
Resolved:			
1. That Council considers all submissions received in attachment 1 (E2022/112642) from the Public Notice on the proposed lease to Ms Coppin over an unused portion of road reserve adjoining 77 Massinger Street, Byron Bay; and			
2. That Council delegates the General Manager authority to enter into a lease with Ms Coppin over an unused section of Massinger Street adjoining the property at 77 Massinger Street, Byron Bay in accordance with Resolution (22-546).			
Mover: Michael Lyon		Seconded: Mark Swivel	
Comments: Completed by Telford, Paula (action officer) on 19 December 2022 at 9:32:09 AM - Lease offered to Melanie Coppin (E2022/125642) in accordance with resolution 22-695.			

Res No	Report Title	Meeting Date	Completed Date
22-696	Request to change market day Report: I2022/1560	15/12/2022	19/12/2022
Directorate: General Manager Officer: Telford, Paula			
Resolved that Council, having considered any submissions received following public notice of the proposal, authorises a variation to the Railway Park Artisan Market Licence held by the Byron Bay Community Association Incorporation to move the scheduled Railway Park Artisan Market Day from 24 December 2022 to 23 December 2022.			
Mover: Michael Lyon		Seconded: Mark Swivel	
Comments: Completed by Telford, Paula (action officer) on 19 December 2022 at 9:33:49 AM - Letter to Byron Bay Community Association permitting change of market day (E2022/12652) in accordance with resolution 22-696.			

Res No	Report Title	Meeting Date	Completed Date
22-698	Presentation of 2021-2022 Financial Statements Report: I2022/1776	15/12/2022	30/12/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that the Audited Financial Statements and Auditors Report for the 2021-2022 financial year be presented to the public in accordance with Section 419(1) of the Local Government Act 1993.			
Mover: Michael Lyon		Seconded: Mark Swivel	
Comments: Completed by Brickley, James (action officer) on 30 December 2022 at 3:31:11 PM - No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-699	Council Investments - 1 November 2022 to 30 November 2022 Report: I2022/1797	15/12/2022	30/12/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council notes the report listing Council's investments and overall cash position as of 30 November 2022.			
Mover: Michael Lyon		Seconded: Mark Swivel	
Comments: Completed by Brickley, James (action officer) on 30 December 2022 at 3:25:47 PM - No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-700	Submission to Local Government Remuneration Tribunal - Mayor and Councillor Remuneration and Categories - 2023/24 Fees Report: I2022/1805	15/12/2022	22/12/2022
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved that Council endorses the submission to the Local Government Remuneration Tribunal on the fees payable to Mayors and Councillors in 2023/24 and seeks recategorisation to 'Regional Centre,' as provided in Attachment 3 (E2022/119329).			
Mover: Michael Lyon		Seconded: Mark Swivel	
Comments: Completed by Sills, Heather (action officer) on 22 December 2022 at 1:12:08 PM - Submission sent to the Local Government Remuneration Tribunal on 16 December 2022.			

Res No	Report Title	Meeting Date	Completed Date
22-702	PLANNING - 10.2022.165.1 Change of Use of Storage Area in The Basement of Level 1 to Restaurant at 139 Jonson Street BYRON BAY Report: I2022/1688	15/12/2022	20/12/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2022.165.1 for Change of Use of Storage Area in Basement of Level 1 to Restaurant, be approved subject to the conditions of consent in Attachment 2 (#E2022/118594).			
Mover: Michael Lyon		Seconded: Mark Swivel	
Comments: Completed by Scott, Noreen on behalf of Larkin, Chris (action officer) on 20 December 2022 at 10:09:15 AM - Notice of determination issued #E2022/125696			

Res No	Report Title	Meeting Date	Completed Date
22-706	PLANNING - Report of the Planning Review Committee held 1 December 2022 Report: I2022/1793	15/12/2022	20/12/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Council endorses the outcomes of the Planning Review Committee meeting held on 1 December 2022.			
Mover: Michael Lyon		Seconded: Mark Swivel	
Comments: Completed by Scott, Noreen on behalf of Larkin, Chris (action officer) on 20 December 2022 at 10:04:10 AM - minutes noted			

Res No	Report Title	Meeting Date	Completed Date
22-710	Report of the Finance Advisory Committee Meeting held on 17 November 2022 Report: I2022/1714	15/12/2022	30/12/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council notes the Minutes of the Finance Advisory Committee Meeting held on 17 November 2022.			
Mover: Michael Lyon		Seconded: Mark Swivel	
Comments: Completed by Brickley, James (action officer) on 30 December 2022 at 3:30:03 PM - No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-711	Budget Review - 1 July 2022 to 30 September 2022 Report: I2022/1648	15/12/2022	30/12/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.1 Budget Review - 1 July 2022 to 30 September 2022 File No: I2022/1648			
<u>Committee Recommendation 4.1.1</u>			
1. That Council authorises the itemised budget variations as shown in Attachment 2 (#E2022/109971) which include the following results in the 30 September 2022 Quarterly Review of the 2022/2023 Budget: a) General Fund – \$0 movement to the Estimated Unrestricted Cash Result b) General Fund - \$3,005,900 decrease in reserves c) Water Fund - \$1,536,100 decrease in reserves d) Sewerage Fund - \$278,600 decrease in reserves			
2. That Council adopts the revised General Fund Estimated Unrestricted Cash Result of (\$207,000) for the 2022/2023 financial year as at 30 September 2022.			
3. That a memo be brought to a Councillor Workshop identifying options to refocus the intent of Resolution No. 22-586 part 5 to reallocate operational funding with a view to continuing a drainage maintenance focus for the second half of the financial year.			
Mover: Michael Lyon		Seconded: Mark Swivel	
Comments: Completed by Brickley, James (action officer) on 30 December 2022 at 3:29:07 PM - Adopted by Council on 24 November 2022. No further action required. Budget revotes updated in Authority.			

Res No	Report Title	Meeting Date	Completed Date
22-713	Internal Audit Plan 2023-2024 Report: I2022/1115	15/12/2022	20/12/2022
Directorate: Corporate and Community Services Officer: Jones, Mila			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.1 Internal Audit Plan 2023-2024 File No: I2022/1115			
<u>Committee Recommendation 4.1.1</u>			
1. That Council endorses the revised Internal Audit Plan 2023-2024 (E2022/104827).			
2. That Council notes that the Audit, Risk and Improvement Committee will receive a detailed version of the Internal Audit Plan 2023-2024 at the first meeting in 2023 to allow for any refinement of the Plan.			
Mover: Michael Lyon		Seconded: Mark Swivel	
Comments: Completed by Jones, Mila (action officer) on 20 December 2022 at 11:10:59 AM - Internal Auditors have been reminded to provide a detailed version of the plan for 2023-2024 to the first meeting in February 2023.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-714	Agenda Schedule Report: I2022/1440	15/12/2022	20/12/2022
Directorate: Corporate and Community Services Officer: Jones, Mila			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.2 2023 Agenda Schedule File No: I2022/1440			
<u>Committee Recommendation 4.2.1</u>			
That Council endorses the Agenda Schedule for 2023 (Attachment 2 E2022/98398).			
Mover: Michael Lyon		Seconder: Mark Swivel	
Comments: Completed by Jones, Mila (action officer) on 20 December 2022 at 11:09:01 AM - Noted. Agenda schedule will be implemented for all required reporting to the ARIC in 2023.			

Res No	Report Title	Meeting Date	Completed Date
22-716	Internal Audit Report Quarter 1 2022-23 including Open Space Review Report: I2022/863	15/12/2022	20/12/2022
Directorate: Corporate and Community Services Officer: Jones, Mila			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 5.1 Internal Audit Report Quarter 1 2022-23 including Open Space Review File No: I2022/863			
<u>Committee Recommendation 5.1.1</u>			
That Council:			
<ol style="list-style-type: none">1. Notes the Summary of Internal Audit Recommendations for Quarter 1 2022-2023 at Attachment 1 (E2022/102222).2. Endorses the recommendations from the Executive Team to close off four internal audit recommendations from Quarter 1 2022-2023 as listed in Table 1 of this report (which is a summary from Attachment 2 E2022/E2022/96912).3. Endorses that management implement the recommendations made in the Internal Audit of Open Space (September 2022) (Attachment 3 E2022/102322).			
Mover: Michael Lyon		Seconder: Mark Swivel	
Comments: Completed by Jones, Mila (action officer) on 20 December 2022 at 11:07:13 AM - Part 1: no action. Part 2: 4 actions closed. Part 3: recommendations added to the Audit Register for ongoing reporting.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-717	Draft 2021/2022 Financial Statements Report: I2022/1701	15/12/2022	30/12/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.1 Draft 2021/2022 Financial Statements File No: I2022/1701			
<u>Committee Recommendation 6.1.1</u>			
1.	That the Audit, Risk and Improvement Committee note the Audit Engagement Closing Report for the year ended 30 June 2022 provided by the Audit Office of NSW provided at Confidential Attachment 3 (#E2022/113308).		
2.	That Council:		
(a)	adopts the Draft 2021/2022 Financial Statements incorporating the General Purpose Financial Statements (#E2022/112363) and Special Purpose Financial Statements (#E2022/112364).		
(b)	approves the signing of the "Statement by Councillors and Management" in accordance with Section 413(2)(c) of the Local Government Act 1993 and Section 215 of the Local Government (General) Regulation 2021 in relation to the 2021/2022 Draft Financial Statements.		
(c)	endorsed that the Audited Financial Statements and Auditors Report be presented to the public at the Ordinary Meeting of Council scheduled for 15 December 2022 in accordance with Section 418(1) of the Local Government Act 1993.		
Mover: Michael Lyon		Seconder: Mark Swivel	
Comments: Completed by Brickley, James (action officer) on 30 December 2022 at 3:27:53 PM - Adopted by Council on 24 November 2022 and presented to the Public at the 5 December 2022 Ordinary Council Meeting. Financial Statements lodged with Office of Local Government. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-722	Report of the Housing and Affordability Advisory Committee Meeting held on 17 November 2022 Report: I2022/1796	15/12/2022	20/12/2022
Directorate: Sustainable Environment and Economy Officer: Scott, Noreen			
Resolved that Council notes the minutes of the Housing and Affordability Advisory Committee Meeting held on 17 November 2022.			
Mover: Michael Lyon		Seconder: Mark Swivel	
Comments: Completed by Scott, Noreen (action officer) on 20 December 2022 at 9:57:47 AM - noted			

Res No	Report Title	Meeting Date	Completed Date
22-723	Report of the Local Traffic Committee Meeting held on 30 November 2022 Report: I2022/1785	15/12/2022	20/12/2022
Directorate: Infrastructure Services Officer: Flower, Shelley			
Resolved that Council notes the minutes of the Local Traffic Committee Meeting held on 30 November 2022.			
Mover: Michael Lyon		Seconder: Mark Swivel	
Comments: Completed by Flower, Shelley (action officer) on 20 December 2022 at 12:15:29 PM - Noted. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-724	Tincogan Street/Dalley Street Reprioritisation (including zebra pedestrian crossing facility) Report: I2022/1735	15/12/2022	20/12/2022
Directorate: Infrastructure Services Officer: Flower, Shelley			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.1 Tincogan Street/Dalley Street Reprioritisation (including zebra pedestrian crossing facility) File No: I2022/1735			
<u>Committee Recommendation 6.1.1</u>			
That the Local Traffic Committee support the installation of the zebra (pedestrian) crossing shown in Attachment 2 (E2022/117476).			
Mover: Michael Lyon		Seconder: Mark Swivel	
Comments: Completed by Flower, Shelley (action officer) on 20 December 2022 at 12:16:10 PM - Noted. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-725	Belongil Parking Scheme Review - New parking limits Report: I2022/1537	15/12/2022	20/12/2022
Directorate: Infrastructure Services Officer: Flower, Shelley			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.2 Belongil Parking Scheme Review - New parking limits File No: I2022/1537			
<u>Committee Recommendation 6.2.1</u>			
That the Local Traffic Committee supports proposed regulatory items for Belongil Beach on Childe, Border and Kendall Streets as shown in Attachment 1 (E2022/117545).			
Mover: Michael Lyon		Seconder: Mark Swivel	
Comments: Completed by Flower, Shelley (action officer) on 20 December 2022 at 12:16:31 PM - Noted. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-735	PLANNING - Supplementary Report DA 10.2021.114.1 - 'Fed Sheds' Light Industry Excluding Artisan Food & Drink Premises at 467 Federal Drive, FEDERAL 2480 Report: I2022/1658	15/12/2022	20/12/2022
Directorate: Sustainable Environment and Economy Officer: Docherty, Patricia			
Resolved that Pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2021.114.1 for 'Fed Sheds' light industry excluding artisan food & drink premises at 467 Federal Drive, Federal be refused for the following reasons:			
<ol style="list-style-type: none">1. Pursuant to Section 4.15(1)(a)(i) of the EP&A Act 1979 the proposed development is inconsistent with the objectives of the RU5 Village Zone under Byron LEP 2014.2. Pursuant to Section 4.15(1)(a)(i) of the EP&A Act 1979 the proposed development is inconsistent with Clause 6.6 of the Byron LEP 2014 in terms of services to the property including stormwater management.3. Pursuant to Section 4.15(1)(a)(iii) of the EP&A Act 1979 the proposed development is inconsistent with the provisions under Chapter B3 Services under Byron DCP 2014 in terms of onsite sewage management system (including the covered nature of the application area, the lack of allocation of land for a reserve application area, and the inadequate buffer to boundaries) and stormwater management (including stormwater being piped to a locality with pre-existing flood problems).4. Pursuant to Section 4.15(1)(a)(iii) of the EP&A Act 1979 the proposed development is inconsistent with the provisions under Chapter E6 Federal under Byron DCP 2014 in terms of character, bulk and scale, and the village centre area provisions.5. Pursuant to Section 4.15(1)(b) of the EP&A Act 1979 the proposed development will have an unacceptable environmental impact in terms of the onsite sewage management system.6. Pursuant to Section 4.15(1)(b) of the EP&A Act 1979 the proposed development is out of character with the built environment and is not compatible with the Village Character of Federal.7. Pursuant to Section 4.15(1)(c) of the EP&A Act 1979 the site is not suitable for the development.8. Pursuant to Section 4.15(1)(e) of the EP&A Act 1979 the proposed development is not in the public interest having taken into account the Federal Village Masterplan.			
Mover: Mark Swivel		Seconded: Peter Westheimer	
Comments: Completed by Scott, Noreen on behalf of Docherty, Patricia (action officer) on 20 December 2022 at 11:18:30 AM - Notice of Refusal issued #2022/51773			

COMPLETED RESOLUTIONS REPORT

From: 1 October to 31 December 2022

Res No	Report Title	Meeting Date	Completed Date
22-742	Update on Resolution 22-361 Report: I2022/1739	15/12/2022	30/12/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council:			
1.	Notes the recent vote of members of the Bangalow Bowling and Sports Club to support amalgamation with North Sydney Leagues Club.		
2.	Notes that North Sydney Leagues Club had pre covid (2019) revenue of over \$58 million and does not need financial support from Council.		
3.	Rescinds the budget allocation of \$2,000 established via Resolution 22-361.		
4.	Continues to ensure that the Bangalow Bowling Club be engaged in the Plan of Management process for the Bangalow Sports Fields as per the rest of Resolution 22-361.		
Mover: Asren Pugh		Second: Michael Lyon	
Comments: Completed by Brickley, James (action officer) on 30 December 2022 at 3:32:39 PM - \$2,000 allocation removed from 2022-2023 budget as per resolution. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-746	Preferred Alignment Mullum to Bruns Cycleway Report: I2022/1736	15/12/2022	21/12/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council supports option 1 (from the community "Tell us what you think" survey) Mullum to Bruns Cycleway and endorse Council staff in progressing with the investigation of this general alignment.			
Mover: Michael Lyon		Second: Asren Pugh	
Comments: Completed by Cornwall, Judd (action officer) on 21 December 2022 at 2:30:12 PM - Resolved that Council supports option 1 (from the community "Tell us what you think" survey) Mullum to Bruns Cycleway and endorse Council staff in progressing with the investigation of this general alignment.			

Res No	Report Title	Meeting Date	Completed Date
22-750	PLANNING - DA 10.2021.685.1 - New Dwelling to Create Dual Occupancy (Detached), Swimming Pool and Strata Subdivision to create Two (2) Lots and Common Property – 2 Keats Street, Byron Bay Report: I2022/1814	15/12/2022	22/12/2022
Directorate: Sustainable Environment and Economy Officer: Wall, Lachlan			
Resolved that, pursuant to Section 4.16 of the <i>Environmental Planning and Assessment Act 1979</i> , Development Application No. 10.2021.685.1 for New Dwelling to Create Dual Occupancy (Detached), Swimming Pool and Strata Subdivision to create Two (2) Lots and Common Property, be granted consent subject to conditions attached to this report, with an amendment to Condition 7 to read 24 months.			
Mover: Alan Hunter		Second: Michael Lyon	
Comments: Completed by Scott, Noreen on behalf of Wall, Lachlan (action officer) on 22 December 2022 at 3:42:31 PM - Notice of determination issued #E2022/126972			