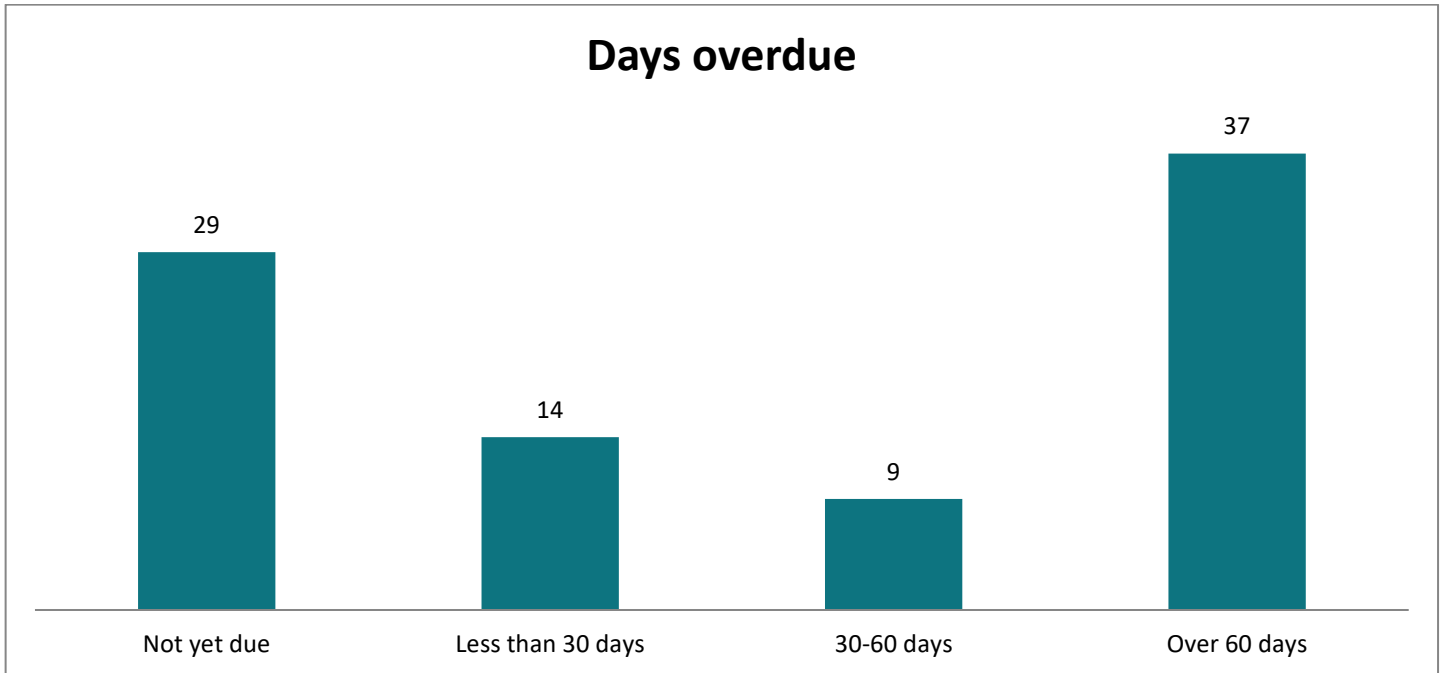


ACTIVE RESOLUTIONS REPORT

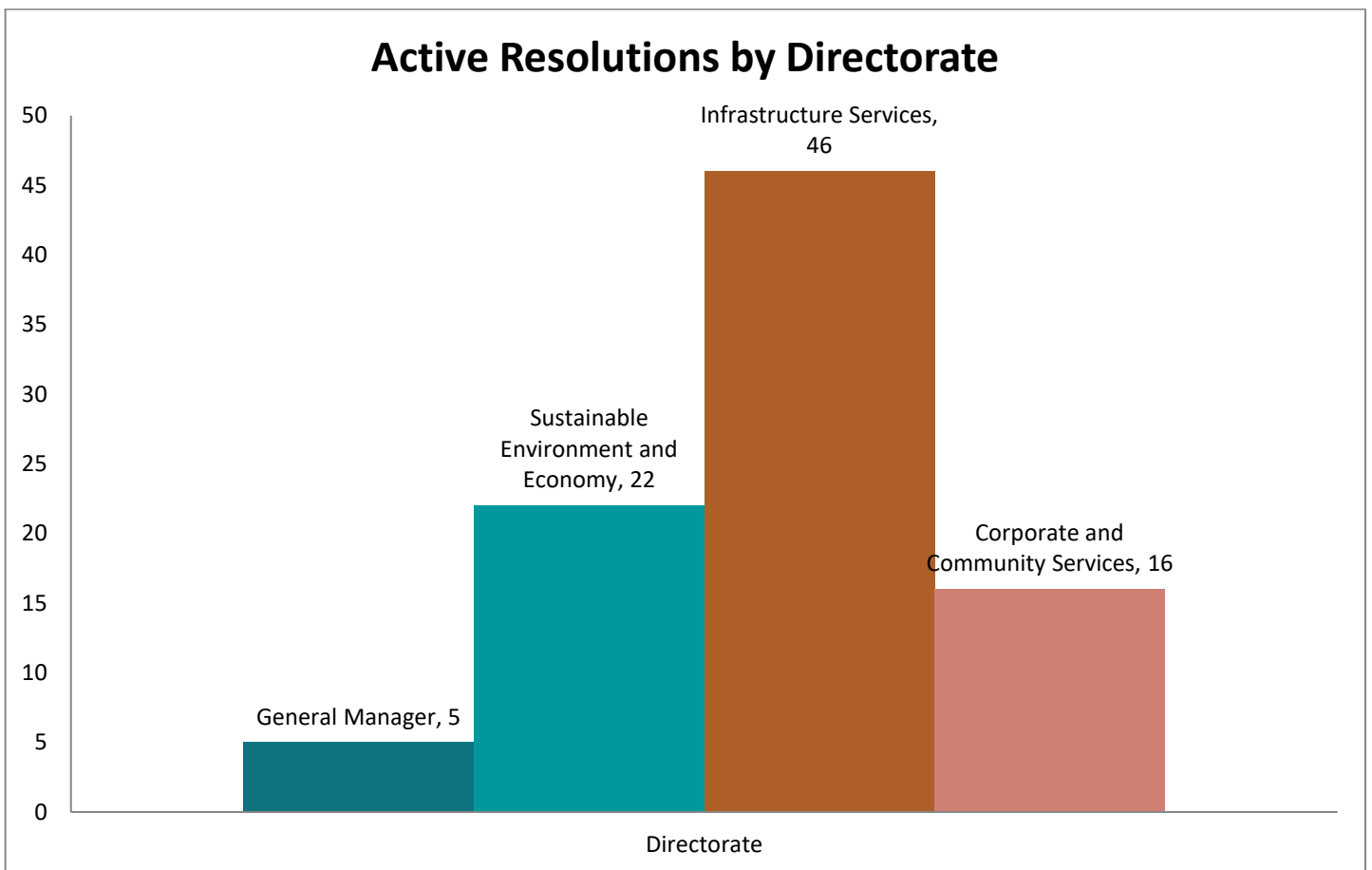
As at 30 September 2023

Total number of active resolutions as at 30 September: **89**

Days overdue



Active Resolutions by Directorate



ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
19-625	Acquisition and surrender of land - Byron pool complex Report: I2019/1942	12/12/2019	30/06/2025
Directorate: General Manager Officer: Meir, Matt			
Resolved:			
1.	That Council acquire proposed lot 17 in the attached plan of subdivision (E2019/86293), with lot 17 to be vested in Council under the <i>Crown Lands Management Act 2016</i> .		
2.	That Council agree to dispose of proposed lot 15 in the attached plan of subdivision (E2019/86293) by surrendering it to the Crown under the <i>Crown Lands Management Act 2016</i> .		
3.	That Council note the Department of Planning Industry and Environment – Crown Land’s support (S2019/8983) for acquisition and disposal at no cost for the land.		
4.	That Council authorise the affixing of Council’s seal to the plan of subdivision and any associated section 88B instrument necessary to register resolutions 1 and 2 with NSW Land Registry Services.		
Mover: Michael Lyon		Secunder: Paul Spooner	
Comments:			
26 Sep 2023 2:41pm Meir, Matt Council and Crown negotiations continuing. No further developments.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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">Commence planning for a rail link connecting Mullumbimby and Byron Bay as part of a multi use activation of the rail corridor.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.Prepare an economic and social business plan including development of a governance framework to support the project.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.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.Actively seek expressions of interest from potential operators interested in providing commuter shuttle and visitor oriented services.Seek support including funding through Federal and NSW Ministers for Transport, Hon. Tamara Smith MP, Hon. Ben Franklin MLC and Hon. Justine Elliot MP.Receive six monthly reports on progress.The business plan be included in the 20/21 Operational Plan, forward Delivery Plans and draft budget.Item 2 above be funded from the existing Integrated Transport Strategy budget.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		Seconder: Simon Richardson	
Comments:			
01 Dec 2022 2:17pm Black, Therese			
<ol style="list-style-type: none">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.Completed - Council has incorporated the activation of the Rail Corridor into the draft Integrated Transport Strategy as a key element.,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.,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.,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.,To be commenced concurrently or after the detailed engineering assessment work activity.,Completed - Letters have been sent. No responses received.,Ongoing - Quarterly progress report to be issued to Council. The cycle is actually every quarter due to the requirement of the Operations Plan.,Completed - included in the 20/21 Operational Plan,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.,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 30 September 2023

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.		

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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:			
<ol style="list-style-type: none">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.Seek TFNSW funding to clear vegetation from the rail corridorProactively 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			
<ol style="list-style-type: none">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.,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.,Ongoing - State and Federal government grant funding opportunities are being sought for multi-use activation of the Byron Shire rail corridor.			

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">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.Undertakes works to complete the connection of the emergency supply to the rest of Mullumbimby.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).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			
<ol style="list-style-type: none">Staff notes committee recommendation 4.1.1 (1) ,Design spec currently being undertaken by Consultant,Report has been drafted and will be reported to April Council meeting,Forms part of the IWCM/SBP currently being undertaken by Consult			
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 30 September 2023

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 30 September 2023

Res No	Report Title	Meeting Date	Due Date
21-254	Filming Policy and Application Processes Report: I2021/798	27/05/2021	30/06/2023
Directorate: Sustainable Environment and Economy Officer: Gilmore, Jess			
Resolved:			
1. That Council reviews its Filming in Public Places Policy and application processes to:			
a) ensure that they are consistent with the new realities of film production in the Shire and the region;			
b) provide further definition as to filming activities for the purposes of online promotion of individuals that commercialise such filming activities; and			
c) Consider best practice approaches to the process of film permit applications and reviews that other LGAs have implemented.			
d) enable the Shire to consider the impacts, costs, and opportunities created by film projects in the region;			
e) develop its own filming protocol specific to the needs of the Shire and in accordance with the state protocol			
2. That Council reviews its film permit fee structure to:			
a) enable the Shire to consider the cost of filming in the region;			
b) enable the Shire to effectively manage the timing and delivery of film permits; and			
c) adequately cover the cost of facilitating filming in the Shire.			
3. That Council seek clarification from regulatory bodies around the categorisation of Byron Baes as an 'ultra-low impact' production.			
Mover: Cate Coorey		Seconded: Sarah Ndiaye	
Comments:			
08 Dec 2022 3:37pm Gilmore, Jess - Target Date Revision			
Target date changed by Gilmore, Jess from 30 November 2022 to 30 June 2023 - Staff have continued to follow up with DPIE, Office of Local Government (OLG), and LG NSW regularly about the review of the LG Filming Protocol / film-related aspects of the SEPP. Confirmation of dates and processes has not been forthcoming. The review of Council policy, application processes, and fees is dependent on State Government departments and Screen NSW imperative/priorities, pending their review of the LG Filming Protocol and its outcomes. All points within the resolution relate to this process and will be reviewed once outcomes of the LG Filming Protocol are known.			
10 Jun 2023 10:25am Burt, Shannon			
Staff recently advised that there is no clear timeline for OLG and DPE to complete the review of this Protocol.			

Res No	Report Title	Meeting Date	Due Date
21-290	Naming Historical Site Report: I2021/1162	05/08/2021	29/04/2022
Directorate: Infrastructure Services Officer: Savage, Deanna			
Resolved that Council consult with key stakeholders regarding the naming of the historical site and primary beach access at Belongil beach, as highlighted on the map below and report back to Council prior to any submission going to the Geographical Names Board.			
Mover: Jan Hackett		Seconded: Basil Cameron	
Comments:			
27 Jun 2022 9:26am Savage, Deanna			
Will organise an email to Arakwal and to Crown Land giving notice of the request to have the access way named as the land is a Crown Reserve. We will need to gain some input into thoughts on an indigenous name for the beach access. The land is under Native Title Non-Exclusive rights and needs to go to a Bundjalung of Byron Bay Aboriginal Corporation (Arakwal) Board meeting which meets approximately monthly. Special meetings are organised for Native Title Matters.			
05 Apr 2023 3:48pm Savage, Deanna			
Letter to go out to Arakwal and Crown Land in the coming weeks for comment and then report back to Council.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
21-344	YouthSay Program - Report and Recommendations Report: I2021/950	26/08/2021 Directorate: Corporate and Community Services Officer: Fajerman, Emily	1/07/2023
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:			
28 Jun 2023 3:54pm 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 postponed due to covid-19 restrictions and flood recovery. Waste education and composting workshop delivered at Mullumbimby High School in May 2023.,			
3. Delayed due to flood recovery and reduced staff capacity. A new action has been created in the 2023-2024 Operational Plan to progress work in the youth portfolio specifically focused on exploring a model of youth engagement. This is expected to be completed by June 2024. Recruitment completed and action has been assigned to responsible officer.,			
4. To be completed once targeted engagement has concluded.			
Res No	Report Title	Meeting Date	Due Date
21-372	Mayoral Minute - Infrastructure Contributions Reforms Report:	16/09/2021 Directorate: Infrastructure Services Officer: Soulsby, Christopher	18/10/2021
Resolved:			
1. That Council calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament.			
2. That Council calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.			
Mover: Michael Lyon		Second:	
Comments:			
13 Oct 2022 1:47pm Black, Therese			
Letter to be drafted and sent to the Department of Planning.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
21-387	The Buttery - connection to sewerage system Report: I2021/1216	23/09/2021	30/12/2023
Directorate: Infrastructure Services Officer: Baulch, Dean			
Resolved that in relation to the connection of 346 Lismore Road, Binna Burra (<i>The Buttery</i>) to the Bangalow Sewerage System, Council:			
1. Supports the connection on the basis that <i>The Buttery</i> is a registered charitable organisation, the community benefit it provides and its ongoing provision of community services.			
2. Supports the deferral of s64 Contributions on the basis the conditions detailed in the Report.			
3. Requires a special agreement for connection to sewerage system to be prepared by the relevant staff and executed by the General Manager; and			
4. Determines that all costs relating to installation, required approvals, ongoing operation, maintenance, repair and replacement are borne by <i>The Buttery</i> .			
Mover: Michael Lyon		Second: Cate Coorey	
Comments: 19 Sep 2023 2:28pm Baulch, Dean - Target Date Revision Target date changed by Baulch, Dean from 31 December 2022 to 30 December 2023 - The Buttery have only just commenced work on detailed design. The special agreement for connection to sewerage system to be prepared by the relevant staff is now being initiated.			

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.			

Res No	Report Title	Meeting Date	Due Date
21-447	Lot 12 Bayshore Drive - Valuation as per Resolution 21-188 Report: I2021/1095	28/10/2021	1/10/2024
Directorate: General Manager Officer: Meir, Matt			
Resolved that Council endorses the valuation range of \$1,811 /m ² to \$1,860/m ² of land area as per confidential annexures (Attachments 4 and 5) for the sale of land marked 'Lot 1' in the Subdivision Concept Plan (refer Attachment 2), and that sale negotiations continue as previously defined in Council resolution 21-188.			
Mover: Michael Lyon		Second: Sarah Ndiaye	
Comments: 26 Sep 2023 2:41pm Meir, Matt Creative response received on 13 September. Council to consider.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

21 Sep 2023 10:59am Clark, Cameron

3. Council staff have developed a scope of works to proceed to detailed design for infrastructure to transfer sewage flows from Ocean Shores STP to Brunswick Valley STP for the following,
 - a) 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,,
 - b) With facility to continue to discharge an adjustable proportion of the flows to Ocean Shores STP (up to ~100% of current sewage flows) on an ongoing basis.,
4. Council staff have completed engineering options analysis and MCA,
5. 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. ,
6. Scope of works has included forward expenditure strategy based on timing of upgrades in Parts 2 & 3 ,
7. Planning Workshop is scheduled for November committee meeting .

Res No	Report Title	Meeting Date	Due Date
21-493	PLANNING - 26.2019.10.1 Submissions Report - North Beach Byron Rezoning Planning Proposal Report: I2021/1415	04/11/2021	30/11/2023
Directorate: Sustainable Environment and Economy Officer: Caras, Alex			
Resolved that Council:			
<ol style="list-style-type: none">1. Forward the planning proposal, as contained in Attachment 1 (E2021/111179), along with updated Local Environmental Plan maps as detailed in this report, to the Department of Planning, Industry and Environment for finalisation.2. Amend Byron Development Control Plan 2014 Chapter E5 - Certain Locations in Byron Bay and Ewingsdale by inserting Section E5.7A North Beach Byron E4 Land and include provisions for the subdivision of the land addressing the following matters:<ol style="list-style-type: none">i. the submission of a Vegetation Management Plan with any application for subdivision; andii. the provision of public beach access comprising a width of 10 metres increasing to a width of 20 metres at the boundary with Crown land.			
<i>Crs Martin, Lyon, Cameron, Hackett, Spooner and Hunter voted in favour of the motion.</i> <i>Crs Coorey and Ndiaye voted against the motion.</i>			
Mover: Michael Lyon		Seconded: Paul Spooner	
Comments:			
07 Dec 2021 9:23am French, Sharyn Applicant requested final confirmation of costs and expenses agreement for payment prior to finalising PP and forwarding to DPIE			
17 May 2022 4:16pm Tarrant, Sam Point 1 completed. LEP amendment in effect from 6/5/2022			
21 Jun 2022 1:21pm Caras, Alex Item '2' - draft DCP currently being prepared by Applicant for Council review.			
28 Jun 2022 8:04am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 06 December 2021 to 31 December 2022			
29 Sep 2022 3:22pm French, Sharyn Item 2 - Still awaiting draft DCP being prepared by applicant			
27 Mar 2023 12:48pm French, Sharyn - Reallocation Action reassigned to Caras, Alex by French, Sharyn - Has carriage of managing the DCP			
27 Mar 2023 4:29pm Caras, Alex Draft DCP changes submitted by applicant, as per Res 21-493. Currently with staff for review and feedback in early April.			
01 May 2023 11:37am Caras, Alex 18/04/2023 - changes arising from staff review/markup of Chapter E5 sent following meeting with applicant on 11/4/23.			
10 Jun 2023 10:42am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 31 December 2022 to 31 December 2022 - to reflect time needed to complete the project.			
10 Jun 2023 11:46am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 31 December 2022 to 30 November 2023 - correct date			
28 Jun 2023 8:22am Caras, Alex Staff met with applicant to discuss updated draft DCP changes in response to previous feedback, as well as to consider the supporting 'North Beach Design Guide'. Both documents are currently with staff for review and feedback in July.			
25 Aug 2023 10:21am Caras, Alex Updated Draft DCP changes and Design Guide submitted by applicant. Currently with staff for review and feedback to applicant in September.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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

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Res No	Report Title	Meeting Date	Due Date
22-246	Rural Land Use Strategy Action Audit Report: I2022/125	09/06/2022	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Daniels, Steve			
Resolved that Council:			
1. Notes the substantial progress made to date on the actions contained within the Rural Land Use Strategy (Attachment 1 - E2022/34118).			
2. Receives a report by end of November 2022 that details the scope of works and budget estimate needed to undertake a comprehensive five-year Rural Land Use Strategy review, with this report to inform a forward budget bid for this work to progress.			
3. Requests staff to prioritise delivery of Rural Land Use Strategy Action 21 in the 2022/23 financial year, being: Investigate capacity for re-subdivision within existing Large Lot Residential estates.			
4. Requests the preparation of an options paper on the potential for additional land to be nominated for rural lifestyle living opportunities and/or other emerging housing types in peri-urban areas e.g. villages as part of the 2022/23 work program.			
5. a) includes options for more community title and intentional community lands in the scope of works as per Council resolution 21-221 and;			
b) Puts to the Northern Rivers Joint Organisation (NRJO) that carbon sequestration and carbon farming be added to its Renewable Energy prospectus.			
Mover: Peter Westheimer		Seconder: Sarah Ndiaye	
Comments: 04 Jul 2023 2:19pm Caras, Alex Re-scoping of RLUS review underway to focus on key priority actions for 2023/24, with report to Council by end of 2023.			

Res No	Report Title	Meeting Date	Due Date
22-247	Residential Strategy and Lot 22 Update Report: I2022/132	09/06/2022	31/12/2023
Directorate: Sustainable Environment and Economy Officer: Daniels, Steve			
Resolved that Council:			
1. Not progress the Planning Proposal for Lot 22 on DP 1073165, Mullumbimby at this time until the implications of the 2022 Flood Events and any further potential natural disasters are understood on the suitability of this land for future development.			
2. Supports, subject to funds being allocated, the adopted Residential Strategy being updated as per the peer review report Option 1 (Attachment 2 - E2022/27777) and clarified by the Department of Planning and Environment correspondence (Attachment 1 - E2022/40467).			
3. Requests a draft of the updated Residential Strategy be reported back to Council.			
Mover: Mark Swivel		Seconder: Michael Lyon	
Comments: 21 Jun 2022 10:59am Hancock, Natalie Item 1: regarding Lot 22, investigations into the 2022 Flood Events and any further potential natural disasters are ongoing. Item 2: Residential Strategy update, this is priority work however progression is influenced by funding, completion of NCRP review, additional flood modelling, flood inquiry recommendations, and new census data release. 28 Jun 2023 8:27am Caras, Alex Item 2: Project tasks: Mullumbimby infrastructure capacity audit for residential areas substantially progressed using updated site suitability mapping/dwelling yields for possible new release and infill areas; Brunswick Heads infrastructure capacity audit commenced in June along with Rous Water engagement; Housing alternative models addendum research 100% complete. Consultant engaged to assist with preparation of 'Housing Options' Paper with draft to be reported to Council in September. 05 Sep 2023 11:24am Burt, Shannon Housing Options Paper to Councillor Workshop 7 Sept and Council meeting 28 Sept.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
22-293	First Nations Voice to Council Report: I2022/675	23/06/2022	30/11/2023
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 Sep 2023 2:00pm Appo, Robert - Target Date Revision			
Target date changed by Appo, Robert from 31 October 2023 to 30 November 2023 - To progress resolution 3, Council staff are awaiting an invitation to attend future board meetings with Widjabal-Wia-bal Native Title PBC group to discuss a First Nations Voice to Council. An invitation is forthcoming in November 2023 after the annual meeting for the newly established organisation.			

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			
19 Sep 2023 2:45pm Holloway, Phillip - Reallocation			
Action reassigned to Frumpui, Samuel by Holloway, Phillip - Was allocated to Cameron Clark when acting Manager Works			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
22-321	Delineation of Byron Bay Beaches Report: I2022/278	23/06/2022	30/11/2023
Directorate: Infrastructure Services Officer: Robertson, Malcolm			
Resolved that Council:			
1. Approves the proposed refinement of mapping on public exhibition for 28 days; and			
2. Requests a further report on the resulting community feedback generated, for consideration of agreed naming.			
Mover: Sarah Ndiaye		Seconded: Peter Westheimer	
Comments:			
09 Mar 2023 11:54am Robertson, Malcolm Submissions received through the public consultation are being reviewed and engagement with traditional custodians of the land is ongoing.			
05 Apr 2023 3:07pm Robertson, Malcolm Community responses have been collated. Engagement with TBLALC and Arakwal is ongoing.			
05 Apr 2023 3:09pm Robertson, Malcolm - Target Date Revision Target date changed by Robertson, Malcolm from 30 June 2023 to 30 November 2023 - Engagement with Traditional Owners is anticipated to take some time.			

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.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
22-366	Byron Shire Wildlife Corridor System Report: I2022/738	11/08/2022	30/11/2023
Directorate: Sustainable Environment and Economy Officer: Caddick, Lizabeth			
Resolved:			
1. That Council endorses the Byron Shire Wildlife Corridor System for public exhibition, with proposed updates to Council's Biodiversity DCP (as set out in this report) included as supporting information.			
2. That following exhibition, Council receives a submissions report to consider key issues raised and formally adopt the new Wildlife Corridor System.			
3. Following completion of '2' above, that Council:			
a) update DCP Chapter 'B1 – Biodiversity' to reflect the adopted Wildlife Corridor Map and any additional supporting amendments; and			
b) exhibit the DCP chapter updates in accordance with relevant legislative requirements.			
Mover: Peter Westheimer		Seconder: Sarah Ndiaye	
Comments:			
28 Sep 2023 2:44pm Caddick, Lizabeth			
1. That Council endorses the Byron Shire Wildlife Corridor System for public exhibition, with proposed updates to Council's Biodiversity DCP (as set out in this report) included as supporting information. - COMPLETED,			
2. That following exhibition, Council receives a submissions report to consider key issues raised and formally adopt the new Wildlife Corridor System. - REPORT IN PROGRESS, AWAITING PROGRESS WITH 3 a) BELOW,			
3. Following completion of '2' above, that Council:			
a) update DCP Chapter 'B1 – Biodiversity' to reflect the adopted Wildlife Corridor Map and any additional supporting amendments; and - CONSULTANT CURRENTLY WORKING WITH COUNCIL ON DCP AMENDMENTS,			
b) exhibit the DCP chapter updates in accordance with relevant legislative requirements. (Westheimer/Ndiaye) - TO BE EXHIBITED ONCE DCP DRAFT AMENDMENTS FINALISED, The motion was put to the vote and declared carried, Cr Coorey was not present for the vote.			

Res No	Report Title	Meeting Date	Due Date
22-438	Rifle Range Road Traffic Calming Report: I2022/1013	25/08/2022	15/09/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council:			
1. Notes the recent listing of the NSW Koala Population as endangered.			
2. Notes the recent death of two breeding female Koalas and their Joeys in the Bangalow area			
3. Request that staff meet with residents from adjacent properties and prepares a report to Council on implementing and/or installing traffic calming options along the newly sealed section of Rifle Range Road in Bangalow north of Raftons Road.			
Mover: Asren Pugh		Seconder: Sama Balson	
Comments:			
29 Aug 2023 11:58am Cornwall, Judd - Target Date Revision			
Target date changed by Cornwall, Judd from 21 August 2023 to 15 September 2023 - Council staff have reached out to the community through a letter drop and have received feedback. The outcomes from this feedback and staff recommendations will be reported to Council at the next available date.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
22-460	Stormwater Investigation Requirements Report: I2022/1111	08/09/2022	30/12/2023
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: 25 Aug 2023 10:26am Caras, Alex Actions currently being considered as part of review of DCP flood planning chapters by external consultant. Outcomes to be presented to a Council workshop in late 2023.			

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		Seconded: Alan Hunter	
Comments: 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.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
22-527	Petition regarding the upgrade of Manns Road and one way trial for Towers Drive/Smith Street Report: I2022/919	29/09/2022	30/09/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved:			
1. That the petition regarding Upgrading Mullumbimby Industrial Estate be noted.			
2. That Council notes the current proposal to undertake an asphalt overlay (resurface) of Manns Road under the ECG program by February 2023.			
3. That Council allocates through the September Budget Review a budget of \$30,000 from the asphalt Overlay Program for the design and implementation of a one-way trial at Towers Drive and Smith Street.			
Mover: Michael Lyon		Seconder: Peter Westheimer	
Comments: 20 Sep 2023 8:40am Cornwall, Judd A traffic survey is currently underway (including tube and intersection counts) to understand the current traffic movements. A concept sketch is being developed for community consultation purposes (expected completion date 22 September 2023), community consultation expected to start early October.			

Res No	Report Title	Meeting Date	Due Date
22-534	Pay Parking Potential Report: I2022/866	29/09/2022	30/09/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved:			
1. That in relation to parking in Brunswick Heads, Council;			
a) allocates \$140,000 in the September quarterly budget review to fund an updated parking study including an expansion of the pay parking areas and an assessment of current supply and demand, time limits; and			
b) receives a further report in April 2023 on the above and also on comparative pay parking rates in other Local Government Areas.			
2. That in relation to parking within Mullumbimby, staff:			
a) Consult with Transport for New South Wales (TfNSW) in relation to parking/overflow associated with the temporary housing within the rail corridor and possible legacy outcomes from this initiative related to parking areas; and			
b) provide a further report on options to progress/fund a revised parking study.			
3. That staff provide a further report recommending rules on the number of parking permits per residence and how a permit relates to a residence.			
4. That Council notes, that stage 1 of the Broken Head Reserve Road parking improvements is scheduled to commence in September/October 2022 and at the completion of these works, a parking assessment to consider an expansion of the existing pay parking precinct will be undertaken and reported to Council for consideration			
Mover: Michael Lyon		Seconder: Peter Westheimer	
Comments: 20 Sep 2023 9:56am Cornwall, Judd An internal staff workshop has taken place with Bitzios Consulting to go over the interim outcomes of the study. Staff have recommended some refinements, including extra data capture east of the river to help validate findings. Staff plan to prepare a report/presentation at the next Councillor Workshop (5 October 2023), dependent on consultant availability.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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 DIS has had preliminary discussions with SCU and representatives of IPWEA on developing a mentoring program. Formal request to be prepared by staff for further consideration.			

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 Inquiries 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		Seconder: 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			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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		Seconder: 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.			

Res No	Report Title	Meeting Date	Due Date
22-652	Backzoning Linnaeus Report: I2022/1642	24/11/2022	30/11/2023
Directorate: Sustainable Environment and Economy Officer: Daniels, Steve			
Resolved that:			
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		Seconder: 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.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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		Seconder: Duncan Dey	
Comments:			

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 - Letter to Essential Energy #2023/18121 sent on 21 February 2023., 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			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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	30/11/2023
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:			
05 Apr 2023 3:10pm Robertson, Malcolm Engagement with interested parties including the 'Natural Burial Grounds Steering Group' has been delayed primarily due to a lack of resource.			
05 Apr 2023 3:37pm Robertson, Malcolm Noting previous resolutions 22-102 and 22-657 regarding Vallances Road investigations for Natural Burial Ground site.			
28 Jun 2023 7:57am Robertson, Malcolm - Target Date Revision Target date changed by Robertson, Malcolm from 13 March 2023 to 30 November 2023 - Lack of resources to progress this initiative.			
27 Sep 2023 2:00pm Robertson, Malcolm Liaison with NBG representative has been initiated and advertisement is being drafted.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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 DIS for consideration as part of IS work program due to recent staff and resource changes.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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 30 September 2023

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		Seconded: Sama Balson	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-136	Legrope enforcement on Byron Shire beaches Report: I2023/552	27/04/2023	30/11/2023
Directorate: Infrastructure Services Officer: Robertson, Malcolm			
Resolved that Council:			
1. Notes that the <i>Local Government Act 1993</i> , S.633(4)(c) could empower a local council to require the use of leg ropes on surfboards as 'water-based recreational equipment'.			
2. Notes that Section 633(1) and S.633(4)(c) of the Local Government Act makes it an offence for a person in a place listed in the section to act contrary to a notice installed by Council.			
3. Seeks to address issues of community safety in the surf by:			
a) installing notices at the formed entrances to the beaches, and			
b) the notices would advise relevant board riders that they must use a leg rope in the surf.			
4. The proposed notices would:			
a) apply to a person in the sea adjacent to Council's area (section 633(1));			
b) be installed by Council on its own land, or seek the relevant landowner's consent (e.g., on land managed by the National Parks and Wildlife Service) in accordance with section 633(3); and			
c) relate to the use of surfboards in the surf (633(4)(c) and 633(5))			
d) advise that breaches of the notice attract a fine			
5. Begins the new signage or signage amendments at the Shire's busiest surfing beaches as a priority.			
6. Writes to the local MP Tamara Smith and relevant state authorities, including Crown Lands, Marine Parks, National Parks, asking for them to take relevant actions to support the requirement to wear leg-ropes while in the surf with a surfboard.			
7. Prepares an unpaid community education campaign around this issue.			
8. Prepares a broader ranging unpaid media campaign that could reach beyond Byron Shire to potential visitors, particularly focussing on surfing and traveller audiences.			
Mover: Cate Coorey		Seconded: Mark Swivel	
Comments:			
27 Sep 2023 2:01pm Robertson, Malcolm Signs are now in production, aiming to be installed mid-October.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-141	Review of Council Policies - 2022-2023 Report: I2023/412	27/04/2023	29/05/2023
	Directorate: General Manager Officer: James, Ralph		
Resolved:			
1.	That the following policies be placed on public exhibition for the reasons stated alongside it for 28 days to allow for submissions:		
a)	Disposal of Assets Policy 2023 – as updated and shown in track changes at Attachment 1 (E2023/32428)		
b)	Strategic Partnerships Policy 2023 – as updated and shown in track changes at Attachment 2 (E2023/32764) and associated Unsolicited Proposals Guidelines at Attachment 3 (E2023/23342)		
c)	Urban Recycled Water Connections Policy 2019 – to be repealed		
d)	Water Conservation Policy 2019 – to be repealed		
2.	That:		
a)	should there be no submissions received for a policy, then the updated or repealed policy is endorsed from the date after the close of the exhibition period; and,		
b)	should submissions be received for a policy, they be reported to Council along with recommendations for any amendments considered appropriate.		
3.	That Council consult neighbouring Councils, including Clarence Valley Council, and LGNSW and seek legal advice, on how to create and operate a Land Acquisition Register.		
4.	That Council then consider further updating the draft Land Acquisition and Disposal Policy 2023 at Attachment 4 (E2023/32441) to mention such a Register.		
5.	That the final draft Land Acquisition and Disposal Policy 2023 be placed on public exhibition for 28 days to allow for submissions and that:		
a)	should there be no submissions received for a policy, then the updated or repealed policy is endorsed from the date after the close of the exhibition period; and,		
b)	should submissions be received for a policy, they be reported to Council along with recommendations for any amendments considered appropriate.		
<i>Cr Pugh was not present for the vote.</i>			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments:			
03 May 2023 3:40pm Jones, Mila Policies are on exhibition until 25/05/2023			
29 May 2023 9:33am Jones, Mila No submissions received on Disposal of Assets, Strategic Partnerships, Urban Recycled Water Connections or Water Conservation Policies. The Policies now adopted and repealed per part 2 of resolutions.			
30 Jun 2023 11:25am Parkinson, Sarah Neighbouring and other Councils consulted. Legal advice being prepared.			
26 Sep 2023 2:33pm Parkinson, Sarah Legal advice is still being prepared in relation to 3 and 4			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-142	Council Investments - 1 March 2023 to 31 March 2023 Report: I2023/512	27/04/2023	29/05/2023
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that:			
1. Council notes the report listing Council's investments and overall cash position as of 31 March 2023.			
2. Councillors receive a briefing at the next available Councillor Workshop to better understand the potential for more ethical investment and other options with Council's investments.			
<i>Cr Pugh was not present for the vote.</i>			
Mover: Sama Balson		Second: Duncan Dey	
Comments: 02 Jun 2023 3:00pm Brickley, James - Proposed workshop session with Councillors will need to be programmed at a future workshop session.			

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		Second: Duncan Dey	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-163	Lennox Head to Byron recreational coastal pathway Report: I2023/622	11/05/2023	30/09/2023
		Directorate: Infrastructure Services Officer: Cornwall, Judd	
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 3:19pm Cornwall, Judd - Target Date Revision Target date changed by Cornwall, Judd from 12 June 2023 to 30 September 2023 - Further engagement with Ballina Shire required, grant funding is still being investigated.			

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 30 September 2023

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	30/11/2023
Directorate: Sustainable Environment and Economy Officer: Meech, Roseanna			
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: 04 Jul 2023 2:57pm Meech, Roseanna Awaiting further landowner engagement following the suggestion of additional potential heritage items			

Res No	Report Title	Meeting Date	Due Date
23-199	Council-owned land in Belongil Report: I2023/733	25/05/2023	26/06/2023
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved that Council receives a report regarding 3 lots it owns at Belongil, namely 6/3/1623, 7/3/1623 and B/371044 on:			
1. Vegetation types;			
2. Other constraints such as easements, encroachments or the land classification;			
3. The planning pathways available to Council should it wish to place removable cabins for the purposes of tourist and visitor accommodation, or to create a public recreation space on any part or all of the 3 lots.			
Mover: Michael Lyon		Seconder: Asren Pugh	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-202	South Beach Lane parking Report: I2023/801	25/05/2023	26/06/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved:			
1. That South Beach Lane in Brunswick Heads have all parking removed, with consideration given to the bollards being shifted to be in line with the ones at the start and end of the lane and that this decision be reviewed in three months from implementation.			
2. That the General Manager be delegated to implement any Local Traffic Committee recommendations in relation to regulatory signage.			
Mover: Michael Lyon		Secunder:	
Comments: 06 Sep 2023 2:35pm Weallans, Kirk - Reallocation Action reassigned to Cornwall, Judd by Weallans, Further comments required pending the outcome of the parking restrictions trial.			

Res No	Report Title	Meeting Date	Due Date
23-211	Bioenergy Facility Project - OLG PPP Assessment Report: I2023/316	25/05/2023	31/10/2023
Directorate: Infrastructure Services Officer: Hart, John			
Resolved that Council, noting the requirements in section 11.2.2 of the OLG <i>Public Private Partnership Guidelines</i> about Council resolutions for Public Private Partnerships (PPPs), resolves to:			
a) Agree with and adopt the outcomes and deliverables for the Bioenergy Facility Project as described in this Report at section 4 and in DA 10.2021.364.1 (refer E2021/88382; E2022/41826; E2022/50991).			
b) Authorise the General Manager to submit a proposal for the Bioenergy Facility Project to the Office of Local Government for "Initial Assessment" as a Public Private Partnership as defined in s.400B of the Local Government Act 1993 (the Act)			
c) Instruct the General Manager to provide to Council, as necessary, status updates on the BEF project and the NSW OLG "Initial Assessment," whether a PPP remains the preferred execution model for the BEF Project, or whether alternative execution models have evolved with changing circumstances.			
Mover: Mark Swivel		Secunder: Sarah Ndiaye	
Comments: 19 Jun 2023 12:14pm Hart, John - Target Date Revision Target date changed by Hart, John from 26 June 2023 to 31 October 2023 - Period for a detailed application is required, and Council has not control over the NSW OLG review process and duration. 19 Jun 2023 2:14pm Hart, John HWLE have been retained via PO week 20230612. Work is proceeding. 28 Sep 2023 12:58pm Hart, John - Target Date Revision Target date changed by Hart, John from 31 October 2023 to 31 October 2023 - Annual Leave and Sick Leave has delayed the Executive Officer's review of the 11AUG2023 Draft "Initial Submission."			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-215	Arakwal MOU review Report: I2023/569	25/05/2023	31/10/2023
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: 27 Sep 2023 2:02pm Appo, Robert - Target Date Revision Target date changed by Appo, Robert from 29 September 2023 to 31 October 2023 - Council staff attending an Arakwal Board Meeting on the 13th September 2023. Council awaiting a formal response from Arakwal about next steps.			

Res No	Report Title	Meeting Date	Due Date
23-217	New Brighton Parking Options Investigation Report: I2023/472	25/05/2023	31/10/2023
Directorate: Infrastructure Services Officer: Avelino Gianelli, Isabella			
Resolved that Council adopts the following recommendations:			
Report No. 4.2 New Brighton Parking Options Investigation			
File No: I2023/472			
<u>Recommendation 4.2.1</u>			
1. That staff continue to develop designs to improve car parks in the area including North Head Carpark, The Esplanade North and provide way finding signage in the area to direct beach goers to the beach facility.			
2. That Council investigates closing all but 6 car parking spaces in The Esplanade South and providing further parking in Esplanade North, North Head Rd, Riversea Lane, Dolphin Lane and New Brighton for foot traffic beach access.			
3. That a further report is brought back to Council within 3 months of this date.			
4. That Council considers the eventual outcome of the dune continuing to move west onto the Esplanade and this aspect be referred to the CMP.			
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments: 08 Jun 2023 3:32pm Cornwall, Judd 1. Noted 2. Noted 3. Under development 4. Noted and to be referred to Coast and Biodiversity Coordinator 21 Sep 2023 8:43am Cornwall, Judd Survey expected to be complete mid October for the development of concept sketches for parking opportunities in Riversea Ln, Dolphin Ln, The Esplanade Nth and New Brighton Rd.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-221	Bayshore Lane - One Way restriction Report: I2023/599	25/05/2023	30/09/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.2	Bayshore Lane - One Way restriction		
File No: I2023/599			
<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: 20 Sep 2023 8:34am Cornwall, Judd Concept design is underway (expected completion date 6 October 2023) this concept will be forwarded through to the community for comment.			

Res No	Report Title	Meeting Date	Due Date
23-196	Setting the Shire's minimum rate Report: I2023/724	25/05/2023	26/06/2023
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: 02 Jun 2023 2:57pm Brickley, James - Completion Will be reported again to Council at 22 June 2023 for determination in accord with adoption of the 2023/2024 Revenue Policy and the statutory report to make the rate for 2023/2024.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-236	Homelessness Crisis in the Byron Shire Report: I2023/797	08/06/2023	31/10/2023
Directorate: Corporate and Community Services Officer: Cheema, Geeta			
Resolved that Council:			
1. Writes to the Hon. Rose Jackson MLC, Minister for Housing, Homelessness, and the North Coast to: a. request an Assertive Outreach Program for Byron Shire which matches the resource allocation for the Tweed Assertive Outreach Program b. request provision and expansion of supported emergency, crisis and temporary accommodation, transitional housing and social housing in Byron Shire, including adequate case management support. c. request project funds to support expansion of public amenities for people sleeping rough			
2. Acknowledges the feedback received by community members regarding a lack of facilities available to people sleeping rough in the Brunswick Heads area and investigates options available to address these needs in this locality and in other localities across the Shire.			
Mover: Michael Lyon		Seconder:	
Comments:			
21 Jun 2023 12:07pm Davis, Esmeralda 1. Complete. Refer E2023/62904, 2. Currently investigating options in Mullumbimby and Brunswick Heads for the provision of shower amenities in addition to services already available.			
26 Jul 2023 12:09pm Davis, Esmeralda - Target Date Revision Target date changed by Davis, Esmeralda from 10 July 2023 to 01 September 2023 - Continuing discussions with third party regarding opportunities for amenities in Brunswick Heads.			

Res No	Report Title	Meeting Date	Due Date
23-250	Public Exhibition of draft Arts and Culture Action Plan 2023-2026 Report: I2023/892	22/06/2023	24/07/2023
Directorate: Corporate and Community Services Officer: Firth, Melitta			
Resolved that:			
1. The Draft Arts and Culture Action Plan 2023-2026 (Attachment 1 #E2023/57998) be placed on public exhibition for a minimum of 28 days.			
2. a) Should there be no submissions, the Draft Arts and Culture Action Plan 2023-2026 is endorsed from the date after the close of the exhibition period and; b) Should submissions be received, the Draft Arts and Culture Action Plan 2023-2026 be reported back to Council noting the submissions and any amendments made as a result of the feedback received.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments:			
05 Jul 2023 1:57pm Firth, Melitta 1. The Draft Arts and Culture Action Plan 2023-2026 (Attachment 1 #E2023/57998) is on exhibition until 28 July, 2023., 2. Awaiting completion of the Public Exhibition period.			
26 Jul 2023 9:43am Firth, Melitta 1. The Draft Arts and Culture Action Plan 2023-2026 (Attachment 1 #E2023/57998) is currently on public exhibition for 28 days until 28 July 2023., 2., a) Submissions have been received and will be considered at the end of the exhibition period., b) Submissions on the Draft Arts and Culture Action Plan 2023-2026 will be reported back to Council at the conclusion of the exhibition period.			
23 Aug 2023 11:26am Firth, Melitta 1. The Draft Arts and Culture Action Plan 2023-2026 (Attachment 1 #E2023/57998) exhibition period concluded on 28 July, 2023., 2a. Submissions were received, 2b.Feedback has been incorporated and the plan will be presented to the September Council meeting for adoption.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-266	Future Discussion Items for the Coast and ICOLL Advisory Committee Report: I2023/773	22/06/2023	24/07/2023
Directorate: Sustainable Environment and Economy Officer: French, Sharyn			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.1	Future Discussion Items for the Coast and ICOLL Advisory Committee		
<u>Committee Recommendation 4.1.1</u>			
1. That Council provides a brief summary of the methodology of the Coastal Hazard Assessment to the next available Committee meeting, with a draft earlier to be made available to committee members.			
2. That Council receives a report on the following in relation to Belongil Estuary at the next available committee meeting:			
a. fate of STP effluent including when the STP must be upgraded later this decade (STP capacity is 6.95 ML/day dry weather flow);			
b. waterlogging on farmlands, commitment to directing effluent away from the Estuary and the non-use of the Additional Flowpath;			
c. potential changes to the ICOLL Opening Strategy;			
d. any other related matters.			
3. That Council notes that some water quality data for Tallow and Belongil Creek estuaries will be provided to the Committee but is not for onward distribution.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: 05 Sep 2023 12:13pm Dowsett, Chloe Actioning of the resolution is underway.			

Res No	Report Title	Meeting Date	Due Date
23-267	Presentation on the outcomes of the Main Beach Shoreline Project - Technical Assessment Report: I2023/426	22/06/2023	24/07/2023
Directorate: Sustainable Environment and Economy Officer: French, Sharyn			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.3	Presentation on the outcomes of the Main Beach Shoreline Project - Technical Assessment		
<u>Committee Recommendation 4.3.1</u>			
That Council notes that members of the committee have been directed to this technical assessment report for their own perusal in the agenda for the Council meeting dated 27 April 2023 Agenda item no. 13.6 in lieu of the presentation.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: 28 Sep 2023 12:50pm Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 24 July 2023 to 24 July 2023 - no further action required			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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		Seconded: Alan Hunter	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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:			
1. Notes the report, the update by DPE and the Floodplain Management Advisory Committee minutes;			
2. Expresses its concern at how long this project is taking;			
3. Makes the Post-Event Flood Level Survey public, so that:			
a) It gets checked by those who provided the information, or were flooded, and			
b) It can be amended where necessary prior to the expensive task of flood modelling;			
4. Thanks DPE for funding all the post-event technical analyses; and			
5. Asks DPE to share draft reports as soon as possible with this Floodplain Advisory Committee, including via an Extraordinary Meeting if necessary.			
Mover: Michael Lyon		Second: 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
23-285	Seek committee advice on Coastal Hazard Assessment Report: I2023/915	22/06/2023	24/07/2023
Directorate: Sustainable Environment and Economy Officer: French, Sharyn			
Resolved that the Coastal Hazard Assessment Study be shared with the members of the Coast & ICOLL Advisory Committee once the expert peer review has been completed on the basis that it is kept confidential. <i>The motion (Lyon/Coorey) was put to the vote and declared carried.</i>			
<i>Cr Dey voted against the motion.</i>			
Mover: Michael Lyon		Second: Cate Coorey	
Comments:			
05 Sep 2023 12:17pm Dowsett, Chloe			
The draft Coastal Hazard Assessment has been reviewed by DPE and external technical peer reviewer. Comments are being considered by the consultant. The final Coastal Hazard Assessment is expected in October 2023. The report will be shared with the Coast and ICOLL Advisory Committee once available and prior to be reported to Council.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-286	Mullumbimby Residents Association submission Report:	22/06/2023	30/09/2023
		Directorate: Corporate and Community Services Officer: Cheema, Geeta	
Resolved that Council:			
<ol style="list-style-type: none">Notes the submission from the Mullumbimby Residents Association with respect to the recent announcements by the NRRC with respect to the Resilient Homes Program.Further notes their submission highlights that the recent report in the Echo newspaper has created a wave of emotions ranging from, fear to anger as well as feelings of being abused, neglected, misunderstood and a sense of hopelessness.Requests an urgent community meeting (either face to face or via zoom) with NRRC, councillors, council staff and members of local community organisations in Byron Shire working or advocating in this arena of the Resilient Homes Program in order to follow up on the previous meeting and to ask a new set of questions and in particular to:<ol style="list-style-type: none">clarify the eligibility criteria.clarify how the mapping released by NRRC can be interpreted by individual residents who have applied under the RHPdiscuss the processing of individual requests. - including the exceptional circumstances procedure and appeal procedurediscuss the establishment of a working team of NRRC – Council staff – Community reps who meet by zoom every week to assist in the roll out of the RHP.			
Mover: Michael Lyon		Seconder:	
Comments: 06 Sep 2023 9:54am Cheema, Geeta - Target Date Revision Target date changed by Cheema, Geeta from 24 July 2023 to 30 September 2023 - Meeting between MRA, NSW Reconstruction Authority (Exec Director and Flood Scientist), Council staff and Mullumbimby & District Neighbourhood Centre occurred on 4 August 2023. The actions related to this resolution have largely been addressed. Manager Social & Cultural Planning continues to be in touch with President Mullum Residents Association regarding the need for any further meeting.			

Res No	Report Title	Meeting Date	Due Date
23-293	Tender - Electricity Procurement Report: I2023/796	22/06/2023	31/10/2023
		Directorate: Corporate and Community Services Officer: Sills, Heather	
Resolved that Council:			
<ol style="list-style-type: none">Endorses the procurement strategy for the retail electricity supply contract outlined in this report, and delegates authority to the General Manager to accept the tender(s) and to enter into the proposed contract on behalf of Council, as provided for under Section 377 of the Local Government Act 1993.Receives a briefing before the electricity procurement is finalised, either preferably at a future Councillor Workshop or otherwise by Memo, on Council's electricity consumption profile; on key elements of the tender brief; and on options now and into the future for decreasing Council's emissions via electricity procurement.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments: 21 Sep 2023 9:44pm Sills, Heather Council has invited tenders in accordance with the resolution. Tenders will close on 3 October and will be considered by the evaluation panel and accepted by the General Manager under delegation.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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	24/07/2023
		Directorate: Sustainable Environment and Economy	
		Officer: Briggs, Hayley	
Resolved that Council:			
<ol style="list-style-type: none">1. Notes the definitions of net zero and carbon neutrality.2. 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.3. 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.4. Notes the financial implications of achieving both carbon neutrality in 2025 and net zero in 2030			
Mover: Asren Pugh		Seconder: Duncan Dey	
Comments: 07 Aug 2023 12:08pm Adams, Julia Item 3 update - the draft Policy received three submissions. Report for adoption of Policy being reported to September Council Ordinary Meeting.			

Res No	Report Title	Meeting Date	Due Date
23-297	Busking Policy Review Report: I2023/783	22/06/2023	30/09/2023
		Directorate: Sustainable Environment and Economy	
		Officer: Johnstone, Dylan	
Resolved that Council:			
<ol style="list-style-type: none">1. Places the Draft Busking Policy in Attachment 1 (E2023/56924) on public exhibition for a minimum period of 28 days.2. Following exhibition, receives a further report detailing submissions made.			
Mover: Cate Coorey		Seconder: Michael Lyon	
Comments: 04 Jul 2023 1:03pm Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 24 July 2023 to 30 September 2023 - to allow time for project completion			

ACTIVE RESOLUTIONS REPORT

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Res No	Report Title	Meeting Date	Due Date
23-298	Update Resolution 22-737 Former Mullumbimby Hospital Site Redevelopment Project Report: I2023/885	22/06/2023	31/12/2023
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1. Notes the update on Resolution 22-737 Former Mullumbimby Hospital Site.			
2. Authorises staff to finalise and forward a planning proposal (informed by the Site Strategy and Urban Design Protocol and technical studies) 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.			
3. Notes that an Enquiry by Design Workshop, Development Feasibility Assessment, and draft Development Control Plan for the Former Mullumbimby Hospital Site will progress along with the Planning Proposal to enable completion of these by early 2024.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: 05 Sep 2023 12:11pm Burt, Shannon The Planning Proposal was lodged with DPE in August 2023 for gateway determination., Enquiry by Design process consultants appointed and workshops to be held in and around October.			

Res No	Report Title	Meeting Date	Due Date
23-303	Resilient Lands Strategy Report:	22/06/2023	31/12/2023
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1. Notes the Northern Rivers Reconstruction Corporation released its draft Resilient Lands Strategy on Thursday 8 June 2023 with submissions on the strategy closing on 30 June 2023.			
2. Notes the total lack of detail contained within the strategy, making it very difficult for stakeholders and the community to understand its benefits and impacts.			
3. Reaffirms the importance of consulting with, and bringing the community along, in the development and implementation of housing strategy.			
4. Makes a submission to the draft strategy that includes the following:			
a) Requests a master plan process that includes community consultation structures, for Site B2 in Byron Shire before any upzoning is undertaken			
b) Identifies how transport including public transport issues will be addressed			
c) Requests that Council's full 20% Affordable housing contribution scheme will be implemented			
d) Notes the lack of detail about the makeup of the rest of the proposed release areas – how many flood impacted people will be housed?			
e) Requests that significant portions of the sites in Byron Shire be used for food security, such as market gardens, and environmental rehabilitation			
f) Notes the lack of any detail on the identification of required new or improved infrastructure and the likelihood that the identified \$100 million will not be enough for the whole strategy			
Mover: Asren Pugh		Seconder: Michael Lyon	
Comments: 04 Jul 2023 1:25pm Burt, Shannon 1&2&3 Noted., 4 Email submission sent 29/6/23 and acknowledgement received. Meeting with NRRC staff 5/7/23 to discuss council concerns and process. 04 Jul 2023 1:29pm Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 24 July 2023 to 31 August 2023 - To allow for NRRC exhibition to be completed and any further responses to council to be made. 28 Sep 2023 3:13pm Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 31 August 2023 to 31 December 2023 - To enable Housing Options Paper process to be completed			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-289	Lot 12 Bayshore Drive - Updated Valuation as per Resolution 21-188 Report: I2023/201	22/06/2023	24/07/2023
Directorate: General Manager Officer: Meir, Matt			
Resolved that Council sets a price of \$2160 per square metre (ex-GST) for the proposed sale of that part of lot 12 Bayshore Drive, Byron Bay, marked 'lot 1' in the subdivision plan to this report, based on the attached confidential land valuations (E2023/4 1766 and E2023/41768)			
Mover: Michael Lyon		Seconder: Mark Swivel	
Comments: 25 Jul 2023 9:32am Meir, Matt Council and Creative met on 20/7 to discuss sale price. Internal Council meeting to follow on 27/7. 29 Aug 2023 10:15am Meir, Matt Updates res 21-447 so notes to that resolution apply equally here. 26 Sep 2023 2:42pm Meir, Matt As above. See update to 21-447.			

Res No	Report Title	Meeting Date	Due Date
23-300	CONFIDENTIAL - 57 Station Street, Mullumbimby Report: I2023/818	22/06/2023	31/12/2023
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
<ol style="list-style-type: none">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.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.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.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: 28 Jun 2023 11:21am Burt, Shannon Revised Term Sheet to be signed by end July and RFQ process to follow. 28 Jun 2023 11:22am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 24 July 2023 to 31 December 2023 - to allow time for the RFP process to run and be reported back to council 28 Sep 2023 11:12am Burt, Shannon RFP documents finalised for process to commence 5 October.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-325	Community Initiatives Program 2023-2024 Recommendations for Funding Report: I2023/1037	24/08/2023	25/09/2023
Directorate: Corporate and Community Services Officer: Miller, Vanessa			
Resolved that Council approves the recommended projects for the Community Initiatives Program as per Confidential Attachment 1 (E2023/79113), listed below and notes projects not recommended for funding.			
Brunswick Valley Historical Society Museum - \$5,000			
Christmas Cheer in the Bay - \$5,000			
Humans of Bruns - \$2,500			
Japanese Community Byron Bay – \$5,000			
Mullum SEED - \$5,000			
raise the heart - \$5,000			
Shedding Community Workshop Inc - \$5,000			
Spaghetti Circus Inc - \$4,927.50			
The Foundation for Creative Intelligence - \$5,000			
The Pocket Public School P&C - \$5,000			
Trustee for the Byron Bay Community Benefit Fund \$5,000			
Mover: Sarah Ndiaye		Second: Cate Coorey	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-331	2023/24 Loan Borrowing Program Report: I2023/1195	24/08/2023	25/09/2023
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		Second: Cate Coorey	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-333	Review of Council's Onsite Sewage Management Strategy 2001 and Onsite Sewage Management Guidelines 2004 Report: I2023/1112	24/08/2023	30/11/2023
Directorate: Sustainable Environment and Economy Officer: Connors , Tim			
Resolved that Council:			
1.	Supports the public exhibition of the draft Onsite Sewage Management Strategy for a minimum 6 weeks to allow for community feedback and submissions and:		
a)	should there be no submissions received the draft Onsite Sewage Management Strategy be endorsed; or		
b)	should submissions be received the draft Onsite Sewage Management Strategy be reported back to Council noting the submissions and any amendments made as a result of the feedback received.		
2.	Supports the public exhibition of the draft Onsite Sewage Management Guidelines for a minimum 6 weeks to allow for community feedback and submissions and:		
a)	should there be no submissions received the draft Onsite Sewage Management Guidelines be endorsed; or		
b)	should submissions be received the draft Onsite Sewage Management Guidelines be reported back to Council noting the submissions and any amendments made as a result of the feedback received.		
Mover: Sarah Ndiaye		Seconder: Cate Coorey	
Comments: 05 Sep 2023 12:59pm Connors, Tim Strategy and Guidelines to be exhibited 1 Sept., Report back to council if needed and dependant on submissions.			

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: 31 Aug 2023 5:45pm Firth, Melitta 1 and 2. Awaiting input from Open Spaces Team to progress. 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.			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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: 31 Aug 2023 5:43pm Firth, Melitta 1. N/A, 2. Salvaging mosaics has been discussed with Open Spaces team and should be simple., 3. Grant application unsuccessful for funding for this project. Council will work to include something in the redesign of main beach foreshore area. 12 Sep 2023 4:00pm Firth, Melitta - Target Date Revision Target date changed by Firth, Melitta from 25 September 2023 to 29 June 2024 - Removal and replacement of roundabout will need to be scheduled by the works team.			

Res No	Report Title	Meeting Date	Due Date
23-344	Wordsworth Street / Shirley Street - Parking and intersection upgrades. Report: I2023/1071	24/08/2023	25/09/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 6.4 Wordsworth Street / Shirley Street - Parking and intersection upgrades. File No: I2023/1071			
<u>Committee Recommendation 6.4.1</u>			
That the Local Traffic Committee endorse:			
a) the treatments at the intersection of Shirley Street to improve safety and capacity			
b) the updated parking restrictions within Wordsworth Street			
Detailed plans for these improvements are shown in attachment 1, Construction drawings Wordsworth Street and Shirley Street (E2023/38317).			
Mover: Sarah Ndiaye		Seconder: Cate Coorey	
Comments: 29 Aug 2023 12:08pm Cornwall, Judd - Target Date Revision Target date changed by Cornwall, Judd from 25 September 2023 to 25 September 2023 - Construction of the new facility is underway, expected completion date is 14 September 2023			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-351	Dingo and Wild Dog Control in Byron Shire Report: I2023/920	24/08/2023	25/09/2023
Directorate: Sustainable Environment and Economy Officer: Caddick, Lizabeth			
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		Second: Asren Pugh	
Comments:			
28 Sep 2023 2:46pm Caddick, Lizabeth			
1.	Reviews the 2018-2023 Byron Shire Pest Animal Management Plan early in 2024 and that this review includes: - CURRENTLY PREPARING REQUEST FOR QUOTE FOR PEST MANAGEMENT PLAN REVIEW,		
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 - IN PROGRESS,		
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 - IN PROGRESS. ATTENDED MEETINGS WITH KEY RESEARCHERS AT DINGO FORUM 15-16 SEPTEMBER. FURTHER MEETINGS WITH RESEARCH GROUPS PLANNED.,		
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. - FOLLOWING UP WITH LOCAL LAND SERVICES RE TIMELINE FOR THEIR PEST-PREDATOR MANAGEMENT PLAN.,		
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. - SAMPLES REQUESTED.,		
4.	Receives a report by March 2024 (prior.. - IN PROGRESS - CURRENTLY SEEKING RELEVANT INFORMATION FROM PEST MANAGEMENT CONTRACTORS FOR THIS REPORT.		

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

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: Corporate and Community Services Officer: Sills, Heather			
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:			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-370	Summary of Community Feedback on Byron Bay Triathlon 2023 Report: I2023/543	24/08/2023	25/09/2023
		Directorate: Sustainable Environment and Economy	
		Officer: Gilmore, Jess	
Resolved that Council reconfirms key elements of Resolution 22-101 by:			
1. Noting the importance of the Byron Triathlon event to the local community and businesses, as well as the Australian sporting community in general.			
2. Supporting the 2024 Byron Triathlon and future events using a similar route to the 2023 event; and that this route is endorsed by Council, on the basis that the route is supported by the Local Traffic Committee.			
3. Communicating its position to the local community via media release.			
Mover: Michael Lyon		Seconder: Duncan Dey	
Comments: 25 Sep 2023 5:08pm Gilmore, Jess 1. Noted. , 2. Noted. , 3. With Comms team for follow up			

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		Seconder: 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			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-381	Annual expenditure on consultants & Conflicts of Interest Report: I2023/1317	14/09/2023	16/10/2023
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		Second: Cate Coorey	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-383	Non- Lethal Dingo Management Motion LGNSW Annual Conference 2023 Report: I2023/1325	14/09/2023	16/10/2023
Directorate: Sustainable Environment and Economy Officer: Caddick, Lizabeth			
Resolved that the LGNSW:			
1. Recognise that dingoes are native animals with an important ecological role and are worthy of protection and care.			
2. Acknowledge the long connection between dingoes and Aboriginal Australians and endeavour to respect this connection in relevant actions of the LGNSW.			
3. Recognise that the term 'wild dogs' is frequently and incorrectly used to describe dingoes and dingo-hybrids.			
4. Commits to:			
a) working towards new and updated investigations, community education, research, implementation of non-lethal dingo management; and			
b) advocating for a statewide ban on the use of 1080 as an inhumane and indiscriminate poison.			
5. Explores the recognition and protection of dingoes as a native species in the Environment Protection and Biodiversity Conservation Act 1999 (Cth).			
Mover: Sama Balson		Second: Cate Coorey	
Comments:			
28 Sep 2023 2:49pm Caddick, Lizabeth Councillors to take this motion to LGNSW conference.			

ACTIVE RESOLUTIONS REPORT

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Res No	Report Title	Meeting Date	Due Date
23-385	Mullumbimby Heritage Park Landscape Masterplan Report: I2023/1083	14/09/2023	16/10/2023
		Directorate: Infrastructure Services Officer: Cornwall, Judd	
Resolved:			
1. That Council adopts the Heritage Park Landscape Masterplan (Attachment 1, E2023/78596).			
2. 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).			
3. That Council recognises Heritage Park as a sanctuary and showcase for the flora of the Brunswick, Richmond and Tweed Valleys.			
4. 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		Seconder: Sarah Ndiaye	
Comments:			
21 Sep 2023 12:33pm Robertson, Malcolm			
1. Noted that That Council adopted the Heritage Park Landscape Masterplan,			
2. 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). ,			
3. Noted that Council recognises Heritage Park as a sanctuary and showcase for the flora of the Brunswick, Richmond and Tweed Valleys. ,			
4. Action for requested safety and solutions report regarding the safety of pedestrians and cyclists at the Brunswick Terrace and Tincogan Street intersection has been reassigned to Judd Cornwall.			
21 Sep 2023 12:36pm Robertson, Malcolm - Reallocation			
Action reassigned to Cornwall, Judd by Robertson, Malcolm - Action 4 - Council requests a safety and solutions report regarding the safety of pedestrians and cyclists at the Brunswick Terrace and Tincogan Street intersection.			

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	16/10/2023
		Directorate: Infrastructure Services Officer: Soulsby, Christopher	
Resolved that Council:			
1. Notes the information provided in this report on active Council Resolutions in Attachment 1 (#E2023/67986).			
2. Notes the completed Resolutions in Attachment 2 (#E2023/67999).			
3. Does not record Resolutions 23-196 and 23-271 as complete, and returns those resolutions to 'Active Resolutions'.			
4. That a report be presented to the December 2023 meeting outlining a program to carry out Resolution 21-240.			
Mover: Peter Westheimer		Seconder: Duncan Dey	
Comments:			
18 Sep 2023 11:55am Sills, Heather			
1. Noted.,			
2. Noted.,			
3. Resolutions 23-196 and 23-271 returned to 'Active Resolutions'. ,			
4. 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 30 September 2023

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
23-391	Update on the Additional Flow Path project - Response to Council Resolutions 23-108 and 23-277 Report: I2023/1160	14/09/2023	16/10/2023
Directorate: Infrastructure Services Officer: Orams, Pablo			
Resolved that Council:			
1. Notes the responses in this Report to its Resolutions 23-108 and 23-277 about the Additional Flow Path for STP effluent.			
2. Acknowledges that the gradient of the Flow Path is extremely flat, at about 0.1% or 1-in-1000, as described in BMT's draft report "AFP Discharge Drain Modelling" (Attachment 4; E2020/35472).			
3. Puts an item on the next Water and Sewer Advisory Committee meeting Agenda to consider finalisation of the BMT report "AFP Discharge Drain Modelling" (E2020/35472) to consider:			
a) extending the study area to at least the Belongil Estuary (ie flat surface in dry weather); and			
b) including the changes in hydrology that will occur when West Byron reaches full development.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-397	Notice to LGNSW Annual Conference regarding Ethical Investments Report: I2023/1323	14/09/2023	16/10/2023
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that the NSW Local Government Conference:			
1. Recognises the importance of Council autonomy in making investment decisions with ratepayer funds.			
2. Requests that the NSW Government directly create more ethical and fossil fuel free investment options for Councils.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-399	Compliance at 160 Koonyum Range Road, Wilsons Creek Report:	14/09/2023	30/11/2023
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1. Notes the Mayoral Minute on compliance at 160 Koonyum Range Road, Wilsons Creek.			
2. Invites the property owner to attend an independent mediation within 14 days with Council staff.			
3. Failing a successful outcome, pursues and completes enforcement action against the property owner in response to the illegal development and earthworks at 160 Koonyum Range Road, Wilsons Creek in accordance with Council's Enforcement Policy and Council's 2023 Environment and Safety Priorities Program.			
4. Notes that 3 does not prevent the landowner seeking approval for the additional dwelling on a permitted part of the property.			
5. Shares with the public an appropriate precis of this matter in the form of a media release.			
6. Contacts the occupant, or their advocate, to explain the process above.			
Mover: Michael Lyon		Seconder:	
Comments:			
28 Sep 2023 2:59pm Burt, Shannon			
1. Noted ,			
2. Mediation held with agreed process ,			
3. If agreed process fails 3 applied,			
4. Noted and landowner advised,			
5. Agreed media release to be issued following completion of process,			
6. Contact made and advice given			
28 Sep 2023 3:14pm Burt, Shannon - Target Date Revision			
Target date changed by Burt, Shannon from 16 October 2023 to 30 November 2023 - to enable mediation agreement time to be completed			

ACTIVE RESOLUTIONS REPORT

As at 30 September 2023

Res No	Report Title	Meeting Date	Due Date
23-404	Update Resolution 22-459 Wallum Place Affordable Housing Investigation Report: I2023/1240	14/09/2023	30/06/2024
Directorate: Sustainable Environment and Economy Officer: Caras, Alex			
Resolved that Council:			
1.	Notes the update of Resolution 22-459 Wallum Place Affordable Housing Investigation and the documented opportunities and constraints relative to development of this site.		
2.	In response to 1, investigates the potential viability of establishing a Biodiversity Stewardship Agreement over the bulk of the site, except for the operational area around the existing nursery in the western corner of the property.		
3.	Pending completion of the investigations in '2', support rezoning the bulk of the site to C2 Environmental Conservation Zone, except for the operational area around the existing nursery in the western corner of the property.		
Mover: Sarah Ndiaye		Second: Michael Lyon	
Comments:			
28 Sep 2023 11:21am Burt, Shannon Recommendations referred to staff to be considered as part of the C zone review (Stage 4).			
28 Sep 2023 11:22am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 16 October 2023 to 30 June 2024 - to allow time for the C zone review to occur.			

Res No	Report Title	Meeting Date	Due Date
23-395	CONFIDENTIAL - Lease to Catholic Healthcare Limited over proposed Lot 50 in unregistered plan of subdivision (presently part Folio 188/728535) request for further Report: I2023/1111	14/09/2023	16/10/2023
Directorate: General Manager Officer: James, Ralph			
Resolved that Council:			
1.	Confirms its commitment to the continued provision of residential aged care on and from proposed Lot 50 in unregistered plan of subdivision (presently part Folio 188/728535) (the site).		
2.	Delegates to the General Manager the authority to offer Catholic Healthcare Limited (A.C.N 064 946 318) an additional twelve-months holding over on its two leases to occupy the site at annual rent payable at the value of rent calculated, in accordance with the leases, on 15 November 2023. Both leases to end 14 November 2024.		
3.	Provides in-principle approval to Catholic Healthcare Limited to nominate to Council a potential new residential aged care provider to take over responsibility for the provision of residential aged care on the site under terms to be negotiated between Council and the new provider.		
4.	Expresses the community's appreciation of Catholic Healthcare Limited for (i) continuing to support the residents of Coolamon Villa and (ii) helping seek a replacement service provider.		
5.	Informs the public of the above outcomes and of the challenges of the financial viability of residential aged care in Australia and in the Shire.		
6.	Investigates options by which Council can assist transition to a new service provider.		
Mover: Duncan Dey		Second: Sarah Ndiaye	
Comments:			
26 Sep 2023 2:34pm Parkinson, Sarah Letter to Catholic Healthcare sent 18/09/2023			