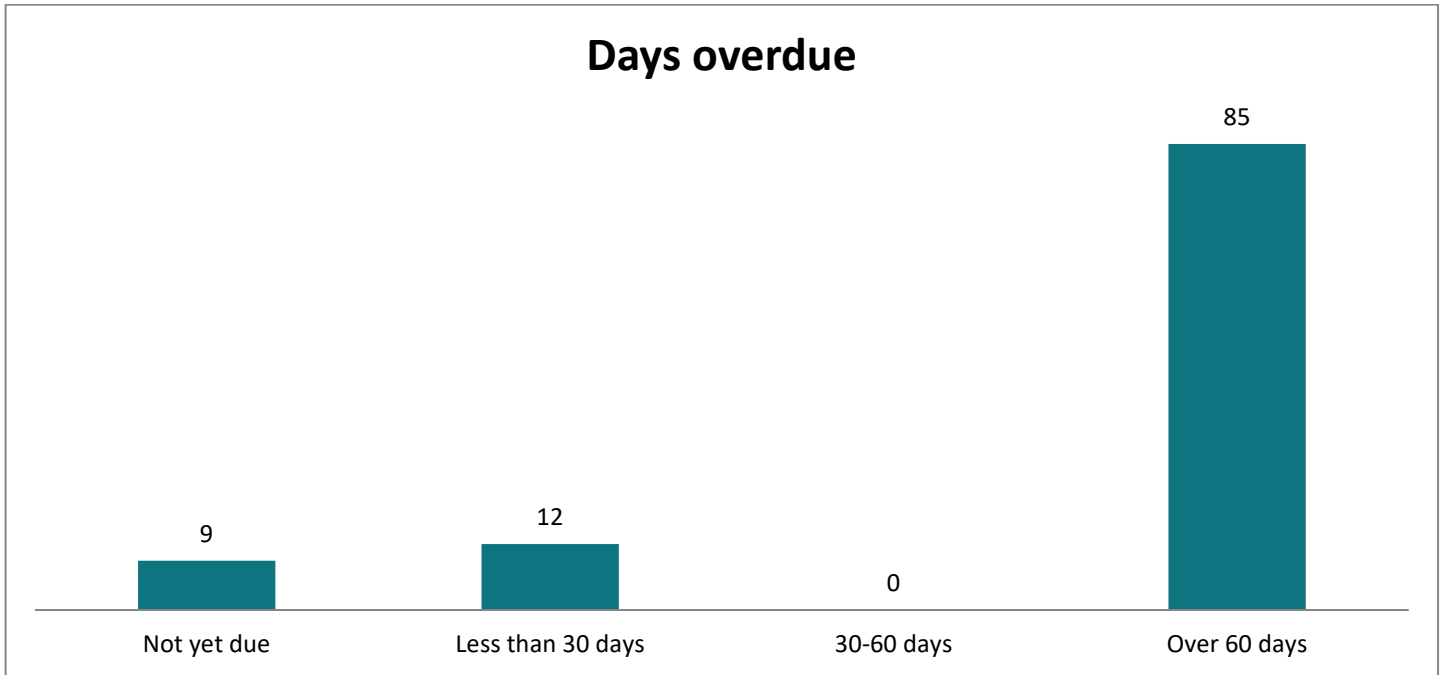


ACTIVE RESOLUTIONS REPORT

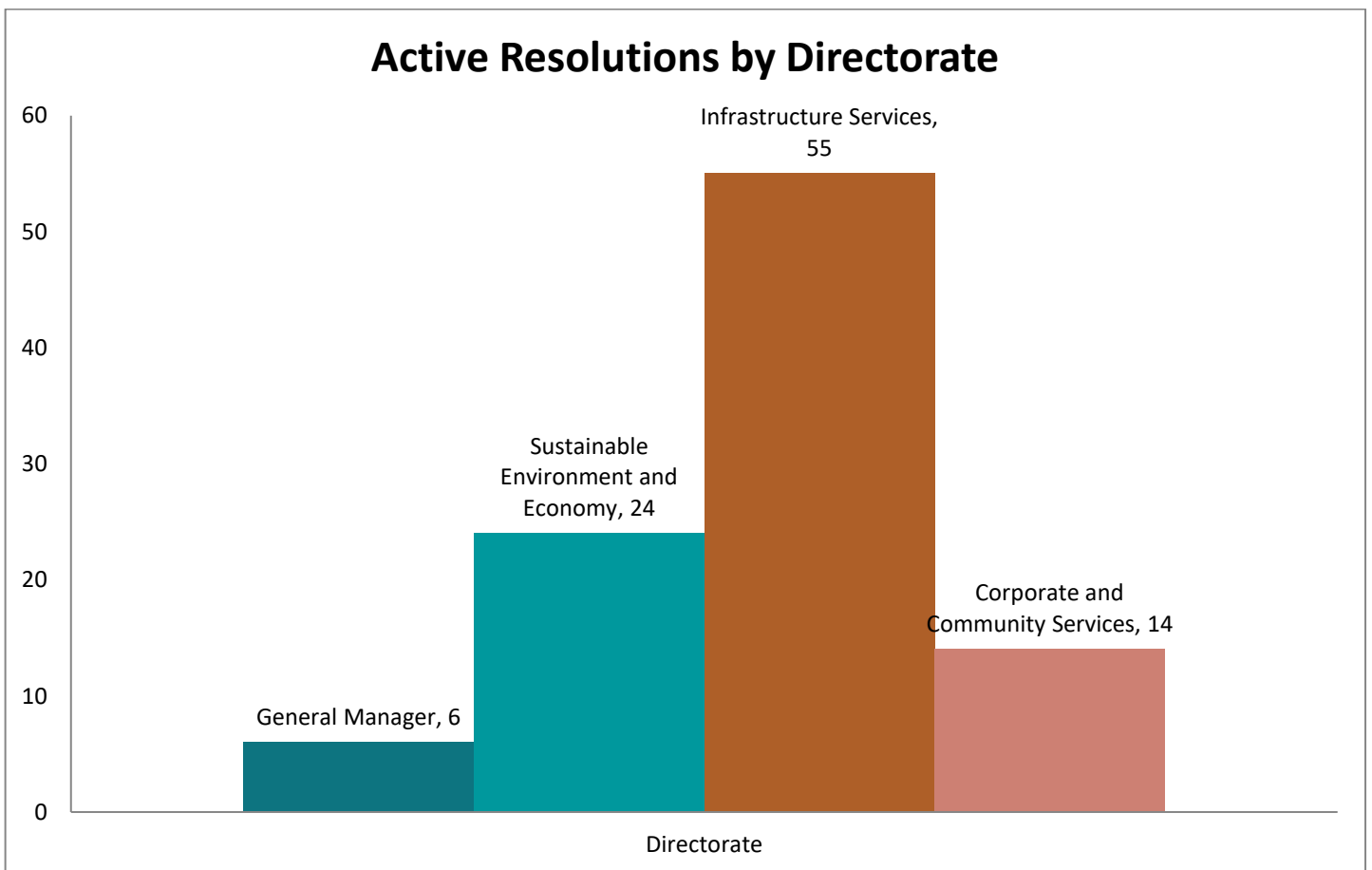
As at 31 March 2024

Total number of active resolutions as at 31 March 2024: **103**

Days overdue



Active Resolutions by Directorate



ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
20-127	Mullumbimby-Byron Bay Rail Link Report: I2020/407	26/03/2020	1/04/2021
		Directorate: Infrastructure Services Officer: Soulsby, Christopher	
Resolved that Council:			
<ol style="list-style-type: none"> 1. Commence planning for a rail link connecting Mullumbimby and Byron Bay as part of a multi use activation of the rail corridor. 2. Incorporate the project as a key element of the draft Integrated Transport Strategy, which is supported by Park and Ride and other measures to promote active and public transport development within the Strategy. 3. Prepare an economic and social business plan including development of a governance framework to support the project. 4. Provide notice of the intention to establish a rail link to Infrastructure Australia, Infrastructure NSW, TfNSW and other relevant agencies to seek advice on funding criteria and project development. 5. Investigate Federal, NSW and other funding bodies to identify funding sources including, but not limited to tourism, infrastructure, transport and climate change mitigation/adaption grants with a priority focus on funding vegetation removal within the rail corridor. 6. Actively seek expressions of interest from potential operators interested in providing commuter shuttle and visitor oriented services. 7. Seek support including funding through Federal and NSW Ministers for Transport, Hon. Tamara Smith MP, Hon. Ben Franklin MLC and Hon. Justine Elliot MP. 8. Receive six monthly reports on progress. 9. The business plan be included in the 20/21 Operational Plan, forward Delivery Plans and draft budget. 10. Item 2 above be funded from the existing Integrated Transport Strategy budget. 11. Implement Actions 4, 5, 7 and 8 immediately and include as part of a rail link project in the 20/21 Operational Plan and forward Delivery Plans that includes item 6 above as an action as well as consideration of a budget for project management. 			
Mover: Basil Cameron		Seconded: Simon Richardson	
Comments:			
01 Dec 2022 2:17pm Black, Therese			
<ol style="list-style-type: none"> 1. Ongoing - Planning workshops were held in Nov 2020, Mar 2021, Sep 2021 and May 2022 with representatives from TfNSW along with other key NSW Government regional departments. Future workshops to be confirmed after TfNSW has completed their Options Study. 2. Completed - Council has incorporated the activation of the Rail Corridor into the draft Integrated Transport Strategy as a key element., 3. Completed – staff commenced preliminary work on the potential governance framework. However, there are many factors that will influence the final governance model. Dan Champness TfNSW confirmed during the workshop on 5 March 2021 that the Government will have the major influence over the final Governance model. Awaiting further guidance from TfNSW., 4. Completed – Letters to the above were sent on 19 June 2020. A single response was received from Chris Hanger, noting the government will require the following; evidence of a viable and sustainable business model; have undertaken effective community consultation and engagement with adjacent landholders that demonstrates overwhelming community support; and have addressed issues relating to potential biosecurity concerns., 5. Ongoing - currently no funding opportunities have been identified to support this "Rail with Trail" project. However, ongoing consultation with TfNSW will support the final funding model. It is worth noting that Lismore Council received \$9.9m in funding from BBRF6 in 2021 to construct their Rail Trail from Bentley to Eltham Hotel., 6. To be commenced concurrently or after the detailed engineering assessment work activity., 7. Completed - Letters have been sent. No responses received., 8. Ongoing - Quarterly progress report to be issued to Council. The cycle is actually every quarter due to the requirement of the Operations Plan., 9. Completed - included in the 20/21 Operational Plan, 10. Completed - Incorporated the activation of the rail corridor into the Integrated Transport Strategy, together with recommended projects and actions, and will continue to be funded from the existing Integrated Transport Strategy., 11. Items 4, 5, 7 and 8 are variously completed or in progress. Item 6 - a budget allocation was considered at several quarterly reviews in FY2021 and 21/22 with no budget applied to this project. 			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
20-572	MURC Bayshore Dr to Tyagarah Report: I2020/1560	22/10/2020	23/11/2020
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved:			
1. That Council prioritises the section of rail corridor between Bayshore Drive and Tyagarah for investigation into the alternatives including multi use.			
2. That Council seeks community and local Land Care support to carry out environmental works on the rail corridor between Bayshore Drive and Tyagarah for removal of unwanted vegetation			
3. That Council seeks funding for the clearing of the vegetation on the line			
4. That Council, when funding is available, commissions a structural assessment and cost estimate of a sample of the timber bridges suitable for facilitating movement up to a weight that can support light rail and very light rail options outlined in the MURC.			
Mover: Simon Richardson		Seconder: Sarah Ndiaye	
Comments:			
01 Dec 2022 2:47pm Black, Therese			
1. Further prioritization beyond Part 1 of Res 20-127.,			
2. Advice has been sort from senior regional TfNSW officers, Dan Champness and Vicki Oszko. Whilst no response has been received to date it is expected this matter can be further raised at the next planned workshop (awaiting TfNSW to confirm workshop date).,			
3. As per Part 5 Res 20-127.,			
4. As per Part 11 Res 20-127, no funding has been allocated to undertake this engineering assessment. However, \$100,000 funding in FY2023 has been provided by TfNSW to fund a third party works application and vegetation clearing on the Mullumbimby to Byron Bay section of the Rail Corridor.			

Res No	Report Title	Meeting Date	Due Date
21-234	Byron Shire Rail with Trail (Update) Report: I2021/794	24/06/2021	26/07/2021
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved:			
1. That Council continues to work with Transport for NSW on the delivery of outcomes articulated in Resolutions 20-127 and 20-572 and requests that TFNSW expedites a workshop meeting.			
2. Seek TFNSW funding to clear vegetation from the rail corridor			
3. Proactively engages with state and federal governments regarding funding for multi-use activation of the rail corridor.			
Mover: Basil Cameron		Seconder: Cate Coorey	
Comments:			
01 Dec 2022 2:19pm Black, Therese			
1. Council is continuing to work with Transport for NSW on the delivery of outcomes articulated in Resolutions 20-127, 20-572 and 21-389, and 22-224. Awaiting confirmation from TFNSW to hold the third collaborative workshop/meeting. TfNSW are finalising the Options Study for the M1 interchange and the Rail Corridor.,			
2. Ongoing - Discussions with TFNSW to fund the clearing of vegetation from the rail corridor. \$100k has been identified and will be made available in FY23 to prepare an application for third party works.,			
3. Ongoing - State and Federal government grant funding opportunities are being sought for multi-use activation of the Byron Shire rail corridor.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
21-239	Mullumbimby Future Water Strategy Report: I2021/781	24/06/2021	1/03/2024
Directorate: Infrastructure Services Officer: Baulch, Dean			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.1 Mullumbimby Future Water Strategy File No: I2021/781			
<u>Committee Recommendation: 4.1.1</u>			
That Council:			
<ol style="list-style-type: none">1. Recognises that for the Mullumbimby township there are 2 water supply issues being considered at the moment, one being a potential drought next summer and the other being the long-term future water supply strategy.2. Undertakes works to complete the connection of the emergency supply to the rest of Mullumbimby.3. In relation to a long term strategy, firms up the management options including recognising the environmental impacts of each option, inclusive of impacts of Rous's own options (for options that use Rous water).4. Aims to produce a draft long-term strategy to go to a Strategic Planning Workshop with a view to putting the strategy on public exhibition.			
Mover: Sarah Ndiaye		Seconder: Paul Spooner	
Comments:			
31 Mar 2022 2:24pm Clark, Cameron 1) Staff notes committee recommendation 4.1.1 (1) , 2) Design spec currently being undertaken by Consultant , 3) Report has been drafted and will be reported to April Council meeting , 4) Forms part of the IWCM/SBP currently being undertaken by Consultant			
19 Sep 2023 2:26pm Baulch, Dean - Target Date Revision Target date changed by Baulch, Dean from 20 October 2022 to 01 March 2024 - It is expected the works will commence in early 2024 to connect the emergency supply to the rest of Mullumbimby. Detailed design is in progress. NSW PWA will be delivering this project.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
21-240	s7.11 and s7.12 Contributions Review Report: I2021/994	24/06/2021	26/07/2021
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved that Council:			
1.	Be provided with a report by February 2022 reviewing the s7.11 and s7.12 contribution policies and providing options for amendment, including addressing: <ul style="list-style-type: none">a) whether the separate s7.12 policy is working as envisaged, and in the best interests of our community, since development contributions were split into s7.11 and s7.12.b) whether the s7.12 policy and its current levels of contribution are 'fit for the future' given the current and predicted influx of larger DAs in the shire's non-residential areas.c) whether the s7.12 policy adequately covers the range of civic infrastructure facing increasing demands from non-residential development.d) whether the current s7.12 policy's failure to collect contributions for the road network be amended as non-residential development generates further demands on roads.		
2.	Be provided with a report by November 2021 which outlines the scope of the review above and flagged in the staff report.		
3.	Notes the proposed review for the contributions plan and considers the following within the scope of such a review: <ul style="list-style-type: none">a) strategic directions contained in town and village masterplansb) potential for contributions toward public transport infrastructurec) movement and place frameworkd) changes in community expectations due to the COVID pandemic, as to the use of public space and priority infrastructure		
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: 13 Oct 2022 1:46pm Black, Therese The resolution is being actioned in the context of the review of the contributions system being undertaken by the NSW Department of Planning. A report on this matter will be presented to the November meeting of Council.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
21-344	YouthSay Program - Report and Recommendations Report: I2021/950	26/08/2021	30/06/2024
Directorate: Corporate and Community Services Officer: Fajerman, Emily			
Resolved:			
1. That Council thanks the young people from Mullumbimby High School involved in the Byron Shire YouthSay Program and notes their report and presentation during public access at the 27 May Ordinary Meeting of Council.			
2. That Council notes the feedback and report from the YouthSay program and implements the following suggestions from the young people:			
a) undertakes a survey of young people about their transport needs			
b) provides a report to Council detailing opportunities to develop or implement on demand public transport including for trials and to obtain grant funding.			
c) coordinates a youth volunteer clean-up day in November 2021			
3. Noting the request for a Youth Council and Res 21.242, Council undertakes targeted engagement to determine the preferred model that can give young people an effective voice in raising issues of concern to young people.			
4. That Council receives a report regarding the outcomes of this youth engagement and the proposed forum for future youth engagement to commence in 2022.			
Mover: Basil Cameron		Second: Sarah Ndiaye	
Comments:			
25 Mar 2024 11:48am Fajerman, Emily			
1. Completed ,			
2. a) Completed. A broader youth survey was developed and included transport needs. b) Deferred due to flood recovery priorities and shared with Infrastructure Services Team for consideration and potential inclusion in 2023-2024 Operational Plan., c) Completed. Initially post-poned due to covid-19 restrictions and flood recovery. Waste education and composting workshop delivered at Mullumbimby High School in May 2023.,			
3. Underway, currently exploring models of youth engagement and planning additional survey with young people. ,			
4. Recommendations and proposed model to be presented to Council at the Ordinary Meeting in June 2024.			
25 Mar 2024 1:54pm Fajerman, Emily - Target Date Revision			
Target date changed by Fajerman, Emily from 01 July 2023 to 30 June 2024 - Project initially delayed due to flood recovery and reduced staff capacity. Resourcing has been secured and project on track to be delivered within 2023-2024 Operational Plan.			

Res No	Report Title	Meeting Date	Due Date
21-389	Byron Shire Rail with Trail (Update) Report: I2021/1418	23/09/2021	25/10/2021
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved that Council continues to work with Transport for NSW on the delivery of outcomes articulated in Resolutions 20-127, 20-572, and 21-234.			
Mover: Michael Lyon		Second: Cate Coorey	
Comments:			
01 Dec 2022 2:22pm Black, Therese			
Council is continuing to work with TfNSW on the delivery of outcomes articulated in Resolutions 20-127, 20-572, 21-234 and 22-224.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
21-451	Workshop - Ocean Shores to Brunswick Valley STP Transfer Report: I2021/1495	28/10/2021	29/11/2021
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved that Council adopts the Committee Recommendations:			
Report No. 4.1 Workshop - Ocean Shores to Brunswick Valley STP Transfer File No: I2021/1495			
<u>Committee Recommendation 4.1.1</u>			
That Council, in relation to Ocean Shores and Brunswick Valley STP's:			
<ol style="list-style-type: none">Notes the status report.Recommits to reducing I/I in all sewer catchments.Proceeds to detailed design for infrastructure to transfer sewage flows from Ocean Shores STP to Brunswick Valley STP for:<ol style="list-style-type: none">All current and projected flows to Ocean Shores STP (for the purpose of temporary closure for repairs and flows in excess of wet weather capacity), and,With facility to continue to discharge an adjustable proportion of the flows to Ocean Shores STP (up to ~100% of current sewage flows) on an ongoing basis.Investigates options for upgrades to Ocean Shores STP to rectify its prevailing condition, configuration, and redundancy issues, and to improve its efficiency and reliability. The capacity of the upgraded plant would not be required to be increased through the upgrades, and may be marginally reduced where cost effective to do so.Investigates options (including options with no Balancing Pond) for upgrades to Brunswick STP to rectify any prevailing issues (particularly in UV disinfection), and as required to accommodate the fraction of loads which cannot be reliably treated at the upgraded Ocean Shores STP.Receives a forward expenditure strategy based on timing of upgrades in Parts 2 & 3 above, and on growth estimated in Council's planning strategies.Receives a briefing at its next Strategic Planning Workshop.			
Mover: Sarah Ndiaye		Second: Cate Coorey	
Comments:			
31 Mar 2022 2:27pm Clark, Cameron			
<ol style="list-style-type: none">Council staff notes the council resolution.Recommits to reducing I/I in all sewer catchments. Project continues as per the project management plan, project objectives and associated schedule. The first pass of the maintenance hole condition assessments have been completed with reporting to follow. Approximately 170 maintenance holes could not be assessed due to issues with accessing them or locating them, primarily due to them being built over in Ocean Shores. A separate scope of works could be issued to investigate the locations. All CCTV assessments were completed in June 2021 with reports being finalised for catchments 3005, 4002, 4003, 4003, 5009. Budget was slightly overspent due to the number of lines that required heavy cleaning. It is anticipated that these reports will be finalised and submitted gradually throughout the first half of FY21/22.			
21 Sep 2023 10:59am Clark, Cameron			
<ol style="list-style-type: none">Council staff have developed a scope of works to proceeds to detailed design for infrastructure to transfer sewage flows from Ocean Shores STP to Brunswick Valley STP for the following,<ol style="list-style-type: none">Staff have completed current and projected flows to Ocean Shores STP (for the purpose of temporary closure for repairs and flows in excess of wet weather capacity), and,,With facility to continue to discharge an adjustable proportion of the flows to Ocean Shores STP (up to ~100% of current sewage flows) on an ongoing basis.,Council staff have completed engineering options analysis and MCA,The scope of works included options (including options with no Balancing Pond) for upgrades to Brunswick STP to rectify any prevailing issues (particularly in UV disinfection), and as required to accommodate the fraction of loads which cannot be reliably treated at the upgraded Ocean Shores STP. ,Scope of works has included forward expenditure strategy based on timing of upgrades in Parts 2 & 3 ,Planning Workshop is scheduled for November committee meeting .			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
22-063	Request for exemption of developer contributions by Byron Community Centre Report: I2022/63	24/02/2022	28/03/2022
		Directorate: Infrastructure Services Officer: Soulsby, Christopher	
Resolved:			
1. That Council advises the developer that the contributions required by condition 7 of development consent 10.2021.59.1 will not be waived; and			
2. That Council grants delegated authority to the General Manager to determine an application made by the Byron Community Centre to waive the water and sewer levies required by condition 6 of development consent 10.2021.59.1 provided that the developer demonstrates that they meet the requirements of section 2.7 of the Development Servicing Plan.			
Mover: Mark Swivel		Seconded: Michael Lyon	
Comments:			
01 May 2023 11:54am Soulsby, Christopher Initial email advising of requirements to satisfy point 2 of the resolution was sent to Byron Community Centre on 22 February 2022., Email with further advice on how to address the resolution sent on 18 March 2022., Follow up email (E2023/42963) to Byron Community Centre sent 1 May 2023 seeking to complete application to wave contributions or to close out resolution.			

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

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
22-293	First Nations Voice to Council Report: I2022/675	23/06/2022	3/05/2024
Directorate: Corporate and Community Services Officer: Appo, Robert			
Resolved:			
1. That Council notes Resolution 39 on a First Nations Voice to Council passed at the March 2022 Special Conference.			
2. That Council engages with local First Nations stakeholders including the Arakwal MOU Committee, to develop an action plan on implementing Resolution 39 on a First Nations Voice to Council passed at the March 2022 Special Conference.			
3. That Council aims to facilitate a First Nations Voice to Council by the end of its current term in September 2024.			
4. That Council receives a report outlining the next steps for a comprehensive reconciliation action plan.			
Mover: Mark Swivel		Seconded: Sarah Ndiaye	
Comments:			
27 Mar 2023 9:51am Appo, Robert			
1. Completed., 2. Arakwal MOU committee to meet in April to finalise the MOU after advice received from Arakwal Board Meeting, 14 March 2023., 3. Aboriginal Project Officer consulting with Aboriginal stakeholders groups within the Shire including Arakwal, Widjabal/Wyabal, Tweed Byron and Jali LALC.			
21 Mar 2024 1:50pm Appo, Robert - Target Date Revision			
Target date changed by Appo, Robert from 01 March 2024 to 03 May 2024 - Responding to resolution 3. Council staff have met with the newly established Widjabal Wia-Bal board for an initial introduction. The board seemed receptive to working collaboratively with other Aboriginal stakeholders in the future. Staff are preparing a more detailed brief for a future meeting.			

Res No	Report Title	Meeting Date	Due Date
22-297	Flood problems at the end of Azalea Street Report: I2022/677	23/06/2022	25/07/2022
Directorate: Infrastructure Services Officer: Frumpui, Samuel			
Resolved:			
1. That Council notes that residents at the end of Azalea Steet have experienced flood problems often in recent years, culminating in houses being flooded including with raw sewage during the 2022 flood event.			
2. That Council receives a report on at least three issues visible to the trained eye in relation to these problems, namely:			
a) the hydraulic influence of the private driveway in diverting floodwater out of the creek that drains Tallowood estate (shown in image #1 below) and the potential for that crossing to be reconfigured to occupy less waterway area and thus send less water onto Azalea Street;			
b) the reconfiguring of the overflow from the SPS 4006 so as not to deliver overflow towards houses #34 to 38, via the stormwater pit shown in image #2 below; and			
c) the potential for adding or increasing emergency storage volume and for providing backup power during blackouts, so that sewage doesn't overflow as it did in 2022.			
Mover: Duncan Dey		Seconded: Michael Lyon	
Comments:			
30 Jun 2022 1:23pm Clark, Cameron			
1. Noted.,			
2. Staff are currently investigation options around resilience relating to SPS 4006			
12 Apr 2023 9:40am Clark, Cameron			
Action items 2 a,b,c and d are currently being investigated by a consultant and report Due May 2023			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
22-342	Report No. 6.1 Deacon Street Sight Distance Report: I2022/579	11/08/2022	31/07/2023
Directorate: Infrastructure Services Officer: Frumpui, Samuel			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.1 Deacon Street Sight Distance File No: I2022/579			
<u>Committee Recommendation 6.1.1</u>			
That Council:			
1.	Supports "No stopping" treatments around the corners of the access into Bangalow Parklands from Deacon Street, Bangalow;		
2.	The proposed treatments include:		
a)	Line-marking (yellow), marked up to the existing footpath crossing the Bangalow Parklands access and will extend around the corners for approximately 24 metres on the eastern approach, and 12 metres on the western approach of Deacon Street (as per figure 3 in the LTC report); and		
b)	"No stopping" signs installed on the western corner of the access as shown in figure 3 (as per figure 3 in the LTC report).		
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments: 20 Mar 2023 9:01am Weallans, Kirk - Target Date Revision Target date changed by Weallans, Kirk from 12 September 2022 to 31 July 2023 - Works to be coordinated with other upcoming works in Mullumbimby to facilitate economy and efficiency.			

Res No	Report Title	Meeting Date	Due Date
22-460	Stormwater Investigation Requirements Report: I2022/1111	08/09/2022	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Caras, Alex			
Resolved:			
1.	That Council acknowledges the values of:		
a)	infiltration of rainfall into the soil profile in all parts in the Shire, both for its provision of soil moisture for plant growth and for its reduction of stormwater runoff; and		
b)	in rural parts in the Shire, dealing with the impacts of impervious surfaces on the property itself, rather than shedding those impacts onto a downstream "receiving" environment.		
2.	That Council accommodates within presentations proposed under Resolution 21-548, a further presentation on options to amend the DCP and other guiding documents in relation to stormwater investigations to require:		
a)	that the receiving catchment is investigated far enough downstream from any development site that development impacts on stormwater have become insignificant. Where this distance downstream cannot be otherwise determined, a test is made for a catchment of at least 10 times the catchment area on which runoff characteristics are proposed to be altered;		
b)	that no urban property can make impervious more than a certain percentage (eg 80%) of the property area; and		
c)	that no rural property (ie one with onsite sewage management) can make impervious more than a certain percentage (eg 60%) of the property area.		
Mover: Duncan Dey		Seconded: Sarah Ndiaye	
Comments: 22 Mar 2024 10:05am Caras, Alex Actions currently being considered as part of review of DCP flood planning chapters by external consultant. Revised draft DCP to be reported to Council in April 2024, with outcomes to be presented to a Flood Management Advisory Committee meeting during exhibition of DCP updates.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
22-499	Report No. 4.4 West Byron STP Compliance Report Report: I2022/947	29/09/2022	1/03/2024
Directorate: Infrastructure Services Officer: Baulch, Dean			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.4 West Byron STP Compliance Report File No: I2022/947			
<u>Committee Recommendation 4.4.1</u>			
That the Water and Sewer Advisory Committee:			
a) Note the report and the attachments.			
b) Note from the report in terms of Condition 9, that 2791ET (1.65ML/day) were connected between December 2002 and April 2022, and that reuse capacity is 3416ET (2.016ML/day), being the Melaleuca regeneration area, the West Byron STP onsite reuse and the urban reuse.			
c) Note that further work on the recycled water applications is nearing completion and the committee receives a report at the next meeting.			
d) The Operational Environmental Management Plan (OEMP) be updated, and an application be made to amend the consent to reflect an updated OEMP.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: 13 Oct 2022 12:35pm Holloway, Phillip Item a - Noted, Item b - Noted, Item c - Noted, Item d - Operational Environmental Management Plan to be updated as per the resolution			
19 Sep 2023 2:38pm Baulch, Dean - Target Date Revision Target date changed by Baulch, Dean from 31 October 2022 to 01 March 2024 - The Operational Environmental Management Plan (OEMP) has been reviewed and updated, Recommendation report to amend the consent conditions is to be drafted for Council to consider.			

Res No	Report Title	Meeting Date	Due Date
22-596	Civil Engineer Mentoring Report: I2022/1447	27/10/2022	28/11/2022
Directorate: Infrastructure Services Officer: Holloway, Phillip			
Resolved that Council:			
1. Recognises a shortage of Civil Engineers to design and to supervise construction of works required within Byron Shire, as in neighbouring Shires, for flood recovery and especially for betterment of public infrastructure to withstand future impacts of natural forces (sometimes labelled a 'natural disaster').			
2. Considers during November harnessing local Civil Engineers whether retired or practising to help fill this gap by collaborating with Council-employed Engineers, on conditions that could include the following:			
a) they be "members" or better of the Institution of Engineers Australia, including retired members;			
b) they act as mentors of Council's own Engineers; and			
c) Council provides support in relation to liabilities etc such that the mentor's contribution, while voluntary, is at no cost to themselves.			
3. Makes contact with such engineers through networks including qualified members of Council's Advisory Committees and via the local chapter of I E Australia.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments: 27 Sep 2023 12:03pm Holloway, Phillip Director Infrastructure Services has had preliminary discussions with Southern Cross University and representatives of IPWEA on developing a mentoring program. Formal request to be prepared by staff for further consideration.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
22-603	Report in response to Res 22-461 Outcome of NSW Flood Enquiries Report: I2022/1260	27/10/2022	1/03/2023
Directorate: Infrastructure Services Officer: Frumpui, Samuel			
Resolved that Council adopt the following Committee Recommendations:			
Report No. 4.1 Report in response to Res 22-461 Outcome of NSW Flood Enquiries File No: I2022/1260			
<u>Committee Recommendation 4.1.1</u>			
1. That the Committee notes the recommendations of the two NSW Flood Inquiry reports and that staff have commenced work to identify relevant actions to be pursued through Local, State and Federal avenues.			
2. That Council support staff also working to support the following recommendations of the Parliamentary Inquiry:			
a) Recommendation 10 - Work with the community broadcasting sector to identify ways in which community broadcasters could be better supported to provide critical services during natural disasters, with a view to providing them adequate long term funding.			
b) Recommendation 15 - . Ensure that the current review of evacuation centres considers the role, accreditation and support of community evacuation centres, with the outcomes of this review to be made public and incorporated into the update of state emergency plans.			
c) Recommendation 19 - Establish a standing workforce from within the public service to staff evacuation and recovery centres, with this workforce to be trained ahead of time and mobilised as soon as a natural disaster occurs			
Mover: Duncan Dey		Seconded: Sama Balson	
Comments: 27 Sep 2023 12:06pm Holloway, Phillip LEMC has commenced review of Evacuation Centres with other relevant NSW Govt. Agencies eg NSW Health, SES, Police, DCJ, Red Cross, North Coast Area Health, Tweed LEMO, Byron LEMO			

Res No	Report Title	Meeting Date	Due Date
22-647	Report No. 4.2 Management of Bamboo at Bangalow STP Report: I2022/1285	24/11/2022	26/03/2024
Directorate: Infrastructure Services Officer: Baulch, Dean			
Resolved that Council adopts the following committee recommendations:			
Report No. 4.2 Management of Bamboo at Bangalow STP File No: I2022/1285			
<u>Committee Recommendation 4.2.1</u>			
That Council:			
a) seeks the highest value outcome for the bamboo; and			
b) prepares a Master Plan for the Bangalow STP land			
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments: 19 Sep 2023 2:40pm Baulch, Dean - Target Date Revision Target date changed by Baulch, Dean from 26 December 2022 to 26 March 2024 - Has not been initiated due to resource limitations.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
22-652	Backzoning Linnaeus Report: I2022/1642	24/11/2022	31/12/2024
Directorate: Sustainable Environment and Economy Officer: Daniels, Steve			
Resolved that:			
<ol style="list-style-type: none">1. Council requests staff to commence preparation of a planning proposal to rezone the Linnaeus site (Lot 1 DP1031848) from its current SP1 Mixed Use Development Zone to a C4 Environmental Living Zone, such that no additional development can be undertaken on the site other than the existing approved land uses;2. Staff advise the landowners of point '1' above;3. The landowners be requested to submit any required technical studies for the site to support the proposed rezoning and at a standard to Council's satisfaction, to enable an assessment to be undertaken by or before April 2023;4. A gateway assessment report be presented to Council following completion of point '3';5. Consultation for the planning proposal by Council will be undertaken following the issue of, and in accordance with the gateway determination.			
<i>Cr Balson was not present for the vote.</i>			
Mover: Michael Lyon		Second: Duncan Dey	
Comments:			
06 Dec 2022 11:52am Burt, Shannon 1 staff to progress subject to 2 & 3, 2 landowners to be advised of resolution and point 3 , 4 & 5 subject to 1,2 & 3			
30 Jan 2023 5:25pm Caras, Alex Landowner advised in accordance with Item 2. Staff still awaiting receipt of a peer reviewed coastal hazard assessment for the southern Byron LGA (which includes this site) before progressing remaining items.			
28 Feb 2023 3:47pm Caras, Alex Still awaiting completion of a peer reviewed coastal hazard study for subject land. Discussions with applicant ongoing. Assessment delayed and unlikely to be completed by April.			
04 Jul 2023 1:48pm Daniels, Steve Applicant preparing of technical studies in accordance with Item 3 of resolution. Coastal hazard assessment currently being undertaken in partnership with Council's CMP process.			
22 Dec 2023 7:53am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 30 November 2023 to 31 December 2024 - to accommodate delays in the project and statutory process to follow			

Res No	Report Title	Meeting Date	Due Date
22-658	Vallances Road Options and Next Steps Report: I2022/1430	24/11/2022	26/12/2022
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved that Council considers this report at the next available Councillor Workshop			
Mover: Peter Westheimer		Second: Duncan Dey	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
22-741	Roadworks on Ewingsdale Road Report: I2022/1665	15/12/2022	16/01/2023
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved:			
1. That Council implements a policy of only conducting roadworks on Ewingsdale Road at night noting that minor maintenance works that can be easily ceased is not to be included in this prohibition.			
2. That Council implements a policy of not conducting roadworks on Bangalow Road and Broken Head Road during morning and afternoon peak hours.			
3. That Council writes to all relevant authorities, such as Essential Energy, requesting that they adhere to the same policies for work within the road corridor.			
4. That the emergency road works be exempt from the above policies.			
5. That Council receives a report to update Council on Transport for NSW plans to fix the Ewingsdale Highway interchange.			
Mover: Asren Pugh		Seconder: Duncan Dey	
Comments:			
16 Mar 2023 12:48pm Holloway, Phillip Point 1 - Noted, Point 2 - Staff advised of resolution, Point 3 - Complete, Point 4 - Noted, Point 5 - Report to be prepared/scheduled			
19 Sep 2023 2:33pm Holloway, Phillip - Reallocation Action reassigned to Soulsby, Christopher by Holloway, Phillip - Item 5 requires a status report to Council re upgrade to MR545			

Res No	Report Title	Meeting Date	Due Date
23-010	Expression of Interest for land for a Natural Burial Ground Report: I2023/97	09/02/2023	23/05/2024
Directorate: Infrastructure Services Officer: Robertson, Malcolm			
Resolved that Council:			
1. Engages in March 2023 with interested parties including the 'Natural Burial Grounds Steering Group' to develop an Expression of Interest that will be advertised as described in Part 3 below seeking dedication and public acquisition by donation or by purchase of private land for a Natural Burial Ground in Byron Shire.			
2. Develops as part of Part 1 a list of criteria for the land sought, including potentially its size and its location:			
a) near bushland, so that bush regeneration will follow burial in open ground;			
b) where road access is or can be made convenient and safe, including traffic and parking requirements.			
3. Advertises the Expression of Interest in May, or later if the parties need longer to agree, with responses due six weeks later.			
4. Receives a report that evaluates the Expressions of Interest after consultation with parties mentioned in Part 1 above.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments:			
25 Jan 2024 1:24pm Robertson, Malcolm - Target Date Revision Target date changed by Robertson, Malcolm from 30 November 2023 to 18 May 2024 - Report planned for May meeting due to staff leave.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-091	Report No. 4.1 Byron Shire Council-Strategic Fill Policy Report: I2023/113	23/03/2023	24/04/2023
Directorate: Infrastructure Services Officer: Holloway, Phillip			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.1 Byron Shire Council-Strategic Fill Policy File No: I2023/113 <u>Committee Recommendation 4.1.1</u>			
That the Floodplain Management Advisory Committee advises Council:			
1. That committee members will meet between quarterly meetings to consider;			
a) changes to strengthen Chapters B14 and C2 of the 2014 Byron Shire Council Development Control Plan in relation to Fill on Floodplains;			
b) the value of a broader Policy that goes beyond what the DCP can achieve in limiting Fill on Floodplains;			
and that the support of appropriate planning staff would be greatly appreciated in such considerations.			
2. To resolve that the 2014 Byron Shire Council Development Control Plan should be updated as a priority each and every time a Floodplain Risk Management Study is created or updated within the Shire or across our Shire boundaries (eg the Tweed – Byron Coastal Creeks Flood Study of 2010).			
3. To update the 2020 North Byron Floodplain Risk Management Study as soon as possible to reflect the February 2022 flood event.			
4. To update the 2020 North Byron Floodplain Risk Management Plan as soon as possible to reflect changes caused by the February 2022 flood event.			
Mover: Duncan Dey		Seconded: Michael Lyon	
Comments:			
11 Apr 2023 9:17am Moffett, Scott 1) Meeting to be organised by Flood and Drainage Engineer., 2) Noted and will be actioned by planning staff as required., 3) Noted and awaiting advise from Department of Planning and Environment via the 2022 Post Flood Analysis Report, 4) Noted and awaiting advise from Department of Planning and Environment via the 2022 Post Flood Analysis Report			
28 Sep 2023 12:34pm Burt, Shannon - Reallocation Action reassigned to Holloway, Phillip by Burt, Shannon - Allocated to Director Infrastructure Services for consideration as part of Infrastructure Services work program due to recent staff and resource changes.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-120	Mullumbimby Water Supply Strategy - Members' Motions Report: I2023/345	27/04/2023	29/05/2023
	Directorate: Infrastructure Services Officer: Clark, Cameron		
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.3 Mullumbimby Water Supply Strategy - Members' Motions File No: I2023/345			
<u>Committee Recommendation 4.3.1</u>			
That the Committee advises Council to:			
<ol style="list-style-type: none">1. Thank Hydrosphere for preparing the report 'Mullumbimby Water Supply Strategy, final draft December 2021', which was discussed at the meeting of this Committee on 28 September 2022, and not adopt its recommendations.2. Recognise that Mullumbimby's current water source at Lavertys Gap may not supply adequate volumes of water during drought for the supply area (Mullumbimby), but that an emergency supply is secured in the medium term via an option to draw on Rous Water.3. Recognise that the current treatment system is near or has passed its use-by date.4. Recognise that the weir at Lavertys Gap blocks fish passage and operates under a licence that does not require release of environmental flows to water the downstream environment.5. Recognise that the weir is aging and in need of repair, and is heritage listed along with other connected water supply infrastructure (such as the race).6. Seek from Rous Water a statement as to the Environmental / Social / Economic Impacts of the addition of the 2060 population of the Mullumbimby water supply network to the Rous water supply network.7. Following the meeting with representatives of Rous, consider investigation of matters that will enable a strategy for Mullumbimby's long term water supply based on the following concept:<ol style="list-style-type: none">a) Lavertys Gap as the source during flows in excess of environmental requirements;b) water stored off-stream between the source and Mullumbimby;c) water treated at a new location between the storage and Mullumbimby;d) water delivered to Mullumbimby and possibly beyond; ande) maximising demand management, including the harvesting of roof water.8. The investigation above to include:<ol style="list-style-type: none">a) the topography of the terrain between Lavertys Gap and Mullumbimby, to identify potential dam sites;b) the hydrology of Wilsons Creek and its capacity to supply, including seasonality;c) the impact of climate change on supply and on demand (using CC data and methodologies in the pilot phase for local water supply through DPE, and applied in Regional Water Strategies);d) infrastructure needs including offtake, storage, treatment and linkages to the town's reservoirs;e) environmental assessments for the creation and operation of that infrastructure, including greenhouse gas emissions;f) assessment of the weir at Lavertys Gap including (i) structural integrity; (ii) means of creating fish passage; and (iii) how this proposal enhances its heritage and preservation; andg) economic assessment.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: 21 Sep 2023 12:31pm Clark, Cameron No action items for staff			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-134	Byron Shire Rail with Trail (Update) Report: I2023/215	27/04/2023	29/05/2023
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved:			
1. That Council supports an extension being sought for the Transport NSW Grant for the Bangalow shared path project.			
2. That the matter Byron Shire Rail with Trail (Update) be deferred until the 22 June Ordinary Council Meeting.			
Mover: Sarah Ndiaye		Seconder: Sama Balson	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-162	TAHE strategy for preserving a usable rail corridor Report: I2023/594	11/05/2023	12/06/2023
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved that Council			
1. Writes to TAHE, to Transport for NSW, to the NSW Minister for Transport (Jo Haylen), and to the NSW Minister for Regional Transport and Roads (Jenny Aitchison) regarding preservation of the Casino to Murwillumbah Railway Land (the rail corridor) within Byron Shire and invites TAHE and Transport for NSW to attend a Councillor Workshop to be held in June or August 2023 or, if unable to attend, to respond in writing to the issues we raise below:			
a) Does TAHE use a strategic approach when selling parts of the rail corridor within Byron Shire, such that minimum widths are maintained at each point along the corridor?			
b) Does TAHE take account of future transport needs of the corridor such as, for example:			
i. addition of a shared path for pedestrians and bicycles,			
ii. possible duplication of tracks for rail transport, and			
iii. possible connection of new villages that could be enabled by such transport.			
c) Whether TAHE can adopt an approach to ensure the sale or transfer of corridor assets will not prevent dual tracks between Billinudgel and Bangalow plus appropriate sidings where needed.			
2. Requests that staff notify Councillors when staff become aware of any impending sale or transfer of railway land.			
Mover: Peter Westheimer		Seconder: Duncan Dey	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-163	Lennox Head to Byron recreational coastal pathway Report: I2023/622	11/05/2023	15/03/2024
		Directorate: Infrastructure Services Officer: Flockton, James	
Resolved that Council supports and joins with Ballina Shire Council in its efforts to improve Active Transport connectivity between the two Shires through the following:			
1. Provides in principle support for the continuation of the recreational coastal pathway from Lennox Head to Byron Bay.			
2. Seeks a joint funding opportunity for a route options study into routes to link the recreational coastal pathway from Lennox Head to Byron Bay, including active transport linkages to potential future Rail Trails in the Shire.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: 08 Jun 2023 3:17pm Cornwall, Judd 1. Noted 2. Noted, Grant funding to be investigated, discussions with Ballina Shire have commenced and are ongoing. 24 Oct 2023 1:19pm Cornwall, Judd - Target Date Revision Target date changed by Cornwall, Judd from 30 September 2023 to 30 November 2023 - Council staff have met with Ballina Shire to understand their preliminary investigations for a suitable corridor alignment. Staff will prepare a report to Council advising potential links within the Byron Shire to continue the coastal pathway..			

Res No	Report Title	Meeting Date	Due Date
23-185	Former South Byron Sewage Treatment Plant - Project Update Report: I2022/860	25/05/2023	26/06/2023
		Directorate: Infrastructure Services Officer: Clark, Cameron	
Resolved that Council:			
1. Notes the completion of the remediation of the land-based portion of the former South Byron Sewage Treatment Plant site, culminating in the receipt of the Site Audit Statement and Site Audit Report from the EPA accredited Contaminated Site Auditor;			
2. Adopts Preferred Option 3 of the Options Assessment and Design Report (Australian Wetlands Consulting, Attachment 2) for the retained South Byron Sewage Treatment Ponds; and			
3. Allocates \$600,000 from the Sewerage Fund Capital Works Reserve to be included in the Draft 2023/24 Budget to complete the detailed design and works phase of the South Byron Sewage Treatment Pond Rectification project.			
4. Considers the future land use of the South Byron Sewage Treatment Plant at a future Councillor Workshop			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: 21 Sep 2023 12:32pm Clark, Cameron Council staff are currently undertaking an assessment for the future land use of the South Byron Sewage Treatment Plant. Workshop to date yet to be set			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-188	Community Member Presentation - Proposal for a Federal Heritage Conservation Area and New listed items Report: I2023/297	25/05/2023	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council adopts the following Committee recommendations:			
Report No. 4.3 Community Member Presentation - Proposal for a Federal Heritage Conservation Area and New listed items File No: I2023/297			
<u>Committee Recommendation 4.3.1</u>			
That the Heritage Advisory Committee:			
1. Thank Jenna Reed Burn for her presentation, and work on the Preliminary Federal Village Heritage Assessment, and notes its recommendations for listings in Schedule 5 of the Byron Local Environmental Plan 2014.			
2. Supports further consultation occurring with residents and owners of the properties proposed to be listed as individual items, contributory items, and in the Heritage Conservation Area generally, prior to reporting any planning proposal with any new listings recommended to Council			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: 16 Feb 2024 7:28am Burt, Shannon Council's Heritage Advisor reviewing submissions and planning proposal. Staff report to Council to follow.			

Res No	Report Title	Meeting Date	Due Date
23-215	Arakwal MOU review Report: I2023/569	25/05/2023	3/05/2024
Directorate: Corporate and Community Services Officer: Appo, Robert			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 3.1 Arakwal MOU review File No: I2023/569			
<u>Committee Recommendation 3.1.1</u>			
That the Arakwal MoU Advisory Committee:			
1. Notes the Arakwal MoU draft review attachment (#E2019/90906).			
2. Provides input to the draft review and discusses next steps and possible options.			
3. Notes the Committee will hold an Extra Ordinary Meeting on 19 May 2023 to continue the Arakwal MoU review.			
Mover: Asren Pugh		Seconder: Michael Lyon	
Comments: 26 Jul 2023 1:47pm Appo, Robert - Target Date Revision Target date changed by Appo, Robert from 26 June 2023 to 29 September 2023 - Arakwal have requested delaying next meeting until September due to ongoing Native Title meetings and Commitments., 1. Completed., 2. Arakwal MOU committee to meet in September to finalise the MOU after advice received from Arakwal Board Meeting, 14 March 2023., 3. Aboriginal Project Officer consulting with Aboriginal stakeholders groups within the Shire including Arakwal, Widjabal/Wyabal, Tweed Byron and Jali LALC. 21 Mar 2024 2:01pm Appo, Robert - Target Date Revision Target date changed by Appo, Robert from 01 February 2024 to 03 May 2024 - Council staff to attend a future Arakwal board meeting to discuss a final outcome/next steps for the Arakwal MOU and the potential for a wider and broader Aboriginal stakeholder committee.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-221	Bayshore Lane - One Way restriction Report: I2023/599	25/05/2023	29/02/2024
Directorate: Infrastructure Services Officer: Flockton, James			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.2 File No: I2023/599	Bayshore Lane - One Way restriction		
<u>Committee Recommendation 6.2.1</u>			
That the Local Traffic Committee endorse the implementation of one-way traffic within Bayshore Lane, Byron Bay (northbound) if community and stakeholder engagement does not raise any reasons not to proceed.			
Mover: Michael Lyon		Seconder: Duncan Dey	
Comments: 11 Mar 2024 3:11pm Flockton, James On grounds works planned and residents being advised works are to occur. Construction date to be agreed.			

Res No	Report Title	Meeting Date	Due Date
23-196	Setting the Shire's minimum rate Report: I2023/724	25/05/2023	30/06/2024
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council:			
1.	Notes the presentation on Pages 52 and 53 of 163 of Council's Agenda for 27 April 2023 where the impacts of changing the Shire's minimum rate are reported, using scenarios (i) with the published minimum rate of \$1,014 and (ii) with last year's minimum of \$969.		
2.	Considers, before adopting the Shire's Integrated Planning documents for the 2023/2024 financial year including the Statement of Revenue Policy but after considering public submissions (both likely on 22 June), setting the Shire's minimum rate for the 2023/2024 financial year at \$1,000.		
3.	Considers, when preparing such documents for future years including 2024/2025 using that same minimum.		
Mover: Duncan Dey		Seconder: Asren Pugh	
Comments: 18 Dec 2023 8:48pm Brickley, James - Target Date Revision Target date changed by Brickley, James from 26 June 2023 to 30 June 2024 - As per the request of Cr Dey, resolution is to be kept open until Council has opportunity to consider the minimum rate to apply in the 2024/2025 financial year. This will be determined by 30 June 2024			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-270	North Byron Sky Pump Proposal Report: I2023/652	22/06/2023	24/07/2023
Directorate: Infrastructure Services Officer: Twohill, Steve			
Resolved that Council does not adopt Committee Recommendation(s) 4.2 as shown in the attachment to this report, but instead adopts the Management Recommendation:			
Report No. 4.2	North Byron Sky Pump Proposal		
File No: I2023/652			
<u>Committee Recommendation 4.2.1</u>			
That the Flood Advisory Committee recommends Council support the scope of the North Byron Sky Pumps Proposal with the following changes:			
1. That there be four scenarios namely:			
a) 100-year rainfall with 20-year ocean level;			
b) 20-year rainfall with 100-year ocean level;			
c) 20-year rainfall with 20-year ocean level;			
d) 100-year rainfall plus 100-year Climate change with 20-year ocean level plus 100-year Climate Change			
2. That the locations change:			
a) North of sports field at New Brighton (153.5503, -28.5063).			
b) South of levee at SGB (154.5499, -28.4984).			
c) Remnant dredged channel from 1970s in Billinudgel Nature Reserve (intersects remnant channels) (153.5506, -28.4856).			
<u>Management Recommendation</u>			
The above scenarios a) to d) do not allow for a potential east coast low that could hit the region bringing 100 year rain with 100 year ocean levels. Further scenario c) is a minor event when compared to 100 year events and is not really relevant to this investigation.			
It is recommended that scenario c be changed to '100-year rainfall with 100-year ocean level;'.			
Recommended resolution:			
That Council support the scope of the North Byron Sky Pumps Proposal with the following changes:			
1. That there be four scenarios namely:			
a) 100-year rainfall with 20-year ocean level;			
b) 20-year rainfall with 100-year ocean level;			
c) 100-year rainfall with 100-year ocean level;			
d) 100-year rainfall plus 100-year Climate change with 20-year ocean level plus 100-year Climate Change			
2. That the locations change:			
a) North of sports field at New Brighton (153.5503, -28.5063).			
b) South of levee at SGB (154.5499, -28.4984).			
c) Remnant dredged channel from 1970s in Billinudgel Nature Reserve (intersects remnant channels) (153.5506, -28.4856).			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-271	Byron Shire Post 2022 Flood Analysis Update Report: I2023/654	22/06/2023	24/07/2023
Directorate: Infrastructure Services Officer: Twohill, Steve			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.4	Byron Shire Post 2022 Flood Analysis Update		
File No: I2023/654			
<u>Committee Recommendation 4.4.1</u>			
That the Floodplain Management Advisory Committee recommends Council:			
<ol style="list-style-type: none">Notes the report, the update by DPE and the Floodplain Management Advisory Committee minutes;Expresses its concern at how long this project is taking;Makes the Post-Event Flood Level Survey public, so that:<ol style="list-style-type: none">It gets checked by those who provided the information, or were flooded, andIt can be amended where necessary prior to the expensive task of flood modelling;Thanks DPE for funding all the post-event technical analyses; andAsks DPE to share draft reports as soon as possible with this Floodplain Advisory Committee, including via an Extraordinary Meeting if necessary.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments:			
26 Jun 2023 9:59am Moffett, Scott - Completion			
DPE to continue to provide regular updates to the BSC Flood Advisory Committee.			

Res No	Report Title	Meeting Date	Due Date
23-295	Changing the Net Zero Target to 2030 and Purchasing Carbon Offsets Report: I2023/403	22/06/2023	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Briggs, Hayley			
Resolved that Council:			
<ol style="list-style-type: none">Notes the definitions of net zero and carbon neutrality.Receives a further report on whether meeting the proposed revised net zero target date of 2030 is achievable and how this might be achieved, with regard to the proposed pathways in the report and utilising the Climate Active Standard.Places the draft Carbon Offset Procurement Policy (Attachment 1, E2023/54559) on public exhibition and available for public comment for 28 days. Following this period, Council receives a further report. That members of the Climate Change and Resource Recovery Committee be specifically invited to make a submission.Notes the financial implications of achieving both carbon neutrality in 2025 and net zero in 2030			
Mover: Asren Pugh		Seconder: Duncan Dey	
Comments:			
13 Dec 2023 3:11pm Briggs, Hayley - Target Date Revision			
Target date changed by Briggs, Hayley from 24 July 2023 to 30 June 2024 - Items 1, 3 & 4 are complete. Item 2 will be completed by 30 June 2024 - staff have engaged a consultant to provide advice on whether meeting the proposed revised net zero target date of 2030 is achievable. A report will be put to Council in the first half of 2024.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-300	CONFIDENTIAL - 57 Station Street, Mullumbimby Report: I2023/818	22/06/2023	31/05/2024
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1. Endorses the Mayor to sign an updated Project Agreement in the form of a Terms Sheet Agreement with Landcom to facilitate work with Council on an affordable housing project on 57 Station Street Mullumbimby, as described in this report.			
2. Delegates authority to the General Manager to run the tender process and documentation as described in this Report, accept the preferred Complying Tender, and enter into a Heads of Agreement, lease agreement and development deed at the relevant time.			
3. Receives a report for final determination should Community Housing Providers (CHPs) submit a non-complying tender and the Tender Evaluation Committee recommend the acceptance of that tender.			
4. Appoints the following staff to the Tender Evaluation Committee: Director Sustainable Environment and Economy and Director Corporate and Community Services.			
Mover: Asren Pugh		Seconder: Michael Lyon	
Comments: 16 Feb 2024 7:42am Burt, Shannon Tender assessment underway			

Res No	Report Title	Meeting Date	Due Date
23-331	2023/24 Loan Borrowing Program Report: I2023/1195	24/08/2023	30/04/2024
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council:			
1. Authorises the 2023/2024 loan borrowing program of \$11,687,000 for the following purposes outlined in this report.			
2. Delegates to the General Manager to undertake loan borrowings for the purposes outlined in recommendation 1 and accept loan borrowing terms on behalf of Council that represents the best financial outcome amongst other loan offer(s) received.			
2. Authorises the affixing of the Council seal to all documents that may require it, in regard to the 2023/24 loan borrowing program.			
Mover: Sarah Ndiaye		Seconder: Cate Coorey	
Comments: 20 Mar 2024 2:59pm Brickley, James - Target Date Revision Target date changed by Brickley, James from 29 March 2024 to 30 April 2024 - Waiting to assess movement in interest rates and to further assess actual loan requirements pending project expenditures. Will need to report in April 2024 to consider refinancing of former Mullumbimby Hospital loans.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-337	Basketball Court Art Project Proposal received from Laith McGregor & Art Courts Australia Report: I2022/1901	24/08/2023	29/06/2024
Directorate: Corporate and Community Services Officer: Firth, Melitta			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.1 Basketball Court Art Project Proposal received from Laith McGregor & Art Courts Australia File No: I2022/1901			
<u>Committee Recommendation 4.1.1</u>			
1. That the Committee supports the proposal progressing including consultation with relevant stakeholders.			
2. That the Committee recommends consideration of a broader review of the basketball and netball court areas for inclusion into an integrated activation plan.			
Mover: Sarah Ndiaye		Seconder: Cate Coorey	
Comments: 12 Sep 2023 4:04pm Firth, Melitta - Target Date Revision Target date changed by Firth, Melitta from 25 September 2023 to 29 June 2024 - Major project that will require consultation and scheduling.			

Res No	Report Title	Meeting Date	Due Date
23-338	Jonson and Lawson Street Roundabout Mosaic Artworks Report: I2023/557	24/08/2023	29/06/2024
Directorate: Corporate and Community Services Officer: Firth, Melitta			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.2 Jonson and Lawson Street Roundabout Mosaic Artworks File No: I2023/557			
<u>Committee Recommendation 4.2.1</u>			
1. That the Committee acknowledges that the location of the artwork no longer complies with road safety standards and the cost/benefit of repairing the work is prohibitive.			
2. That the Committee recommends examining the possibility of salvaging some of the existing artwork.			
3. That the Committee recommends commissioning a new artwork in a more suitable location.			
Mover: Sarah Ndiaye		Seconder: Cate Coorey	
Comments: 26 Mar 2024 9:38am Firth, Melitta 1. Noted. Completed., 2. Salvaging mosaics has been discussed with Open Spaces team and will be attempted during project delivery, where possible., 3. Noted. Initial grant application for this project was unsuccessful. Council will ensure commissioned artwork is included into the redesign of Byron Bay's main beach foreshore redevelopment.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-351	Dingo and Wild Dog Control in Byron Shire Report: I2023/920	24/08/2023	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Caddick, Liz			
Resolved that Council:			
1. Reviews the 2018-2023 Byron Shire Pest Animal Management Plan early in 2024 and that this review includes: a) Community engagement to identify community priorities and impacts on land managed by primary producers, traditional owners, rural lifestyle landholders, local community members and Land for Wildlife b) Engagement with researchers including those using updated DNA methods and non-lethal management practices to collate data relevant to the Byron Shire local environment to inform best practice pest animal management			
2. Works with Local Land Services, independent scientists, traditional owners, and animal protection organisations to develop the best-informed Pest-Predator Management Plan for Byron Shire which will prioritise non-lethal pest management options.			
3. Requests that the previously DNA tested samples from Local Land Services be shared with UNSW scientist Dr Kylie Cairns to run updated DNA testing.			
4. Receives a report by March 2024 (prior to the 2024 trapping season) on the use of non-trapping investigative methods, monitoring and if necessary, cage traps, which can be used to successfully monitor and trap dingoes, roaming dogs, foxes and cats if used properly.			
5. Explores opportunities and funding to work alongside above stakeholders to create awareness and education campaigns about Dingoes, as part of the Pest Animal Management Plan review.			
6. Notes that there is a National Inaugural First Nations Dingo Forum 15-16 September 2023, hosted by GIRRINGUN Aboriginal Corporation, in relation to the cultural significance of the Dingo to First Nations People. The forum will review current methods of management, review legislation, and provide first nations perspectives.			
7. Considers sending a delegate/s to the above events and for the findings to be considered as part of ongoing inclusion and consideration into the Byron Shire Pest Animal Management Plan in 2024.			
8. Notes this resolution does not replace, Council Resolution on 27 April 2023 (23-124)			
Mover: Sama Balson		Seconder: Asren Pugh	
Comments:			
26 Mar 2024 9:06am Caddick, Liz			
1. Contractor (Ecosure) is progressing review of 2018- 2023 Byron Shire Pest Animal Management Plan. , a) List of key stakeholders identified, including primary producers, traditional owners, rural landholders, local community members, government agencies, research scientists, other local councils and Land for Wildlife. , b) Staff have met with researchers from University NSW and Taronga Zoo regarding local DNA samples and opportunities to trial and monitor non-lethal management practices in Byron Shire. ,			
2. Local Land Services are developing a Pest-Predator Management Plan for Byron Shire and will liaise with Council regarding this during development of LLS plan.,			
3. Local Land Services have, to date, been unable share previously tested DNA samples with UNSW scientist Dr Kylie Cairns. Staff continuing to follow this up with LLS.,			
4. Report on trapping going to April 2024 Council meeting., 5. Opportunities for research and education funding being addressed as part of report to April 2024 Council meeting and as part of Pest Animal Management Plan review., 6. First Nations Dingo Forum attended by staff.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-360	Northern and Western Rail Corridor Reports Report: I2023/786	24/08/2023	25/09/2023
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved that Council:			
1.	Proceeds with the planning, approval process, and preparation of an application for funding to implement on formation rail trails from Mullumbimby to Crabbes Creek and from the old Byron Bay station, through Bangalow to Booyong.		
2.	Seeks a lease over as much of the corridor as possible that would help: a. ensure the corridor remains in public hands b. enable investigation of options for diverse housing within the corridor c. enable the activation of unused space, infrastructure and buildings for community use d. allow council to receive income for trail maintenance e. allow environmental rehabilitation, including wildlife corridors f. other options for public transport		
3.	Receives an update and a report on points one and two once the Northern Regional Railway Company degradation study has been provided to Council		
4.	Reiterates Council's ongoing support for Multi Use of the Rail Corridor between Byron Bay and Mullumbimby		
Mover: Asren Pugh		Seconder: Michael Lyon	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-369	Establishment of Alcohol Free Zones Report: I2023/1158	24/08/2023	25/09/2023
Directorate: Infrastructure Services Officer: Frumpui, Samuel			
Resolved:			
1.	That in accordance with section 644B of the Local Government Act 1993, Council adopts the proposal to establish alcohol free zones in those parts of Byron Bay, Mullumbimby, Brunswick Heads, Ocean Shores, New Brighton and Suffolk Park, as are set out in the proposal, for a period of four years commencing 1 September 2023.		
2.	That operation of an established alcohol-free zone be suspended for approved footway restaurants (both present and future), where the operator requests suspension of the Alcohol-Free Zone to allow alcohol to be consumed with the footway restaurant, during the restaurant's hours of operation.		
Mover: Cate Coorey		Seconder: Duncan Dey	
Comments:			
27 Nov 2023 5:06pm Sills, Heather - Reallocation Action reassigned to Frumpui, Samuel by Sills, Heather - Works team delivering signage updates			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-365	Byron Shire Council Future Water Strategy Report: I2023/899	24/08/2023	25/09/2023
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved:			
Report No. 4.1 Byron Shire Council Future Water Strategy File No: I2023/899			
1. That Council defers Report No. 4.1 Byron Shire Council Future Water Strategy until Councillors have discussed the matter with Rous County Council at the first available workshop.			
2. That Council notes that this issue is of significant importance and will consult and inform the community in a meaningful way before making a decision.			
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments: 21 Sep 2023 12:33pm Clark, Cameron Workshop with Rous and WSAC has been carried out., Planning workshop is planned for November 2023 with Council and Rous			

Res No	Report Title	Meeting Date	Due Date
23-381	Annual expenditure on consultants & Conflicts of Interest Report: I2023/1317	14/09/2023	31/05/2024
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved that Council:			
1. Discusses at the next available Councillor Workshop reporting that could be received on the following:			
a) The amounts Council spends in the second & third quarters of the 2023-24 financial year (for the May report) and in the fourth & first quarters of 2023-24 and 2024-25 respectively (for the November report) on consultants, including but not limited to			
i) contractors retained in-house;			
ii) technical, legal and financial advice received;			
iii) assistance in court or on threats of legal action;			
iv) planning assessment;			
v) etc.			
b) Opportunities to retain such capabilities in-house.			
c) The advantages & disadvantages of external advice over internal.			
d) What measures could Council take to improve its management of consultants' potential Conflicts of Interest and related matters.			
e) Consideration of whether Council could publish the brief that was given to any consultant as part of a Council report that includes the consultant's report.			
Mover: Duncan Dey		Seconded: Cate Coorey	
Comments: 12 Dec 2023 8:20am Sills, Heather This item was discussed at the 30 November Councillor Workshop. Councillors requested to receive a report in May outlining: a) the spend on the consultants with the highest value in the reporting period, b) not required, c) not required, d) information about how conflict of interest management can be strengthened above the existing controls, e) information can be provided to councillors on request 27 Feb 2024 5:43pm Sills, Heather - Target Date Revision Target date changed by Sills, Heather from 16 October 2023 to 31 May 2024 - Report requested for May Meeting.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-385	Mullumbimby Heritage Park Landscape Masterplan Report: I2023/1083	14/09/2023 Directorate: Infrastructure Services Officer: Flockton, James	15/02/2024
Resolved:			
<ol style="list-style-type: none">That Council adopts the Heritage Park Landscape Masterplan (Attachment 1, E2023/78596).That in implementing the Masterplan staff make their best endeavours to ensure the formalisation of parking is kept to a minimum and that effective barriers are installed that inhibit vehicle access to the park (eg bollards or plantings).That Council recognises Heritage Park as a sanctuary and showcase for the flora of the Brunswick, Richmond and Tweed Valleys.That Council requests a safety and solutions report regarding the safety of pedestrians and cyclists at the Brunswick Terrace and Tincogan Street intersection.			
Mover: Mark Swivel		Second: Sarah Ndiaye	
Comments:			
21 Sep 2023 12:33pm Robertson, Malcolm			
<ol style="list-style-type: none">Noted that That Council adopted the Heritage Park Landscape Masterplan,Noted that in implementing the Masterplan staff will make their best endeavours to ensure the formalisation of parking is kept to a minimum and that effective barriers are installed that inhibit vehicle access to the park (eg bollards or plantings). ,Noted that Council recognises Heritage Park as a sanctuary and showcase for the flora of the Brunswick, Richmond and Tweed Valleys. ,Action for requested safety and solutions report regarding the safety of pedestrians and cyclists at the Brunswick Terrace and Tincogan Street intersection is awaiting the recruitment of a new Traffic and Transport Engineer.			
24 Oct 2023 1:28pm Cornwall, Judd - Target Date Revision			
Target date changed by Cornwall, Judd from 16 October 2023 to 30 November 2023 - Pedestrian and Traffic data required to undertake the safety assessment at the intersection.			
22 Dec 2023 1:10pm Cornwall, Judd - Target Date Revision			
Target date changed by Cornwall, Judd from 30 November 2023 to 15 February 2024 - Data required following summer holiday normalisation.			

Res No	Report Title	Meeting Date	Due Date
23-387	Council Resolutions Quarterly Review - Q4 - 1 April to 30 June 2023 Report: I2023/1127	14/09/2023 Directorate: Infrastructure Services Officer: Soulsby, Christopher	16/10/2023
Resolved that Council:			
<ol style="list-style-type: none">Notes the information provided in this report on active Council Resolutions in Attachment 1 (#E2023/67986).Notes the completed Resolutions in Attachment 2 (#E2023/67999).Does not record Resolutions 23-196 and 23-271 as complete, and returns those resolutions to 'Active Resolutions'.That a report be presented to the December 2023 meeting outlining a program to carry out Resolution 21-240.			
Mover: Peter Westheimer		Second: Duncan Dey	
Comments:			
18 Sep 2023 11:55am Sills, Heather			
<ol style="list-style-type: none">Noted.,Noted.,Resolutions 23-196 and 23-271 returned to 'Active Resolutions'. ,Reassigned to A/Manager Assets and Major Projects to prepare a report to the December 2023 meeting outlining a program to carry out Resolution 21-240.			
18 Sep 2023 11:57am Sills, Heather - Reallocation			
Action reassigned to Soulsby, Christopher by Sills, Heather - Reassigned to A/Manager Assets and Major Projects to prepare a report to the December 2023 meeting outlining a program to carry out Resolution 21-240.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-389	Revised Delivery Program 2022-26 Report: I2023/1141	14/09/2023	16/10/2023
Directorate: Infrastructure Services Officer: Robertson, Malcolm			
Resolved that:			
1. Council endorses the revised Delivery Program 2022-26 (Attachment 1 #E2023/40277) noting the inclusion of indicators from the Outcomes Measurement Framework (Attachment 2 #E2022126119) and the list of services as part of the service review process.			
2. In relation to DP Section 3.1 - Partner to nurture and enhance biodiversity, ecosystems, and ecology - Bush regeneration (Council land), Council:			
a) At the Sept QBR makes an adjustment to Utilities Sewer System budget to allow additional allocation of \$28,000 to allow the current Bush Regeneration Program to be extended to cover the Utilities operational lands.			
b) Requests a future report from Open Space & Facilities on the options to address the Slash Pines plantation and within the Cavanbah Centre Community land.			
Mover: Peter Westheimer		Seconder: Michael Lyon	
Comments:			
21 Sep 2023 9:48pm Sills, Heather - Reallocation			
Action reassigned to Robertson, Malcolm by Sills, Heather –			
1. Revised Delivery Program 2022-26, as adopted by Council has been provided on Council's website.,			
2. Referred to Manager Open Spaces and Facilities for action.			

Res No	Report Title	Meeting Date	Due Date
23-393	Report of the Climate Change and Resource Recovery Advisory Committee Meeting held on 29 June 2023 Report: I2023/1042	14/09/2023	16/10/2023
Directorate: Infrastructure Services Officer: Hanigan , Danielle			
Resolved that Council:			
1. Notes the Minutes of the Climate Change and Resource Recovery Advisory Committee Meeting held on 29 June 2023;			
2. Adopts the Committee's advice on Report 4.2 "Regional Waste Strategy and Waste to Energy" of that June meeting, namely the following Parts 3 to 6;			
3. Opposes any incineration or waste treatment that results in worse environmental outcomes than current operations;			
4. Supports the approach in the "NSW Energy from Waste Policy Statement 2022", that incineration facilities for the destruction of waste not be permitted;			
5. Supports maintaining an open, investigative approach to long term waste management including alternative waste treatment, ensuring options are assessed transparently (to ensure the best outcome for the environment and our communities);			
6. Continues to update the Committee (as part of the Resource Recovery Update to each Committee meeting) on regional waste management initiatives and any progress or changes in "energy from waste" status locally or at state level; and			
7. Notes that Council has improved the energy efficiency of our wastewater network and thereby produced verifiable annual savings of over 1GWh or \$250,000 per year and that these projects included:			
i) the installation of solar PV farms at three Sewage Treatment Plants (STPs) with a combined capacity of 303kW			
ii) upgrading to energy efficient blowers at Byron STP,			
iii) energy efficiency upgrades to the sewer pump station (SPS) network, and			
iv) the creation of the position of Sustainability Officer Utilities (SOU).			
Mover: Duncan Dey		Seconder: Mark Swivel	
Comments:			
28 Mar 2024 11:37am Hanigan, Danielle - Completion			
Completed by Hanigan, Danielle (action officer) on 28 March 2024 at 11:36:57 AM - This resolution re-iterated the minutes of the CRRAC. The Committee is updated on any changes in regional waste management at each meeting.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-454	Wallum DA10.2021.575.1 referral and assessment Report: I2023/1477	12/10/2023	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Council:			
1.	Notes local and broader community concern that this area will be rendered uninhabitable for several Threatened native Species and Ecological Communities by this development, and that many other native Species whose futures point towards becoming "Threatened" also occur on the property, and notes that these concerns include:		
a)	whether the project will have, or is likely to have, a significant impact on any listed threatened species including on: Wallum Sedge Frog; Glossy Black-cockatoo; Koala; Mitchells Rainforest Snail; or Long-nosed Potoroo [refer EPBC Act Part 3 Subdivision C Sections 18 & 18A];		
b)	whether the project will have, or is likely to have, a significant impact on Koala habitat (see Figure 6 of the Byron Coast Comprehensive Koala Plan of Management);		
c)	whether the project will have, or is likely to have, a significant impact on habitat of Glossy Black-cockatoo, which have been recorded feeding and roosting on the site consistently (the so-called "Bruns trio");		
d)	whether the actions proposed includes any possibility of a "controlled action" [under EPBC Act Part 7 Division 1 Section 68(1)];		
e)	the likelihood of survival of the local population of Wallum Froglet, despite a lack of research or results proving that habitat replacement as currently proposed ("ponds" to be dug in surrounding landforms) is successful;		
f)	the true age of trees such as mature Scribbly Gums that have been allocated an age of 50 years, in conflict with evidence-based studies such as the "growth model method" [they are likely 200 to 400 years old];		
g)	whether any trees that will be impacted by the project are of cultural heritage, through for example scarring on such trees, and would be deemed "intangible cultural assets";		
h)	any other matters brought to light through for example (i) past submissions to various rounds of public exhibition, and (ii) recent claims of local environmental groups;		
i)	the drainage problem noted under Condition 11b (no slope in the proposed North South Drain) can be overcome at all, and whether the required minimum 0.25% gradient can be achieved (both under current sea levels and under those indicated for the future, including for the year 2100 and beyond and including the possibility that flood levels will be found to be higher after re-calibration of computer models following the 2022 flood event); and		
j)	there will be no change in the regime of stormwater flows leaving the developed site (with its impervious surfaces) compared to those that leave the site as is (with its flat gradients and sandy soils) for all frequencies of storms from 1-in-3-month through to rare floods; and		
k)	that the site is flood prone as demonstrated in the February 2022 flood.		
2.	Notes at least one request has been made (on 14 September 2023) notifying the NSW state Planning Minister Paul Scully and asking the federal Minister for the Environment, Tanya Plibersek, to call in the next development Stages of Bayside Brunswick (DA10.2021.575.1) under the Environment Protection and Biodiversity Conservation (EPBC) Act 1999 and to determine the project's impacts on Matters of National Environmental Significance (MNES) including nationally listed Threatened Species such as:		
a)	the critically endangered Mitchells Rainforest Snail; and		
b)	the Wallum Sedge Frog.		
	and priority species under the federal Threatened Species Action Plan including:		
a)	Koala; and		
b)	Australasian Bittern.		
3.	Writes to federal Minister for the Environment Tanya Plibersek requesting that she assess this project's impacts on MNES including those in Part 2 above and:		
a)	the following EPBC listed fauna: Wallum Sedge Frog; Glossy Black-cockatoo; Koala; Mitchells Rainforest Snail; Long-nosed Potoroo; Eastern Grass Owl; and Collared Kingfisher;		
b)	habitat for the following critically endangered species: Regent Honeyeater and Swift Parrot;		
c)	the EPBC listed Endangered Ecological Community - Swamp Sclerophyll Forest on Coastal Floodplains; and		
d)	the EPBC listed Pink Nodding Orchid (<i>Geodorum densiflorum</i>).		

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

4. Writes to the NSW Minister for Planning Paul Scully requesting that he assess whether the project includes actions that are or may be "controlled actions" [under EPBC Act Part 7 Division 1 Section 69(1) and 70(1)].
5. Receives assessments of the Amended Management Plans submitted to Council for the development at Bayside Brunswick (DA10.2021.575.1) to ensure that those Plans comply with Consent Conditions set by the NRPP and with federal, state and local regulations, including separate assessments of Plans for:
 - a) Vegetation Management (Condition 6);
 - b) Wallum Froglet Management (Condition 7);
 - c) Construction Environmental Management (Condition 8);
 - d) Updated Surface and Groundwater Management (Condition 9);
 - e) Stormwater Maintenance Management (Condition 12);
 - f) Cultural Heritage Site Inspection (Condition 18).
6. Consults with traditional custodians connected to the site about its cultural significance as also revealed by mapping held under a Memorandum of Understanding with Tweed Byron Local Aboriginal Land Council.
7. Determines at a Council meeting the suitability of those Amended Plans and the efficacy of the proposed stormwater system, as pointed out in the note under consent condition 11b, after considering:
 - a) the assessments resulting from Part 5 above; and
 - b) return correspondence from the Federal Government resulting from Parts 2 and 3 above; and
 - c) return correspondence from the State Government resulting from Parts 2 and 4 above.
8. Seeks legal advice on avenues by which an appeal can be made against the approval granted in May 2023 despite being out of time.
9. Seeks clarification from the Department of Planning and Environment around the process and the information on which the issue of the section 34a Certificate was based.

Mover: Duncan Dey

Seconded: Sarah Ndiaye

Comments:

22 Dec 2023 7:41am Burt, Shannon

- 1 Note only,
- 2 Note only,
- 3 Letter sent 20/10/23 E2023/109201 Reply dated 23/11/23 E2023/127730,
- 4 Letter sent 20/10/23 E2023/109198 Reply dated 14/12/23 E2023/132305,
- 5 Report 14/12/23 Resolution 23-651,
- 6 In progress,
- 7 Noted and to be within council remit,
- 8 Legal advice sought and under privilege circulated to councillors 19/10/23,
- 9 Email sent to DPE 14/11/23 Follow up email sent 22/12/23

22 Mar 2024 5:46pm Burt, Shannon

see resolution 24-015, further report to Council on April 18.

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-487	Negotiations to dispose of and acquire land interests Report: I2023/1534	26/10/2023	28/06/2024
Directorate: General Manager Officer: McKelvey, Shannon			
Resolved that Council resolves to acquire and dispose of interests in land and deal with that land as detailed in the confidential report on pages 155 to 156 of the Agenda.			
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments: 21 Mar 2024 1:41pm McKelvey, Shannon Work is ongoing and on track.			

Res No	Report Title	Meeting Date	Due Date
23-488	Proposed sale of part lot 12 Bayshore Drive Report: I2023/1488	26/10/2023	27/11/2023
Directorate: General Manager Officer: Meir, Matt			
Resolved that Council enter a contract for sale regarding the land the subject of this report for a sale price of not less than \$1,930.00 per square metre for the land's "developable area".			
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments: 01 Dec 2023 11:23am Meir, Matt Council in discussions with Creative for the latter to view valuation reports. 22 Dec 2023 4:37pm Meir, Matt Creative begins valuation analysis on 18/12. Will complete analysis in new year. 30 Jan 2024 3:25pm Meir, Matt Creative concludes valuation analysis on 25 January. 01 Mar 2024 1:25pm Meir, Matt Creative writes to Council on 22 February regarding valuation analysis. Council to consider and respond. 28 Mar 2024 5:28pm Meir, Matt Council settling response to Creative Capital's 26 February correspondence.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-490	PLANNING - 26.2022.2.1 Gulgan North Planning Proposal - BILS Area 5 Report: I2023/142	26/10/2023	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Daniels, Steve			
Resolved that Council:			
1. Notes the current deficit of available zoned and fit for purpose 'Business and Industrial Land' in Byron Shire, and that the Planning Proposal for Area 5 Gulgan North partly addresses this.			
2. Notes that the Planning Proposal provides for a mix of uses compatible to the site opportunity and constraints, including a new sub land use category of 'Work-Live' dwelling.			
3. Accepts the applicant's letter of offer to enter into a Planning Agreement (Attachment 10 E2023/102502) with Council as part of this planning proposal and require that a draft Planning Agreement be prepared in accordance with the letter of offer.			
4. Amends the Planning Proposal land use zone mapping to accord with Figure 5 of this report.			
5. Amends the Planning Proposal to identify the subject land on a Local Clauses Map, with that portion of the subject land proposed to be zoned E3 Productivity Support identified as a 'Work-Live precinct'.			
6. Prior to requesting a Gateway determination:			
a) requires the proponent to submit an updated Cultural Heritage Assessment,			
b) forwards the draft planning proposal and relevant studies to Transport for NSW to obtain an 'in-principle' agreement to a speed zone reduction at the approach to the proposed roundabout,			
c) forwards the draft planning proposal and relevant to studies to the Biodiversity Conservation Division of the NSW DPE for comment and any necessary changes to the Planning Proposal			
7. Pending completion of '6, finalise and forward the planning proposal and supporting documents for the land known as Area 5 Gulgan North (informed by the Byron Shire Business and Industrial Lands Strategy) to the Department of Planning and Environment for the purpose of obtaining a Gateway Determination, and that Council exhibit the Planning Proposal in accordance with the Gateway Requirements.			
8. Notes that a draft Development Control Plan to support the Planning Proposal will be prepared to manage building design and general site requirements including public transport, active transport, location of any bus stops and integration with any intersection upgrade and be exhibited alongside the Planning Proposal.			
9. Notes that legal drafting of the draft Planning Agreement will be prepared and exhibited alongside the Planning Proposal.			
<i>Crs Dey, Ndiaye, Lyon, Westheimer, Balson, Pugh and Hunter voted in favour of the motion. Nil voted against the motion.</i>			
Mover: Peter Westheimer		Seconded: Michael Lyon	
Comments:			
14 Nov 2023 9:24am Burt, Shannon 1 and 2 noted, 3 letter of offer accepted and planning agreement drafting required to progress as part of PP, 4 and 5 revisions and updates progressing , 6 and 7 request made and progressing , 8 noted, 9 noted			
14 Nov 2023 9:27am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 27 November 2023 to 30 June 2024 - standard time allowed for Planning Proposal process			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-496	Petition for the Repair of Large and Dangerous Potholes at 394 Ewingsdale Road Byron Bay Report: I2023/1538	26/10/2023	27/11/2023
Directorate: Infrastructure Services Officer: Frumpui, Samuel			
Resolved:			
1. That the petition at Attachment 1 (E2023/103078) regarding the repair of large and dangerous potholes at 394 Ewingsdale Road Byron Bay be noted.			
2. That the petition be referred to the Director Infrastructure Services.			
Mover: Duncan Dey		Seconded: Michael Lyon	
Comments:			
26 Mar 2024 8:15pm Holloway, Phillip Matter referred to Manager Works to confirm action undertaken.			
26 Mar 2024 8:17pm Holloway, Phillip - Reallocation Action reassigned to Frumpui, Samuel by Holloway, Phillip - Manager to confirm actions taken as per report to Council on 26 October 2023			

Res No	Report Title	Meeting Date	Due Date
23-504	Additional Recommendation (14.3.4.1) Identifying Open Forest Ecosystems for Ecological Restoration Report:	26/10/2023	1/02/2025
Directorate: Sustainable Environment and Economy Officer: Caddick, Liz			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.1 Identifying Open Forest Ecosystems for Ecological Restoration File No: I2023/386			
<u>Committee Recommendation</u>			
1. That Council welcomes the report and notes the importance of restoring eco-cultural burning practices.			
2. That Open Ecosystem Restoration Potential mapping is added to Council's online mapping tool.			
3. That Council explores the option of comparative mapping between the open forest mapping and Council's bush fire prone land mapping.			
Mover:		Seconded:	
Comments:			
26 Mar 2024 9:10am Caddick, Liz 2. Open Ecosystem Restoration Potential mapping added to Council's online mapping tool. , 3. Staff to explore the option of comparative mapping between the open forest mapping and Council's bush fire prone land mapping when resources permit.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-509	9.1 Aboriginal Housing on Country Report:	26/10/2023	30/06/2024
Directorate: General Manager Officer: McKelvey, Shannon			
Resolved that Council:			
1.	Recognises:		
a)	The inherent right of Aboriginal and Torres Strait Islander People to live on Country.		
b)	The importance of living on Country to the physical, social and cultural well-being of Aboriginal People.		
c)	That the housing crisis is disproportionately impacting Aboriginal People and has made living on Country even more difficult. This has been further exacerbated by the significant number of Arakwal, Widjabul Wia-bal and Minjungbal People impacted by the floods in Byron and neighbouring shires including Lismore, Tweed, and Ballina.		
d)	The expressed issues that stem from not living on Country including impacts on the ability of Aboriginal People to participate in consultation and governance functions, to create and enjoy their own art and cultural activities, the subsequent limitations on health service delivery and the limitations on the ability to also work on Country.		
e)	The work that Native Title Bodies Corporate and Local Aboriginal Land Councils do to deliver housing for their members and the broader Aboriginal community, which in the Byron Shire includes Bundjalung of Byron Bay Aboriginal Corporation (Arakwal) and Widjabul Wia-bal Corporation, and the Tweed Byron, Ngulingah and Jali Local Aboriginal Land Councils.		
f)	That there are a variety of ways to deliver housing to facilitate living on Country beyond social housing.		
2.	Make strong representations to the NSW Reconstruction Authority that the land they have identified within Byron Shire under the Resilient Lands Program includes Aboriginal owned housing for Aboriginal people.		
3.	Will engage, separately and together, the Byron Shire's Native Title Corporations, Local Aboriginal Land Councils, and other relevant stakeholders to ensure the development of Aboriginal and Torres Strait Islander Housing on Country by:		
a)	wherever council has the power to, ensuring that the areas identified under the Resilient Lands Strategy within the Byron Shire includes Aboriginal owned housing for Aboriginal people		
b)	embedding the delivery of Aboriginal owned housing for Aboriginal people within the objectives and actions of Council's Residential Strategies, including the refresh currently on exhibition, and that Council receives a report on what will be included on the various Residential Strategies.		
c)	creating opportunities in the Byron Shire, and across the region, for housing on Country including for example: <ul style="list-style-type: none">· through the Strategies of the representative Aboriginal organisations and their existing projects and programs· on Council or State owned land, including possible transfer of title· through Council's Affordable Housing Contributions Scheme· through collective lobbying, negotiation and advocacy with NSW and Federal Governments		
d)	using Indigenous Land Use Agreements and Aboriginal Land Agreements where appropriate		
e)	potentially offsetting past and future Native Title compensation liability		
f)	engaging with any other appropriate matters.		
4.	Ensuring wherever possible, that Aboriginal housing provided through these initiatives prioritises housing Native Title holders and their descendants (as they are known and recognised by the relevant Native Title organisation) to live on Country as the recognised First Nations peoples of the Byron Shire.		
<i>Crs Hunter and Lyon voted against the motion.</i>			
Mover: Asren Pugh		Seconder: Sama Balson	
Comments:			
22 Mar 2024 6:02pm Burt, Shannon Residential Strategy adopted 14 March Resolution 24-080			
22 Mar 2024 6:05pm Burt, Shannon - Reallocation Action reassigned to McKelvey, Shannon by Burt, Shannon - Residential Strategy adopted 14 March Resolution 24-080.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-514	Bangalow Streetscape Materials Design Guide for Public Exhibition Report: I2023/206	09/11/2023	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Hughes , Kristie			
Resolved that Council:			
1. Places on public exhibition, the draft Bangalow Streetscape Materials Design Guide (Attachment 1, E2023/95853) and proposed accompanying amendment to the Byron Development Control Plan 2014, Part E, Chapter E2 Bangalow (Attachment 2, E2023/109098) for a minimum of 28 days.			
2. Receives a further report on the outcomes from the consultation process.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments:			
15 Nov 2023 10:34am Hughes, Kristie			
1 - Public Exhibition planned to commence Nov 23 - Jan 24, 2 - Report to Council early 24 to present feedback from 1.			
15 Nov 2023 10:40am Hughes, Kristie - Target Date Revision			
Target date changed by Hughes, Kristie from 11 December 2023 to 29 February 2024 - Report feedback from public exhibition back to Council			

Res No	Report Title	Meeting Date	Due Date
23-525	PLANNING - 26.2023.7.1 Planning Proposal to transition the West Byron Urban Release Area into LEP 2014 Report: I2023/1215	09/11/2023	31/12/2024
Directorate: Sustainable Environment and Economy Officer: Wall, Lachlan			
Resolved that Council:			
1. Proceeds with the planning proposal contained in Attachment 1, which seeks to:			
(i) amend the West Byron Urban Release Area (WBURA) zones to reflect the court approved subdivisions for Harvest Estate (development consent 10.2017.201.1) and Site R&D (Development Consent 10.2017.661.1); and			
(ii) transition all relevant LEP 1988 maps and site-specific provisions into Byron Local Environmental Plan 2014 for the WBURA.			
2. Forwards the planning proposal to the NSW Department of Planning, Industry and Environment for a Gateway determination;			
3. Pending a positive Gateway determination, undertakes public exhibition of the planning proposal in accordance with the determination requirements; and			
4. Considers a submissions report post-exhibition that includes any recommended changes to the planning proposal for final adoption.			
Mover: Cate Coorey		Seconder: Michael Lyon	
Comments:			
15 Dec 2023 11:09am Wall, Lachlan			
Planning Proposal submitted on Planning Portal. Awaiting gateway determination.			
22 Dec 2023 7:52am Burt, Shannon - Target Date Revision			
Target date changed by Burt, Shannon from 11 December 2023 to 31 December 2024 - to accommodate the statutory process			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-545	Part Road Reserve Closure and sale adjoining Lot 2 DP 1003768, 55 Coolamon Scenic Drive, Coorabell NSW Report: I2023/1468	23/11/2023	30/08/2024
Directorate: Infrastructure Services Officer: Armstrong, Tracy			
Resolved:			
1. That Council endorses the closure of part road reserve adjoining Lot 2 DP 1003768 as detailed in the report.			
2. That Council accepts the valuation as per <i>Attachment 1 E2023/108893</i> , that has been agreed upon by the landowner.			
3. That the applicant pays all remaining costs associated with the part road closure and consolidation.			
a) Council application fees			
b) Council's surveyor's fees and survey, valuation, and legal costs			
c) All registration fees			
d) Legal costs			
4. The allotments created by the part road closure to be consolidated into existing Parcel No 227640 Lot 2 DP 1003768.			
5. That Council authorises the General Manager to execute all documents necessary to affect the road closure, sale, transfer, and consolidation of the part closed road.			
Mover: Michael Lyon		Seconder: Peter Westheimer	
Comments:			
21 Mar 2024 1:32pm Armstrong, Tracy Waiting on road closure plans from surveyor.			

Res No	Report Title	Meeting Date	Due Date
23-546	Part Road Reserve Closure and sale adjoining Lot 8 DP 840653, 865 Broken Head Road, Broken Head NSW Report: I2023/1479	23/11/2023	1/08/2024
Directorate: Infrastructure Services Officer: Armstrong, Tracy			
Resolved:			
1. That Council endorses the closure of part road reserve adjoining Lot 8 DP 840653 as detailed in the report.			
2. That Council accepts the valuation as per <i>Attachment 1 E2023/112021</i> , that has been agreed upon by the landowners.			
3. That the applicant pays all remaining costs associated with the part road closure and consolidation.			
a) Council application fees			
b) Council's surveyor's fees and survey, valuation, and legal costs			
c) All registration fees			
d) Legal costs			
4. The allotments created by the part road closure to be consolidated into existing Parcel No 200460 Lot 8 DP 840653.			
5. That Council authorises the General Manager to execute all documents necessary to affect the road closure, sale, transfer, and consolidation of the part closed road.			
Mover: Michael Lyon		Seconder: Peter Westheimer	
Comments:			
06 Mar 2024 9:21am Armstrong, Tracy Surveyor has lodged plans with Land Registry Services for road closure. Have sent Draft Land Transfer Agreement.			
21 Mar 2024 1:24pm Armstrong, Tracy Waiting on registration of road closure plan with LRS.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-547	Part Road Reserve Closure and sale adjoining 198 & 200 Middle Rocket Rd being Lot 1 DP 1059516, and Lots 1 & 2 DP 1258568 and Lot 10 DP 717102. Report: I2023/1482	23/11/2023	1/08/2024
	Directorate: Infrastructure Services Officer: Armstrong, Tracy		
Resolved:			
1. That Council endorses the closure of part road reserve adjoining Lot 1 DP 1059516, and Lots 1 & 2 DP 1258568 and Lot 10 DP 717102 as detailed in the report.			
2. That Council accepts the valuation as per <i>Attachment 1 E2023/101401</i> , that has been agreed upon by the landowner.			
3. That the applicant pays all remaining costs associated with the part road closure and consolidation. a) Council application fees b) Council's surveyor's fees and survey, valuation, and legal costs c) All registration fees d) Legal costs			
4. The allotments created by the part road closure to be consolidated into existing Parcel No 239069 Lot 1 DP 1059516, Parcel No 270023 & 270024 Lot 1 & 2 DP 1258568, Parcel No 4300 Lot 10 DP 717102.			
5. That Council authorises the General Manager to execute all documents necessary to affect the road closure, sale, transfer, and consolidation of the part closed road.			
Mover: Michael Lyon		Seconder: Peter Westheimer	
Comments: 21 Mar 2024 1:25pm Armstrong, Tracy Survey has completed plans and lodged with LRS this week			

Res No	Report Title	Meeting Date	Due Date
23-548	Possible change of road name Hottentot Crescent, Mullumbimby Report: I2023/1755	23/11/2023	1/08/2024
	Directorate: Infrastructure Services Officer: Armstrong, Tracy		
Resolved that Council commences the name change process for Hottentot Crescent, Mullumbimby.			
Mover: Michael Lyon		Seconder: Peter Westheimer	
Comments: 21 Mar 2024 1:25pm Armstrong, Tracy Letters to residents have been sent out to notify of the next stage of the renaming process. Residents have been notified of the three proposed names for the renaming. Residents have the opportunity to put forward a submission. Advertisement in the Echo w/ending 29/03/2024 to notify the community of proposed names and submission process.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-567	Part Road Reserve Closure and sale adjoining Lot 7 DP 548466 and Lot 1 DP 44807, 89 Massinger Street, Byron Bay NSW Report: I2023/1481	23/11/2023	1/08/2024
		Directorate: Infrastructure Services Officer: Armstrong, Tracy	
Resolved:			
1. That Council endorses the closure of part road reserve adjoining Lot 7 DP 548466 & Lot 1 DP 44807 as detailed in the report.			
2. That Council accepts the valuation as per <i>Attachment 1 E2023/108560</i> , that has been agreed upon by the landowner.			
3. That the applicant pays all remaining costs associated with the part road closure and consolidation.			
a) Council application fees			
b) Council's surveyor's fees and survey, valuation, and legal costs			
c) All registration fees			
d) Legal costs			
4. The allotments created by the part road closure to be consolidated into existing Parcel No 120610 Lot 7 DP 548466 and Parcel No 120620 Lot 1 DP 44807.			
5. That Council authorises the General Manager to execute all documents necessary to affect the road closure, sale, transfer, and consolidation of the part closed road.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments:			
06 Mar 2024 9:30am Armstrong, Tracy Land Registry Services have requested Subdivision Certificate. Not able to proceed as an exempt development. Have now lodged a Development Application to subdivide road reserve. Awaiting D.A. approval.			
21 Mar 2024 1:29pm Armstrong, Tracy Issues with registering road closure plans with Surveyor and Land Registry Services.			

Res No	Report Title	Meeting Date	Due Date
23-572	Tender 2023-1897 EPAR04 Bridge Guardrail and Fences Report: I2023/1734	23/11/2023	25/12/2023
		Directorate: Infrastructure Services Officer: Frumpui, Samuel	
Resolved:			
1. That Council awards Tender Contract 2023-1897 EPAR04 Bridge Guardrail and Fences to Road Safety Barriers Pty Ltd for the sum of \$316,592.32 (incl. GST) and grants the General Manager delegated authority to approve variations.			
2. That Council authorises the Mayor and General Manager to affix the Council Seal to the relevant documents.			
3. That Council makes public its decision, including the name and amount of the successful tenderer, in accordance with Clause 179(b) of the Local Government (General) Regulation 2021.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-582	Bangalow Heritage House Report: I2023/1846	07/12/2023	23/05/2024
Directorate: Corporate and Community Services Officer: Cheema, Geeta			
Resolved that Council:			
1. Endorses the allocation of \$12,000 from the Community Buildings budget (GL 2320.051) for the preparation of an Options Study to inform scoping of potential multi-purpose uses of the Premises; and			
2. Receives a further report with the outcome of the Options Study, to inform a decision regarding appropriate future lease or license arrangements.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: 25 Mar 2024 3:16pm Cheema, Geeta - Target Date Revision Target date changed by Cheema, Geeta from 18 April 2024 to 23 May 2024 - Consultant has advised that Quantity Surveyor timeframe for completion is now mid-April. Revised date for Council reporting is 23 May.			

Res No	Report Title	Meeting Date	Due Date
23-585	PLANNING - Review of Development Control Plan (DCP) 2014 planning controls for Biodiversity, Tree and Vegetation Management Report: I2023/1819	07/12/2023	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Caddick, Liz			
Resolved that Council:			
1. Authorises the public exhibition of Byron Development Control Plan 2014 Part A Preliminary, Chapter B1 Biodiversity and Chapter F1 Tree and Vegetation Management, as contained in Attachments 1 – 3 (E2023/119582, E2023/119583, E2023/119581) for a period of 28 days.			
2. Receives a report outlining the public exhibition outcomes and any other matters that may arise during the exhibition period.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: 26 Mar 2024 9:11am Caddick, Liz 1. Staff are preparing Byron Development Control Plan 2014 Part A Preliminary, Chapter B1 Biodiversity and Chapter F1 Tree and Vegetation Management, for public exhibition in April. , 2. Report outlining the public exhibition outcomes to be presented following public exhibition.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-588	Results of Beach Naming Survey Report: I2023/475	07/12/2023	8/01/2024
Directorate: Infrastructure Services Officer: Erskine, Andrew			
Resolved that Council:			
1. Recognises the widespread support within community for recognition of traditional custodian naming across the Shire, and extend an invitation to Tweed Byron ALC and Arakwal Board to continue to explore opportunities for renaming as these are identified.			
2. Recognises that the process of delineating names and geographical boundaries for beaches is an important risk management exercise that assists emergency services response			
3. Resolves to adopt the popular beach names as currently used and detailed in the maps accompanying this report, and that the names and coordinates of each named area in the attachment to this report be submitted to the Geographical Names Board for Gazettal. (noting that beaches within NPWS Estate are already adopted and gazetted).			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: 19 Feb 2024 8:53am Erskine, Andrew 1. Tweed Byron ALC and Arakwal Board invited to propose traditional names for beaches. At the time when community consultation closed a response from these parties had not been received. This element is considered complete., 2. The common identification of beach names is recognised as a risk management strategy. This element is considered complete., 3. Formal application has been made (16/2/24) to the Geographic Names Board to gazette names and coordinates as they appeared in the final report. A response may take up to 3 months.			

Res No	Report Title	Meeting Date	Due Date
23-593	Access at 656 and 660a Bangalow Road Report: I2023/1852	07/12/2023	8/01/2024
Directorate: General Manager Officer: Meir, Matt			
Resolved that Council receives a report on the access issues at 656 and 660a Bangalow Road Talofa that includes:			
a) whether the current road works are authorised or require a development application			
b) whether the current works meet Council standards for road building and are appropriate to be used as a joint accessway for the properties			
c) how Council can ensure that its own future needs and rights are preserved over the road reserve			
d) options for Council to resolve the issue over the works in the road reserve.			
Mover: Asren Pugh		Seconder: Michael Lyon	
Comments: 31 Jan 2024 9:05am Parkinson, Sarah - Reallocation Action reassigned to Meir, Matt by Parkinson, Sarah - Ralph James retired 01 Mar 2024 1:32pm Meir, Matt Council staff met on 16/2 to discuss matter. Further investigations to be carried out. Landowner correspondence received in week of 26 February. Staff to consider. 28 Mar 2024 5:30pm Meir, Matt Council considering correspondence from both landowners.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-594	Byron Shire Wildlife Corridor System Report: I2023/1723	07/12/2023	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Caddick, Liz			
Resolved that Council:			
1.	Endorses the Byron Shire Wildlife Corridor System as a conservation planning tool to support and encourage wildlife habitat restoration with the following changes and actions:		
a.	That Council writes to landholders who raised concerns, to clarify:		
i)	that the wildlife corridor map is not a statutory land use planning zone and that areas of high conservation value are currently protected in the LEP as C-Zones.		
ii)	that any further change to a land use zone requires public exhibition and notification to all affected landholders, as was done during the C-Zone review.		
iii)	that the wildlife corridor map does not impact on the requirement for a VMP for rural subdivisions.		
b.	That Council provides clear advice on the wildlife corridor web map that the wildlife corridor map:		
i)	is not a provision within the LEP and this map will not impact the ability of landholders to apply for land uses permitted under the LEP, including, those that relate to tourist cabins and secondary dwellings and those that relate to the ability of farmers to carry out permitted agricultural activities on rural land		
ii)	does not impact on the requirement for a VMP for rural subdivisions		
iii)	does not impact on the requirement for a BDAR under the Biodiversity Conservation Act.		
iv)	Include the following caveat (or similar) on the wildlife corridor map on Council's website: <i>A landholders right to carry out agricultural and development activities on their land under the Byron Shire LEP are not altered by their property being identified on this map.</i>		
c.	Realigns corridor boundaries to exclude densely urbanised land use zones, including R2, R3, IN1, B1, B2, B4 and B7 in the following towns and villages: Ocean Shores, South Golden Beach, New Brighton, Brunswick Heads, Mullumbimby, Byron Bay, Bangalow and Suffolk Park.		
d.	Updates Council's Guidelines for preparing Vegetation Management Plans or Biodiversity Conservation Management Plans (E2019/31834 - Developing Vegetation and Biodiversity Conservation Management Plans - Byron Shire Council (nsw.gov.au)), to ensure that wildlife corridors are identified on VMP and BCMP site maps and to recommend wildlife corridors be considered as priority areas for planned management and restoration activities (e.g. tree planting required for tourist cabins).		
e.	Continues to support local primary producers to maintain food security and adopt sustainable agricultural practices through the Agricultural Extension Program, Agriculture Cluster Group and providing ongoing support for the work done by Brunswick Valley Landcare.		
f.	Council recognises that local Aboriginal groups including Bundjalung of Byron Bay Arakwal Corporation and Local Aboriginal Land Councils have limited capacity to review the mapping, and allow an opportunity for these organisations to negotiate the wildlife corridor map on their land in future.		
g.	That all Council and Crown land be excised from the wildlife corridor map until such time that legislation pertaining to this land allows multiple land uses to occur on land mapped by Council as a wildlife corridor.		
h.	That rail corridor and state agency land continues to be included in the wildlife corridor map, with acknowledgement that, because the future status of this land is unknown, the wildlife corridor map may need to be revised in future (e.g. if rail corridor land is transferred to Council or Crown and is therefore included within the Local Government Act).		
2.	a. Develops a GIS map and data portal to give landholders user-friendly advice on corridor values in their local area and what species they can plant to enhance local wildlife corridors.		
b.	Notes there are at least 11 Threatened ecological communities in the Shire as at 2022: Byron Bay Dwarf Graminoid Clay Heath Coastal Saltmarsh Coastal Cypress Pine Forest Freshwater Wetlands on Coastal Floodplains Littoral Rainforest Lowland Rainforest on Floodplain Lowland Rainforest in the NSW North Coast Bioregion Swamp Sclerophyll Forest on Coastal Floodplain Subtropical Coastal Floodplain Forest		

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Swamp Oak Floodplain Forest
Themeda grassland on seacliffs and coastal headlands

- c. Notes that of the 402 vertebrate species identified 95 species or 24% are threatened under the NSW Biodiversity Conservation Act 2016.
- d. Acknowledges that mitigating the impacts of anthropogenic climate change will be one of the primary benefits of implementing a corridor system within the Byron LGA, through the protection and buffering of refugia and facilitating the movement of plant and animal species with limited dispersal capabilities.

Mover: Peter Westheimer

Seconder: Duncan Dey

Comments:

26 Mar 2024 9:11am Caddick, Liz

- 1.a. Letters to landholders to be sent once public exhibition date for DCP chapters is confirmed.,
1.b. Development of web map in progress as part of 2.a. Draft website currently under review.,
1.c, g, h. Complete: Updated map was uploaded to Council website, January 2024.,
1.e. Delivery of Agriculture Extension Program and financial support for Brunswick Valley Landcare ongoing.,
1.f. Complete.,
2.a. Development of a user-friendly GIS portal in progress. Draft website currently under review.,
2.b,c and d. Complete.

Res No	Report Title	Meeting Date	Due Date
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23-595	Register of land to be acquired	07/12/2023	8/01/2024
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Report: I2023/1848

Directorate: Infrastructure Services

Officer: Flockton, James

Resolved that Council:

1. Supports staff to anticipate situations where the acquisition of part or all of an allotment would alleviate infrastructure bottlenecks such as those listed below, and
2. Considers, in future budget variations, the creation of a non-public register of such locations so that, when opportunities arise such as owner willingness or property sale, Council has the background ready plus any other steps to acquire the land to facilitate that infrastructure.

Mover: Duncan Dey

Seconder: Cate Coorey

Comments:

11 Mar 2024 3:14pm Flockton, James

1. Noted.,
2. Suitable method to create a register is being investigated.

Res No	Report Title	Meeting Date	Due Date
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23-601	26.2023.3.1 - Amendments to Byron Development Control Plan 2014 Chapter E5 to include the North Beach Byron site	07/12/2023	30/06/2024
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Report: I2023/1830

Directorate: Sustainable Environment and Economy

Officer: Wall, Lachlan

Resolved:

1. That Council proceeds to exhibit the draft DCP 2014 – Draft Chapter E5 incorporating the amendments shown in Attachment 1 (E2023/120263) and below, for a period of 28 days.
 - a. That Section 5.6.10.2 be amended at point 3 to read “No cats or dogs are to be kept on, or brought to or through the site.”
2. That following exhibition, Council receives a further report detailing key submission issues and planning response to these.
3. Should there be no submissions as of the close of the exhibition period, that Council adopts the amended Chapter and give notice of its decision in accordance with the Environmental Planning and Assessment Regulation.

Mover: Cate Coorey

Seconder: Duncan Dey

Comments:

29 Jan 2024 12:03pm Caras, Alex

DCP on exhibition until 23 February 2024.

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-602	Update Resolution 23-462 Waiver of contributions on secondary dwellings Report: I2023/1745	07/12/2023	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
<ol style="list-style-type: none">Notes the update provided on Resolution 23-462 Waiver of contributions on secondary dwellings and the suggested mechanisms that could be utilised to support such a proposal.Supports an amendment to the Affordable Housing Contribution Policy 2020 or creation of a new policy to give effect to a framework and suite of mechanisms to constrain the future use of dwellings for the purposes of providing affordable and/or permanent accommodation, in exchange for an agreed level of funding or other support from Council.Notes that a forward budget bid of \$20,000 will be included in the FY 24/25 Operational Plan and Budget process for an expression of interest process to support 2.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: 20 Dec 2023 4:54pm Burt, Shannon 1 Noted. 2 Policy development/amendment to be reported to council during 2024., 3 Budget bid to be included in FY Budget bids 24-25.			

Res No	Report Title	Meeting Date	Due Date
23-605	Rifle Range Road Traffic Calming for Koala Safety Report: I2023/1761	07/12/2023	24/01/2024
Directorate: Infrastructure Services Officer: Flockton, James			
Resolved that:			
<ol style="list-style-type: none">This item be deferred until quarter 1 2024 and further information be provided regarding the option of introducing a lower speed limit and/or physical traffic calming, including speed bumps, and more detail on the access issues from physical calming devices referred to in the report.Staff consider an onsite meeting with impacted residents and invite representatives from Bangalow Koalas.			
Mover: Asren Pugh		Seconder: Sama Balson	
Comments: 11 Mar 2024 3:15pm Flockton, James 1. Noted., 2. Awaiting the recruitment of a new Traffic and Transport Engineer.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-609	Part Road Reserve Closure and sale adjoining Lot 4 & 5 DP 246401, 154 & 156 Lighthouse Road, Byron Bay NSW Report: I2023/1866	07/12/2023	1/08/2024
Directorate: Infrastructure Services Officer: Armstrong, Tracy			
Resolved:			
1. Council endorses the closure of part road reserve adjoining Lot 4 & 5 DP 246401 as detailed in the report.			
2. Council notes the valuation in <i>Attachment 1 E2023/99644</i> and <i>Attachment 2 E2023/99646</i> , however determines the value of the land for sale at twice the valuation provided.			
3. On the basis of Council's determined value of the land, Council authorises the General Manager to execute all documents necessary to affect the road closure, sale, transfer, and consolidation of the part closed road.			
4. The applicant pays all remaining costs associated with the part road closure and consolidation. a) Council application fees b) Council's surveyor's fees and survey, valuation, and legal costs c) All registration fees d) Legal costs			
5. The allotments created by the part road closure to be consolidated into existing Parcel No 44960 Lot 4 DP 246401 and Parcel No 44970 Lot 5 DP 246401.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments:			
06 Mar 2024 9:59am Armstrong, Tracy 156 Lighthouse Road - engaged surveyor to complete plans for Land Registry Services., 154 Lighthouse Road - engaged surveyor to complete plans for Land Registry Services. Also lodged a Section 138 to undertake works in Road Reserve prior to sale. Awaiting Legal advice moving forward regarding Bank Guarantee or a Condition of Sale.			
21 Mar 2024 1:31pm Armstrong, Tracy Waiting on road closure plans and consolidation plans from surveyor.			

Res No	Report Title	Meeting Date	Due Date
23-613	Proposed lease of former Byron hospital site Report: I2023/1768	14/12/2023	15/01/2024
Directorate: General Manager Officer: Meir, Matt			
Resolved that Council authorises the General Manager to negotiate and settle changes to the proposed lease to Social Futures Ltd regarding 10-12 Shirley Street, Byron Bay, subject to the following principles:			
1. A 20-year term is required to help secure an "anchor subtenant" for the site.			
2. The penalty for the head tenant not meeting key performance indicators is termination of the lease rather than full commercial rent (at request of head tenant).			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments:			
28 Mar 2024 5:31pm Meir, Matt Council still waiting for Social Futures' response to latest draft lease.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-617	Flying-fox Camp Management Plan 2024-2029 for Council endorsement Report: I2023/1456	14/12/2023	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Caliari, Claudia			
Resolved that Council:			
1. Endorses the public exhibition of the Flying-fox Camp Management Plan 2024-2029 for a minimum 5 weeks to allow for community feedback and submissions (Attachment 1 – E2023/124321) and Attachment 2 – E2023/124101).			
2. Receives a submissions report following the public exhibition period.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: 26 Mar 2024 9:05am Caddick, Liz 1. Public exhibition of the Flying-fox Camp Management Plan 2024-2029 complete. Exhibition period: 18/01/2024 to 22/02/2024. , 2. Submissions to be reported at the Council meeting in May (23/05/2024).			

Res No	Report Title	Meeting Date	Due Date
23-624	Update information regarding proposed Caravan Parks internal audit Report: I2023/1628	14/12/2023	15/01/2024
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 7.3 Update information regarding proposed Caravan Parks internal audit File No: I2023/1628			
<u>Committee Recommendation 7.3.1</u>			
That Council considers conducting a service review on caravan parks incorporating the comments from the Committee in the scope of the review.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: 26 Mar 2024 8:28pm Holloway, Phillip - Reallocation Action reassigned to Sills, Heather by Holloway, Phillip - To be considered as part of development of Service Review framework.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-632	Ocean Shores STP Transfer to Bruns Valley Workshop Presentation Report: I2023/1753	14/12/2023	15/01/2024
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.2 Ocean Shores STP Transfer to Bruns Valley Workshop Presentation File No: I2023/1753			
<u>Committee Recommendation 4.2.1</u>			
That Council:			
1. Notes the presentation; -			
2. Recommends that: -			
a) Council notifies the NSW EPA in response to their letter requesting Councils strategic direction being - Option 4R - Partial transfer to BVSTP, with wet weather Storage and minor upgrade; retain OSSTP (capacity limited, with load shedding and minor upgrade).			
b) Council staff start project initiation stage for Option 4R - Partial transfer to BVSTP, with wet weather Storage and minor upgrade; retain OSSTP (capacity limited, with load shedding and minor upgrade).			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-646	PLANNING - DA 10.2021.114.1 - Light Industrial Development, ("Fed Sheds") at 467 Federal Drive, Federal Report: I2023/1796	14/12/2023	15/01/2024
Directorate: General Manager Officer: Meir, Matt			
Resolved that the General Manager be authorised to enter into a s34 Conciliation Agreement approving development application 10.2021.114.1, subject to appropriate conditions to be finalised under delegation, including consideration of:			
a) A further reduction in building footprint			
b) An increase in the on-site sewage buffer to boundaries, including where ground slope is 16%			
c) The impact of increased stormwater volumes leaving the site			
d) Existing flood problems downstream of the site and in Coachwood Court, to not be made worse by the increased stormwater volume, including year 2050 and 2100 scenarios of increased rainfall			
e) The proposed stormwater "raingarden" discharging over the property boundary onto a neighbouring property, without an easement			
f) Building setback distances			
g) Access to toilets for visitors, deliveries, and clients			
h) Parking			
Mover: Sarah Ndiaye		Seconder: Alan Hunter	
Comments:			
28 Mar 2024 5:32pm Meir, Matt Parties agreed on development. Hearing on 2 April.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-661	Council Land at Belongil Report: I2023/827	14/12/2023	15/01/2024
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved that Council defers the report 'Council Land at Belongil' to the February meeting of Council to enable staff to:			
1. Undertake an assessment of the vegetation on Lot 6 Section 3 in DP 1623 and/or Lot 7 Section in DP 1623 and Lot B DP 371044. The assessment of the vegetation being required to identify if any threatened species or threatened ecological communities exist on the subject parcels of land that may impact the future use of the land for operational purposes.			
2. Advise as to any easements or other such restrictions on the above lots and provide clarification on the legal status of: a) ownership of Lot 7 Section in DP 1623 b) access to the current tenants to assist in negotiating settlement			
Mover: Michael Lyon		Seconded: Mark Swivel	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-664	Update Resolution 22-685 Rural Land Use Strategy - Review Scoping Report Report: I2023/1837	14/12/2023	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Caras, Alex			
Resolved that Council:			
1. Notes the progress made by staff in relation to items 1, 3 and 4 of Resolution 22-685 as discussed in this report.			
2. Supports staff progressing two outstanding actions from the current RLUS that are in urgent need of expediting prior to a lengthy whole of Strategy review, being: (i) Review of remaining land in the 7D Scenic/Escarpment Zone (ii) Investigate a strategic framework for resolving dwelling entitlement issues			
3. Supports a corresponding 2024/25 budget allocation bid for the above actions in order of priority as follows: (i) \$100,000 (Review of remaining 7D Scenic/Escarpment Zone areas) (ii) \$20,000 (Preparation of a strategic framework for resolving dwelling entitlement issues)			
Mover: Cate Coorey		Seconded: Michael Lyon	
Comments: 22 Mar 2024 10:07am Caras, Alex Work to commence in 2024/2,5 pending confirmation of budget in June 2024.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-666	PLANNING - DA 10.2022.248.1 – Multiple Occupancy Comprising 14 Dwelling Sites and Associated Infrastructure at 16 Whian Road, Eureka. Report: I2023/1673	14/12/2023	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that:			
1. Pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2022.248.1 for Multiple Occupancy consisting of Fourteen (14) Dwelling Sites, Associated Infrastructure, Land Management and Environmental Enhancement including Removal of Three (3) 15 Trees, be granted consent subject to the conditions of approval detailed in Attachment 1 #E2023/118779, subject to the additional condition under condition 12 be inserted as follows:			
j) <i>Earthworks</i> <i>Depth of cut and height of fill for works at each of the house sites is limited to 1 metre from natural (December 2023) ground level.</i>			
2. The Eureka Village Landscape Conservation Area under Byron LEP 2014 be reviewed by staff (with a view to reducing or removing it by separate LEP amendment). New DCP provisions be drafted to otherwise give clear direction and guidance to future development in this area. A further report on both to be submitted to Council before the end of the 2023/24 financial year.			
Mover: Duncan Dey		Seconder: Peter Westheimer	
Comments: 16 Feb 2024 8:23am Burt, Shannon Consultants engaged to complete assessment/review work. Report to Council to follow.			

Res No	Report Title	Meeting Date	Due Date
23-667	Single-use Packaging and Materials Policy Report: I2023/1649	14/12/2023	15/01/2024
Directorate: Infrastructure Services Officer: Hanigan , Danielle			
Resolved that Council:			
1. Notes the submissions received during the public exhibition period as outlined in Attachment 1 (E2023/124753)			
2. Adopts the Single-use Packaging and Materials Policy 2023 with amendment as per Attachment 2 (E2023/124762)			
3. Includes Key Performance Indicators for each of the policy objectives to be included in the Action Plan.			
Mover: Alan Hunter		Seconder: Cate Coorey	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-669	s7.11 and s7.12 Contributions Plans Review Update Report: I2023/1836	14/12/2023	15/01/2024
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved:			
1. That Council allocates a budget of \$150,000 from the developer contributions plan administration reserve to engage a consultant to prepare a new contributions plan based on the final updated version of the Residential Strategy to be adopted by Council in February 2024.			
2. The new contribution plans will address the below issues:			
a) whether the separate s7.12 policy is working as envisaged, and in the best interests of our community, since development contributions were split into s7.11 and s7.12.			
b) whether the s7.12 policy and its current levels of contribution are 'fit for the future' given the current and predicted influx of DAs for larger developments in the Byron Shire's non-residential areas.			
c) whether the s7.12 policy adequately covers the range of civic infrastructure facing increasing demands from non-residential development.			
d) whether the current s7.12 policy's failure to collect contributions for the road network be amended as non-residential development generates further demands on roads.			
Mover: Peter Westheimer		Seconder: Michael Lyon	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-671	Decommissioning of artwork "Catch a Falling Fish" from Federal Park Report: I2023/1449	14/12/2023	30/05/2024
Directorate: Corporate and Community Services Officer: Firth, Melitta			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.2 Decommissioning of artwork "Catch a Falling Fish" from Federal Park File No: I2023/1449			
<u>Committee Recommendation 4.2.1</u>			
That Council:			
1. Decommissions the public artwork 'Catch a Falling Fish' by Suvira McDonald and thanks the artist for their creative contribution.			
2. Requests the Federal Community Centre Committee provides notice of an alternate proposal for the support structure within four months. In the absence of such a proposal, the Committee recommends its removal.			
Mover: Peter Westheimer		Seconder: Michael Lyon	
Comments:			
25 Mar 2024 11:20am Firth, Melitta			
1. Open spaces have been advised to decommission artwork.,			
2. Federal Community Centre Committee have advised they do not wish to provide an alternate proposal for the support structure and therefore it can also be removed.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
23-672	Public Art Proposal for Brunswick Nature Sculpture Walk Report: I2023/1473	14/12/2023	31/03/2024
Directorate: Corporate and Community Services Officer: Firth, Melitta			
Resolved that Council does not adopt Committee Recommendation 4.3 as shown in the attachment to this report, but instead adopts the Management Recommendation as follows:			
Report No. 4.3 Public Art Proposal for Brunswick Nature Sculpture Walk File No: I2023/1473			
<u>Management Recommendation 4.3.1</u>			
That Council:			
<ol style="list-style-type: none">1. Removes the requirement for the Brunswick Nature Sculpture Walk prize to be awarded to a work that is permanently acquired.2. Requests further information from Brunswick Nature Sculpture Walk and artist Hiromi Tango to inform a subsequent report to the Arts and Creative Industries Advisory Committee regarding the proposed installation.			
Mover: Peter Westheimer		Seconder: Michael Lyon	
Comments: 25 Mar 2024 11:16am Firth, Melitta 1. Completed., 2. A new proposal has been supported by the Arts and Creative Industries Committee The minutes will be reviewed by Council at the 28 March meeting.			

Res No	Report Title	Meeting Date	Due Date
23-673	Amendments to Public Art Development Control Plan Report: I2023/1564	14/12/2023	15/01/2024
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.4 Amendments to Public Art Development Control Plan File No: I2023/1564			
<u>Committee Recommendation 4.4.1</u>			
That the Art and Creative Industries Committee notes the report and receives further information to the proposed amended DCP for comment by email prior to it being reported to Council.			
Mover: Peter Westheimer		Seconder: Michael Lyon	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
24-020	Update on the Creation of a Byron Shire Council Led Land Trust Report: I2024/3	08/02/2024	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1. Confirms its support for, and commitment to, the establishment of a Byron Shire Council-Led Land Trust.			
2. Confirms the preferred model of Council-Led Land Trust to be a company limited by guarantee and licensed with Council being the majority shareholder, consistent with the key components discussed in the report.			
3. Requests staff to prepare a new application on the basis of Part 2 of this Resolution, to form an entity under Section 358 of the Local Government Act 1993 as per the 2022 Guidelines for 'Formation of Corporations and Entities.			
4. Receives and considers the new application as per Part 3 at a future Council meeting.			
5. Writes to The Hon. Rose Jackson in her capacity as Minister for Housing and Minister of the North Coast seeking her support for this application as it is directly aligned with Actions in the NSW Housing Strategy 2041 in relation to working with Local Government to deliver housing solutions to meet community needs.			
6. Continues to engage with a broad range of community stakeholders, including community members, community organisations and indigenous groups to ensure that a diverse range of housing outcomes are delivered within any future Byron Shire Council-Led Land Trust.			
Mover: Sama Balson		Second: Sarah Ndiaye	
Comments: 16 Feb 2024 8:31am Burt, Shannon 1 noted, 2 noted, 3 noted , 4 noted , 5 letter drafted , 6 noted			

Res No	Report Title	Meeting Date	Due Date
24-030	Policies for Review Report: I2023/1984	22/02/2024	12/04/2024
Directorate: Corporate and Community Services Officer: Jones, Mila			
Resolved:			
1. That the Draft Contaminated Land Management Policy 2024 (Attachment 1 E2024/766) be placed on public exhibition for 42 days to allow for submissions and that: a) should there be no submissions received then the Policy is endorsed from the date after the close of the exhibition period; and, b) should submissions be received, that the Policy be reported back to Council noting the submissions and amendments made because of the feedback received.			
2. That the following policies be repealed for the reasons outlined in the report: a) Arts and Culture Policy 2020 b) Onsite Sewage Management Systems in Reticulated Areas Policy 2014			
Mover: Michael Lyon		Second: Peter Westheimer	
Comments: 06 Mar 2024 8:04am Jones, Mila 1. Draft Contaminated Land Management Policy is on exhibition until 8 April 2024. , 2. The Art and Culture Policy and Onsite Sewage Management Policy have been removed from the Policy register and unpublished from the web. 06 Mar 2024 8:07am Jones, Mila - Target Date Revision Target date changed by Jones, Mila from 25 March 2024 to 12 April 2024 - Policy on exhibition until 8 April 2024			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
24-040	Floodplain Management Advisory Committee Goals for 2024 Report: I2024/1982	22/02/2024	25/03/2024
Directorate: Infrastructure Services Officer: Twohill, Steve			
Resolved that Council adopts the following Committee Recommendation(s):			
Report No. 4.1 Floodplain Management Advisory Committee Goals for 2024 File No: I2023/1928			
<u>Committee Recommendation 4.1.1</u>			
<ol style="list-style-type: none">1. That the Floodplain Management Advisory Committee note the report.2. That Council staff present the draft DCP at the next Floodplain Management Advisory Committee.3. That Council staff ask DPE to provide an update on options that limit fill on new construction in floodplains at the next Floodplain Management Advisory Committee meeting.4. That Council staff update the Floodplain Management Advisory Committee on enforcement of no-fill zones on floodplains.5. That Council considers following the lead of Tweed Shire Council in making the Flood Certificate information publicly available for all properties covered by suitable floodplain plans.6. That Council staff provide a presentation on the flood warnings and warning systems to the next Floodplain Management Advisory Committee meeting			
Mover: Michael Lyon		Seconded: Peter Westheimer	
Comments:			

Res No	Report Title	Meeting Date	Due Date
24-041	Community Education Strategy and Review of Flood Options - Project Update Report: I2023/1927	22/02/2024	25/03/2024
Directorate: Infrastructure Services Officer: Twohill, Steve			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.2 Community Education Strategy and Review of Flood Options - Project Update File No: I2023/1927			
<u>Committee Recommendation 4.2.1</u>			
That the Floodplain Management Advisory Committee receive a further update on the 'Community Education Strategy and Review of Flood Options' project and a briefing on ways of further engaging community, for example with animations from existing and future flood models.			
Mover: Michael Lyon		Seconded: Peter Westheimer	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
24-042	Post 2022 Event Flood Behaviour Analysis - Brunswick River - Final Draft Report - September 2023-NSW Department of Planning & Environment Report: I2023/1935	22/02/2024	25/03/2024
Directorate: Infrastructure Services Officer: Twohill, Steve			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.3	Post 2022 Event Flood Behaviour Analysis - Brunswick River - Final Draft Report - September 2023-NSW Department of Planning & Environment		
File No: I2023/1935			
<u>Committee Recommendation 4.3.1</u>			
1. That the Floodplain Management Advisory Committee advise Council to ask NSW Department of Planning & Environment (DPE) to update figures in Appendix D of DPE's "Post 2022 Event Flood Behaviour Analysis - Brunswick River - Final Draft Report - September 2023" so that they display the point number and that the computed and recorded flood levels are tabulated, and that the flooded areas in the figures display the calibrated model results as contours.			
2. That, subject to the changes in point 1 above and the changes discussed in the Committee meeting held on 8 December 2023, the Floodplain Management Advisory Committee endorses the report.			
3. That Council staff release the report to the public with proactive advertising, and with notice to Committee members			
Mover: Michael Lyon		Secunder: Peter Westheimer	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
24-051	2023 Environment and Safety Priorities Program Report: I2024/39	22/02/2024	25/03/2024
Directorate: Sustainable Environment and Economy Officer: Nagel, Sarah			
Resolved that Council:			
<ol style="list-style-type: none">1. Acknowledges the work of the Public and Environmental Service Team.2. Notes the report on the 2023 Environment and Safety Priorities Program.3. Adopts the proposed 'Environment and Safety Priorities Program' for 2024 as provided below to support the adopted compliance resourcing approach: <i>Council's Public & Environmental Services prioritises proactive and visible companion animal, parking and unauthorised camping compliance.</i> <i>It then prioritises its response to all other matters in accordance with the following categories:</i><ol style="list-style-type: none">a. <i>High risk activities which require an urgent and immediate response. (high risk activities are defined as activities that places people's lives at immediate risk or that cause or are likely to cause a significant risk of environmental harm or pollution); and</i>b. <i>Other activities which require a routine response during strategic/regular duties.</i>4. Holds an online meeting with private certifiers operating within the Byron Shire to identify operational areas of concern and to review the Building Information Certificate policy for consistency with the Department's practice note.5. Following the meeting with private certifiers or by 20 April 2024, whichever is sooner, writes to the NSW Building Commissioner advising of its concerns with private certification, seeking a review of the regulation of Private Certifying Authorities in NSW.6. Shares with Councillors any response to part 5.			
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments: 27 Feb 2024 3:48pm Nagel, Sarah <ol style="list-style-type: none">1. The work of the Public and Environmental Service Team is acknowledged.,2. The report on the 2023 Environment and Safety Priorities Program is noted.,3. The Environment and Safety Priorities Program for 2024 is adopted to support Council's Public & Environmental Services prioritising proactive and visible companion animal, parking and unauthorised camping compliance (see E2024/23053).,4. An online meeting with private certifiers operating within the Byron Shire to identify operational areas of concern has been scheduled for 27 March 2024. Council's Building Services Coordinator progressing review of Council's Building Information Certificate policy for consistency with the Department's practice note.,5. Following that meeting, Council will write to the NSW Building Commissioner advising of its concerns with private certification, seeking a review of the regulation of Private Certifying Authorities in NSW.,6. Any response to part 5 will be shared with Councillors.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
24-053	Tyagarah Clothing Optional Beach Report: I2024/112	22/02/2024	8/07/2024
Directorate: Infrastructure Services Officer: Roberts, Jim			
Resolved that Council:			
<ol style="list-style-type: none"> 1. Notes that the clarified boundaries now make it clear that Council does not have the authority to make the Tyagarah Beach clothes optional and that this authority lies with NSW National Parks and Wildlife Service (NPWS), and acknowledges that the 1998 decision (Resolution 8147) is redundant. 2. Notes the NPWS request to extend the implementation date of its decision to allow NPWS to undertake further consultation with user groups at Tyagarah; and 3. Works with NSW National Parks and Wildlife Service to remove or amend site signage and update social media information, and have the changes implemented by 30 June 2024. 4. Requests NPWS provide a report back to Council on the outcomes of the consultation. 			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments: 18 Mar 2024 4:45pm Roberts, Jim 1. Noted, 2. Noted., 3. Meeting held with NPWS and Council Staff., 4. Report requested by staff post consultation.			

Res No	Report Title	Meeting Date	Due Date						
24-058	PLANNING - 26.2023.5.1 Planning Proposal for 68 Rankin Drive, Bangalow - Rezone land for Housing and to activate the dedication of land to Council for Affordable Housing under the Byron Shire Affordable Housing Contribution Scheme Report: I2024/67	22/02/2024	25/03/2024						
Directorate: Sustainable Environment and Economy Officer: Hughes , Kristie									
Resolved that Council:									
<ol style="list-style-type: none"> 1. Notes that the planning proposal in Attachment 1 is the first to activate the Byron Shire Affordable Housing Contribution Scheme, therefore once finalised will: <ol style="list-style-type: none"> a) be the first inclusion of land in the Affordable Housing Contribution Scheme – LEP 2014 Map; and b) result in the dedication of land to Council for affordable housing as part of any future subdivision approval of the land; c) facilitate the provision of affordable housing to meet the needs of very low, low and moderate income households; d) provide for dwellings that will be managed so as to maintain continued use as affordable rental housing. 2. Proceeds with the planning proposal (Attachment 1) which seeks to: <ol style="list-style-type: none"> a) amend the Byron LEP 2014 to rezone Lot 261 DP1262316 & Lot 11 DP807867 in Bangalow to extend the existing R2 Low Density Residential Zone and include an R3 Medium Density Residential Zone. 									
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Proposed Zone</th> <th>Floor Space Ratio Map</th> </tr> </thead> <tbody> <tr> <td>R2 Low Density Residential</td> <td>0.5:1 (consistent with steeper sloping land in surrounding R2 zone)</td> </tr> <tr> <td>R3 Medium Density Residential</td> <td>No FSR to apply (to allow greater flexibility for housing diversity/densities)</td> </tr> </tbody> </table>				Proposed Zone	Floor Space Ratio Map	R2 Low Density Residential	0.5:1 (consistent with steeper sloping land in surrounding R2 zone)	R3 Medium Density Residential	No FSR to apply (to allow greater flexibility for housing diversity/densities)
Proposed Zone	Floor Space Ratio Map								
R2 Low Density Residential	0.5:1 (consistent with steeper sloping land in surrounding R2 zone)								
R3 Medium Density Residential	No FSR to apply (to allow greater flexibility for housing diversity/densities)								
<ol style="list-style-type: none"> 3. Forwards the planning proposal to the Department of Planning, Housing and Infrastructure for a Gateway Determination after making the following updates: <ol style="list-style-type: none"> a) inclusion of Floor Space Ratio map applying the following planning controls to the subject land: b) inclusion of Affordable Housing Contribution Scheme Map identifying the subject land as an “Affordable housing contribution area”. 									

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

4. Pending a positive Gateway determination, undertakes public exhibition of the planning proposal in accordance with the determination requirements; and
5. Considers a submissions report post-exhibition that includes any recommended changes to the planning proposal for final adoption.

Mover: Asren Pugh

Seconded: Michael Lyon

Comments:

Res No	Report Title	Meeting Date	Due Date
24-060	Options for dog exercise areas near Linda Vidler Park Report: I2024/143	22/02/2024	6/05/2024
Directorate: Infrastructure Services Officer: Roberts, Jim			
Resolved that Council:			
<ol style="list-style-type: none">1. Notes the petition regarding options for a dog exercise area near Linda Vidler Park.2. Notes that an off leash area is not supported at either:<ol style="list-style-type: none">a) Linda Vidler Park soccer playing fields; andb) A fenced off area next to the Linda Vidler Park community gardens;3. Requests Council staff to investigate options and costs for an off-leash dog area in Suffolk Park and provide outcomes in a future report to Council.			
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments: 18 Mar 2024 4:49pm Roberts, Jim 3. Staff developed preliminary site analysis for further investigation.			

Res No	Report Title	Meeting Date	Due Date
24-061	YouthSay 2023 Report Back Report: I2023/2080	22/02/2024	30/06/2024
Directorate: Corporate and Community Services Officer: Cutter, Jessica			
Resolved that Council:			
<ol style="list-style-type: none">1. Thanks the young people involved in the 2023 Byron Shire YouthSay Program2. Notes the report and recommendations developed through the program (Attachment 1, E2024/5981), and presentation during public access at the 23 November Ordinary Meeting of Council3. Facilitates a free educational session in the first half of 2024 on the rental market for young people and invites high school students and young adults to attend4. Notes that work is underway to identify further pathways for youth engagement by Council and that a future report will be provided to Council on this topic.5. Requests a report on the trial of on-demand bus services that are being conducted in Alstonville and Coffs Harbour.			
Mover: Sarah Ndiaye		Seconded: Michael Lyon	
Comments: 04 Mar 2024 11:40am Cutter, Jessica - Target Date Revision Target date changed by Cutter, Jessica from 25 March 2024 to 30 June 2024 - Committed to delivering the rental information night in the first half of the year.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
24-064	New Brighton - Parking Improvements Investigation Report: I2024/126	22/02/2024	25/03/2024
Directorate: Infrastructure Services Officer: Avelino Gianelli, Isabella			
Resolved that Council:			
<ol style="list-style-type: none">1. Endorses the New Brighton Parking Community Consultation Plan and to provide community feedback on the proposed parking options in New Brighton as detailed in the report and takes into consideration future parking schemes;2. Staff analyse and compile the feedback from the consultation into a recommendation for Council with a proposed works program and timetable; and3. Provide a recommendation to Council with the works program and timeline at the May Ordinary meeting.			
Mover: Alan Hunter		Seconder: Sarah Ndiaye	
Comments: 26 Mar 2024 8:31pm Holloway, Phillip Consultation on concept underway			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
24-045	Public Transport Workshop Outcomes Report: I2023/1862	22/02/2024	10/04/2024
Directorate: Infrastructure Services Officer: Haupt, David			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.2 Public Transport Workshop Outcomes File No: I2023/1862			
<u>Committee Recommendation 4.2.1</u>			
<ol style="list-style-type: none">1. That the Moving Byron Committee note the ongoing work with TfNSW to help achieve the Shires Public Transport expectations.2. That staff provide a follow up Public Transport Workshop to discuss other modes of public transport not discussed at this workshop (Moving Byron Public Transport Workshop, 13 November 2023).3. That Council facilitates discussion with TfNSW and bus companies regarding Ocean Shores to Byron service and other improvements to the bus routes and timetables.4. Council note the following issues presented as current and urgent issues with the bus system requiring attention to address customer needs.<ol style="list-style-type: none">a) Poorly presented timetable formationb) Dysfunctional 'trip planner' coordinated by TfNSW.c) Better understanding and attention to meeting the needs of disabled and mobility challenged people.5. That the next Moving Byron Committee receive the report on the progress and funding on the following issues, which come from the Moving Byron Strategy:<ol style="list-style-type: none">5.2.2 Survey community to identify service gaps and undertake route evaluation.5.2.3 Undertake data collection and research project to understand.<ul style="list-style-type: none">- Non-work and tourist visitor travel patterns and demand.- Identify grant and other funding opportunities.5.2.6 Understand the movement needs of tourist visitors and opportunities to align services that can cater to experiential, commuter, and other cohorts.5.2.7 Complete review of bus stop and facilities in town and village centres to identify opportunities to provide central locations, enhance convenience, connectivity, and accessibility.5.2.8 Provide bus bay adjacent to Tourism Information Centre in Jonson Street Byron Bay and support town bus services circulating in the town centre.5.3.3 Review Development Control Plans, Master Plans, and relevant policy to facilitate and promote shared transport options in land use and place planning.<ol style="list-style-type: none">7.2.3 Amend development assessment criteria for transport infrastructure including for Traffic Impact Assessments to include:<ul style="list-style-type: none">- Counts for pedestrians, cyclists, and other road users.- Measures that address risks to all road users (including pedestrians and cyclists).- The provision of public transport facilities.- Travel Demand Management strategies.8.1.4 Identify and develop a priority funding plan for hinterland connection points, such as bus transfers at road intersections and nodes such as halls and schools that can be made safer with improved facilities such as bus bays, signage, kiss and ride etc.			
Mover: Michael Lyon		Seconded: Peter Westheimer	
Comments:			
21 Mar 2024 1:41pm Haupt, David - Target Date Revision Target date changed by Haupt, David from 25 March 2024 to 10 April 2024 - New Traffic Engineer starting on the 25/03 where I'm filling in for this role while doing my role therefore I believe it would be best to have the person organising the workshop be the one that will ultimately help action the items from the workshop to ensure consistency and coherence.			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
24-075	Belongil - Kendall Street to Childe Street Local Traffic Management Report: I2024/111	14/03/2024	15/04/2024
Directorate: Infrastructure Services Officer: Avelino Gianelli, Isabella			
Resolved that Council adopt the following Committee and Management Recommendations:			
Report No. 7.2 File No: I2024/111	Belongil - Kendall Street to Childe Street Local Traffic Management		
<u>Committee Recommendation 7.2.1</u>			
That the Local Traffic Committee defer this item to a future LTC meeting.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments:			

Res No	Report Title	Meeting Date	Due Date
24-080	Byron Shire Residential Strategy 2041 Report: I2024/41	14/03/2024	15/04/2024
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1. Notes that staff have actioned all relevant parts of Resolution 23-654 as discussed in the report.			
2. Approves the final Byron Shire Residential Strategy 2041 and Appendices (Attachments 1 to 5) for submission to the Department of Planning, Housing, and Infrastructure, with the following notified and other sites included and or excluded as recommended in this report, and other amendments as set out below:			
Included:			
a) Area 21 - 64 Corkwood Road			
b) Area 17 – inclusive of 66 The Saddle Road and 251 The Saddle Road			
Excluded:			
a) Former Area 18 – Lot 69 DP851902 & Lot 71 DP851902, Kingsford Drive, Brunswick Head			
b) Area bounded by Ewingsdale Road to Grays Lane (which includes 29 Buckleys Road) East of the M1			
c) Area 8 – Mullumbimby – 1B Ann Street & 20 Prince Street; and 75 New City Road			
d) Area 20 - 139 Bangalow Road			
Amended:			
a) Area 6 - Mullumbimby – expanded to include the whole of 1982 Coolamon Scenic Drive			
b) Removes references to the Height of Building in Appendix B New Urban Area Site Profiles and replaces it with an updated 'housing mix' description as follows: <i>Caters for a range of single, two and three storey residential types including dwelling houses, dual occupancies and multi dwelling housing reflecting local housing needs and character.</i>			
3. Notes that staff will submit the Residential Strategy 2041 (and Appendices) to the Department of Planning, Housing and Infrastructure before 31 March 2024 to meet their requirements as per Resolutions 23-165 and 23-315.			
4. Thanks everyone involved in the creation of the final document, including staff, Councillors and community, recognising the urgency of the housing situation in the Shire and beyond.			
Mover: Michael Lyon		Seconder: Asren Pugh	
Comments:			
26 Mar 2024 11:53am Burt, Shannon 1 noted, 2 amendments to document made, 3 DPHI advised 25/3/24 of council decision and plan submitted 28/3/24, 4 noted			
26 Mar 2024 11:54am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 15 April 2024 to 15 April 2024			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
24-086	PLANNING - S4.55(1A) 10.2021.857.3 - Modification to Design of Dual Occupancy (Attached) including Use of Unauthorised Built Works at 2/16 Peter Street, South Golden Beach Report: I2024/227	14/03/2024	15/04/2024
Directorate: Sustainable Environment and Economy Officer: Grant, Ben			
Resolved that:			
1. Pursuant to Section 4.55 of the Environmental Planning and Assessment Act 1979, that Application No. 10.2021.857.3 for Modification to Design of Dual Occupancy (Attached) including Use of Existing Built Works be approved by modifying development consent number 10.2021.357.1 in accordance with the Recommended Amended Conditions of Consent in Attachment 1 (E2024/17261).			
2. The matter be referred to Council's Community Enforcement Team to take further compliance action where necessary in the event landowner does not act on the modified consent should approval be granted.			
Mover: Michael Lyon		Seconder: Duncan Dey	
Comments:			

Res No	Report Title	Meeting Date	Due Date
24-087	PLANNING - DA10.2022.107.2 - S4.55 Modification to Easement & VMP Conditions – 23 Bayshore Drive, Byron Bay Report: I2024/192	14/03/2024	15/04/2024
Directorate: Sustainable Environment and Economy Officer: Vickers, Jordan			
Resolved that pursuant to Section 4.55 of the Environmental Planning & Assessment Act 1979, Application No. 10.2022.107.2, for Modification to Conditions 9, 40 and 53 of the Consent for the Approved Subdivision One (1) Lot into Three (3) Lots, be approved by modifying Development consent number 10.2022.107.1 as follows:			
Delete condition 9 of the Notice of Determination and amend condition 40 a) to read:			
Amend condition 40 a) to read:			
40. Section 88B Instrument - Infrastructure			
A Section 88B Instrument and one (1) copy are to be submitted with the application for a subdivision certificate. The final plan of subdivision and accompanying Section 88B Instrument are to provide for:			
a) Ecological Buffer – Lot 1			
A 25-metre ecological buffer be provided over Lot 1 from the western boundary with Lot 3 to prohibit any development other than (i) VMP works; and (ii) stormwater works, stormwater pipes, bioretention swales and overland flow that cross this buffer. Works that occupy the buffer, such as Bioretention basins and ponds, are not permitted.			
Mover: Duncan Dey		Seconder: Sarah Ndiaye	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 31 March 2024

Res No	Report Title	Meeting Date	Due Date
24-088	PLANNING - 26.2022.11.1 Submissions report, Housekeeping Amendments to Byron Local Environmental Plan 2014 Report: I2024/212	14/03/2024	15/04/2024
Directorate: Sustainable Environment and Economy Officer: Hughes , Kristie			
Resolved that Council:			
<ol style="list-style-type: none">1. Forwards the attached planning proposal to amend Byron LEP 2014, as revised to include the changes recommended in this report (Attachment E2024/14929) and with exception that cl 4.1D(3)(a)(i) is excluded from the additional clause references proposed in cl 4.2A(3)(b), to NSW Parliamentary Counsel's Office (PCO) requesting that a draft LEP instrument be prepared;2. Requests confirmation from the NSW Department of Planning, Housing and Infrastructure that the changes made to the planning proposal post-exhibition are of such a minor nature that re-exhibition is not required; and3. Pending receipt of PCO opinion that the plan can be made, forwards the plan to the NSW Department of Planning, Housing and Infrastructure requesting notification on the NSW Government legislation website.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments:			