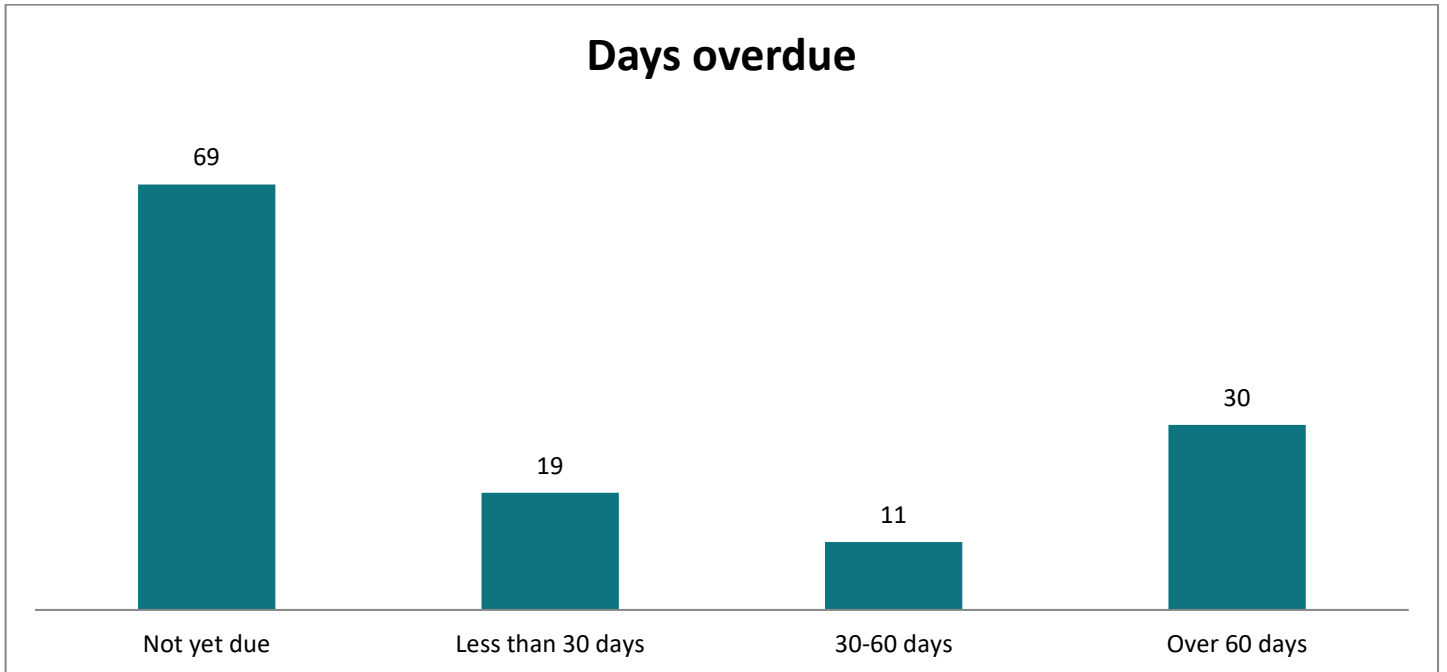


ACTIVE RESOLUTIONS REPORT

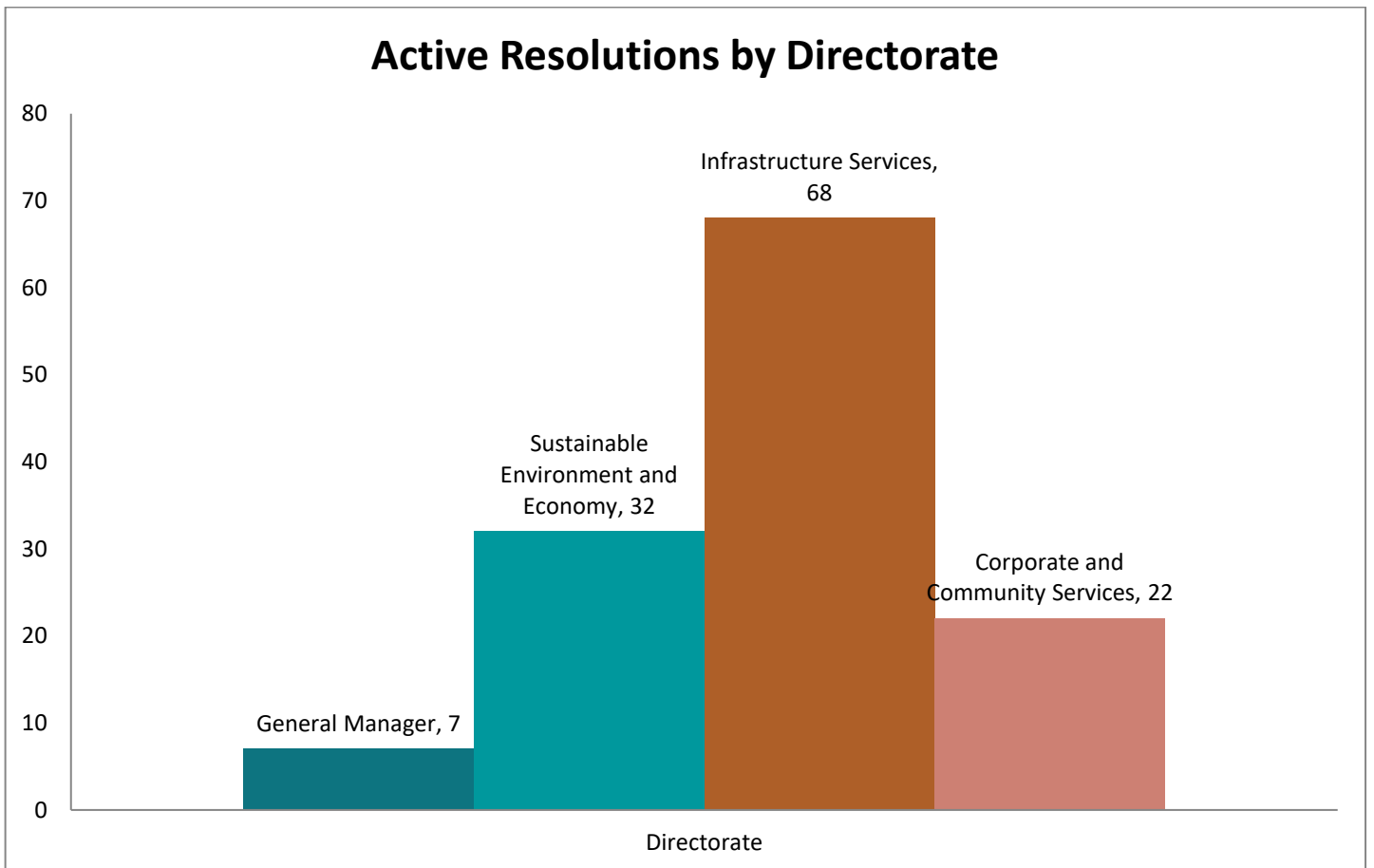
As at 30 June 2023

Total number of active resolutions as at 30 June 2023: **129**

Days overdue



Active Resolutions by Directorate



ACTIVE RESOLUTIONS REPORT

As at 30 June 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		Seconder: Paul Spooner	
Comments:			
24 Mar 2020 1:38pm Meir, Matt Development consent granted on 6 March 2020; Council now complying with consent conditions to allow for subdivision certificate to be granted.			
26 Aug 2020 4:17pm Meir, Matt Subdivision certificate approved on 17 August. Sent to Crown to execute deposited plan prior to registration.			
22 Feb 2021 12:49pm Meir, Matt Subdivision registered. Council now in talks with Crown regarding swapping of lots.			
30 Jun 2023 9:26am Meir, Matt Council and Crown negotiations continuing			

ACTIVE RESOLUTIONS REPORT

As at 30 June 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"> 1. Commence planning for a rail link connecting Mullumbimby and Byron Bay as part of a multi use activation of the rail corridor. 2. Incorporate the project as a key element of the draft Integrated Transport Strategy, which is supported by Park and Ride and other measures to promote active and public transport development within the Strategy. 3. Prepare an economic and social business plan including development of a governance framework to support the project. 4. Provide notice of the intention to establish a rail link to Infrastructure Australia, Infrastructure NSW, TfNSW and other relevant agencies to seek advice on funding criteria and project development. 5. Investigate Federal, NSW and other funding bodies to identify funding sources including, but not limited to tourism, infrastructure, transport and climate change mitigation/adaption grants with a priority focus on funding vegetation removal within the rail corridor. 6. Actively seek expressions of interest from potential operators interested in providing commuter shuttle and visitor oriented services. 7. Seek support including funding through Federal and NSW Ministers for Transport, Hon. Tamara Smith MP, Hon. Ben Franklin MLC and Hon. Justine Elliot MP. 8. Receive six monthly reports on progress. 9. The business plan be included in the 20/21 Operational Plan, forward Delivery Plans and draft budget. 10. Item 2 above be funded from the existing Integrated Transport Strategy budget. 11. Implement Actions 4, 5, 7 and 8 immediately and include as part of a rail link project in the 20/21 Operational Plan and forward Delivery Plans that includes item 6 above as an action as well as consideration of a budget for project management. 			
Mover: Basil Cameron		Seconded: Simon Richardson	
Comments:			
01 Dec 2022 2:17pm Black, Therese			
<ol style="list-style-type: none"> 1. Ongoing - Planning workshops were held in Nov 2020, Mar 2021, Sep 2021 and May 2022 with representatives from TfNSW along with other key NSW Government regional departments. Future workshops to be confirmed after TfNSW has completed their Options Study., 2. Completed - Council has incorporated the activation of the Rail Corridor into the draft Integrated Transport Strategy as a key element., 3. Completed – staff commenced preliminary work on the potential governance framework. However, there are many factors that will influence the final governance model. Dan Champness TfNSW confirmed during the workshop on 5 March 2021 that the Government will have the major influence over the final Governance model. Awaiting further guidance from TfNSW., 4. Completed – Letters to the above were sent on 19 June 2020. A single response was received from Chris Hanger, noting the government will require the following; evidence of a viable and sustainable business model; have undertaken effective community consultation and engagement with adjacent landholders that demonstrates overwhelming community support; and have addressed issues relating to potential biosecurity concerns., 5. Ongoing - currently no funding opportunities have been identified to support this "Rail with Trail" project. However, ongoing consultation with TfNSW will support the final funding model. It is worth noting that Lismore Council received \$9.9m in funding from BBRF6 in 2021 to construct their Rail Trail from Bentley to Eltham Hotel., 6. To be commenced concurrently or after the detailed engineering assessment work activity., 7. Completed - Letters have been sent. No responses received., 8. Ongoing - Quarterly progress report to be issued to Council. The cycle is actually every quarter due to the requirement of the Operations Plan., 9. Completed - included in the 20/21 Operational Plan, 10. Completed - Incorporated the activation of the rail corridor into the Integrated Transport Strategy, together with recommended projects and actions, and will continue to be funded from the existing Integrated Transport Strategy., 11. Items 4, 5, 7 and 8 are variously completed or in progress. Item 6 - a budget allocation was considered at several quarterly reviews in FY2021 and 21/22 with no budget applied to this project. 			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
20-448	Bus Shelter & Bus Stop Strategic Planning Report: I2020/1080	27/08/2020	31/07/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved:			
1. Undertake further investigations including direct community consultation targeted at school bus passengers, bus operators and other public transport users as well as a 'Have Your Say' process to identify bus shelter/bus stop needs and identification of safety issues for passengers and operators at all locations along bus routes.			
2. Advertise for expressions of interest for a group that are able to meet requirements to manage and ensure compliance of the bus shelters at Huonbrook, Main Arm and Montecolum on Council's behalf.			
Mover: Basil Cameron		Seconder: Sarah Ndiaye	
Comments:			
07 Jun 2023 3:27pm Cornwall, Judd			
1. Have your say survey was completed and all data was recorded (E2021/72202) and sites prioritised. (Staff will seek through the most appropriate source for any proposed upgrades) ,			
2. The bus stops contained within this section of the resolution are not to a compliant standard, any attempts to upgrade these facilities to standard would require total reconstruction. Therefore, this is not the desired outcome from a community perspective (retain the existing). Staff will report back to Council recommending that before any requests to the community regarding the maintenance of a non compliant facility within the road space is considered staff seek engineering advice from the Local Traffic Committee.			

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 June 2023

Res No	Report Title	Meeting Date	Due Date
21-188	Update on Resolution 20-664 (Lot 12 Bayshore Drive) Report: I2021/377	13/05/2021	30/06/2023
Directorate: Sustainable Environment and Economy Officer: FitzGibbon, Andrew			
Resolved that Council:			
<ol style="list-style-type: none"> 1. Endorses the revised masterplan prepared by Creative Capital (Attachment 1) alongside the Lot 12 Site Strategy and Urban Design Protocol as the basis for the Lot 12 Bayshore Drive future planning proposal and development applications. 2. Authorises staff to prepare and lodge a development application for a three (3) lot subdivision over Lot 12 Bayshore Drive, Byron Bay, as per the Lot 12 subdivision concept plan (refer Attachment 3 Concept Plan). 3. Authorises the sale of that part of Lot 12 in DP 1189646, being the land marked 'Lot 1' (Land) in the Concept Plan (refer Attachment 3) to Creative Capital, subject to Council endorsing the valuation determined by the process in part 4a) to determine the sale price, prior to commencing the process set out in part 4b) and upon reaching an agreement on sale price and terms with Creative Capital to reaching agreement on sale price and terms. 4. For the purposes of resolution part 3, authorises the General Manager to: <ol style="list-style-type: none"> (a) obtain an acceptable valuation (consistent with Council's land acquisition and disposal policy) for the Land to determine its sale price; (b) reach agreement with Creative Capital on price and terms for the sale; (c) execute any document on Council's behalf necessary to complete the sale; and (d) do anything else reasonably necessary to complete the sale. 5. Agrees to revenue derived from the above sale being quarantined to the Council reserve titled 'Property Development Reserve – Lot 12 Bayshore Drive'. 6. Notes that staff will prepare and forward a Lot 12 planning proposal as per the Masterplan to the Department of Planning Industry and Environment (DPIE) for the purpose of obtaining a gateway determination from DPIE, and that Council then exhibit the Planning Proposal as required by DPIE. 			
Mover: Cate Coorey		Seconded: Michael Lyon	
Comments:			
18 May 2023 9:48am FitzGibbon, Andrew			
1 - Complete - noted, no direct action required,			
2 - Complete - subdivision application prepared and lodged (#10.2022.107.1),			
3 - Complete - valuations reported to Council on 28 Oct 2021,			
4 - In progress,			
5 - Complete - noted,			
6 - In progress - Planning Proposal application to progress following completion of point 4			
10 Jun 2023 10:37am Burt, Shannon			
Report to 22 June Ordinary Meeting re valuations. Next steps for this project dependant on this.			
10 Jun 2023 10:39am Burt, Shannon - Target Date Revision			
Target date changed by Burt, Shannon from 30 June 2022 to 30 June 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"> 1. That Council continues to work with Transport for NSW on the delivery of outcomes articulated in Resolutions 20-127 and 20-572 and requests that TFNSW expedites a workshop meeting. 2. Seek TFNSW funding to clear vegetation from the rail corridor 3. Proactively engages with state and federal governments regarding funding for multi-use activation of the rail corridor. 			
Mover: Basil Cameron		Seconded: Cate Coorey	
Comments:			
01 Dec 2022 2:19pm Black, Therese			
1. Council is continuing to work with Transport for NSW on the delivery of outcomes articulated in Resolutions 20-127, 20-572 and 21-389, and 22-224. Awaiting confirmation from TFNSW to hold the third collaborative workshop/meeting. TfNSW are finalising the Options Study for the M1 interchange and the Rail Corridor.,			
2. Ongoing - Discussions with TFNSW to fund the clearing of vegetation from the rail corridor. \$100k has been identified and will be made available in FY23 to prepare an application for third party works.,			
3. Ongoing - State and Federal government grant funding opportunities are being sought for multi-use activation of the Byron Shire rail corridor.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

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

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:			
<ol style="list-style-type: none">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:<ol 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:<ol 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		Seconded: 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 June 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		Second: 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 dependant on State Government departments and Screen NSW imperative/priorities, pending their review of the LG Filming Protocol and its outcomes. , All points within the resolution relate to this process and will be reviewed once outcomes of the LG Filming Protocol are known.			
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		Second: 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

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Res No	Report Title	Meeting Date	Due Date
21-344	YouthSay Program - Report and Recommendations Report: I2021/950	26/08/2021	1/07/2023
		Directorate: Corporate and Community Services Officer: Fajerman, Emily	
Resolved:			
<ol style="list-style-type: none">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:<ol style="list-style-type: none">a) undertakes a survey of young people about their transport needsb) 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 20213. 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		Seconded: Sarah Ndiaye	
Comments:			
28 Jun 2023 3:54pm Fajerman, Emily			
<ol style="list-style-type: none">1. Completed,2. <ol style="list-style-type: none">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.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
21-372	Mayoral Minute - Infrastructure Contributions Reforms Report:	16/09/2021	18/10/2021
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
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		Seconder:	
Comments: 13 Oct 2022 1:47pm Black, Therese Letter to be drafted and sent to the Department of Planning.			

Res No	Report Title	Meeting Date	Due Date
21-387	The Buttery - connection to sewerage system Report: I2021/1216	23/09/2021	31/12/2022
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		Seconder: Cate Coorey	
Comments: 02 Jun 2022 10:23am Baulch, Dean - Target Date Revision Target date changed by Baulch, Dean from 30 May 2022 to 31 December 2022 - Buttery still investigating option for connection. Agreement not required until construction begins			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

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		Seconded: 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		Seconded: Sarah Ndiaye	
Comments: 30 Jun 2023 9:27am Meir, Matt Council resolves land price on 22/6 and Creative advised. Latest draft contract with them.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
21-451	Workshop - Ocean Shores to Brunswick Valley STP Transfer Report: I2021/1495	28/10/2021	29/11/2021
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved that Council adopts the Committee Recommendations: Report No. 4.1 Workshop - Ocean Shores to Brunswick Valley STP Transfer File No: I2021/1495			
<u>Committee Recommendation 4.1.1</u> That Council, in relation to Ocean Shores and Brunswick Valley STP's:			
<ol style="list-style-type: none">1. Notes the status report.2. Recommits to reducing I/I in all sewer catchments.3. Proceeds to detailed design for infrastructure to transfer sewage flows from Ocean Shores STP to Brunswick Valley STP for:<ol style="list-style-type: none">a) All current and projected flows to Ocean Shores STP (for the purpose of temporary closure for repairs and flows in excess of wet weather capacity), and,b) With facility to continue to discharge an adjustable proportion of the flows to Ocean Shores STP (up to ~100% of current sewage flows) on an ongoing basis.4. Investigates options for upgrades to Ocean Shores STP to rectify its prevailing condition, configuration, and redundancy issues, and to improve its efficiency and reliability. The capacity of the upgraded plant would not be required to be increased through the upgrades, and may be marginally reduced where cost effective to do so.5. Investigates options (including options with no Balancing Pond) for upgrades to Brunswick STP to rectify any prevailing issues (particularly in UV disinfection), and as required to accommodate the fraction of loads which cannot be reliably treated at the upgraded Ocean Shores STP.6. Receives a forward expenditure strategy based on timing of upgrades in Parts 2 & 3 above, and on growth estimated in Council's planning strategies.7. Receives a briefing at its next Strategic Planning Workshop.			
Mover: Sarah Ndiaye Seconded: Cate Coorey			
Comments: 31 Mar 2022 2:27pm Clark, Cameron <ol style="list-style-type: none">1. Council staff notes the council resolution.2. Recommits to reducing I/I in all sewer catchments. Project continues as per the project management plan, project objectives and associated schedule. The first pass of the maintenance hole condition assessments have been completed with reporting to follow. Approximately 170 maintenance holes could not be assessed due to issues with accessing them or locating them, primarily due to them being built over in Ocean Shores. A separate scope of works could be issued to investigate the locations. All CCTV assessments were completed in June 2021 with reports being finalised for catchments 3005, 4002, 4003, 4003, 5009. Budget was slightly overspent due to the number of lines that required heavy cleaning. It is anticipated that these reports will be finalised and submitted gradually throughout the first half of FY21/22.3. Council staff are developing scope of works to proceeds to detailed design for infrastructure to transfer sewage flows from Ocean Shores STP to Brunswick Valley STP for:<ol style="list-style-type: none">a) All current and projected flows to Ocean Shores STP (for the purpose of temporary closure for repairs and flows in excess of wet weather capacity), and,b) With facility to continue to discharge an adjustable proportion of the flows to Ocean Shores STP (up to ~100% of current sewage flows) on an ongoing basis.4. Council staff are developing a scope of works relating to the Investigates options for upgrades to Ocean Shores STP to rectify its prevailing condition, configuration, and redundancy issues, and to improve its efficiency and reliability. Investigates options for upgrades to Ocean Shores STP to rectify its prevailing condition, configuration, and redundancy issues, and to improve its efficiency and reliability. The capacity of the upgraded plant would not be required to be increased through the upgrades, and may be marginally reduced where cost effective to do so.5. The scope of works include 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 will include forward expenditure strategy based on timing of upgrades in Parts 2 & 37. Receives briefing at new strategic Planning Workshop. This will occur once scope of works has been developed and works carried out and reported back to WWSAC then to SPW 30 Jun 2022 1:31pm Clark, Cameron Council staff noted., Works have progressed both from Process design options including environmental assessments., Hold point is ready to be reported to the WWSAC on the October meeting as requested by the committee members. 12 Apr 2023 9:24am Clark, Cameron Ocean shores to Bruns Valley prelim design completed., Hold up on land access due to bike path now forming part of project			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

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:			
1. Forward the planning proposal, as contained in Attachment 1 (E2021/111179), along with updated Local Environmental Plan maps as detailed in this report, to the Department of Planning, Industry and Environment for finalisation.			
2. Amend Byron Development Control Plan 2014 Chapter E5 - Certain Locations in Byron Bay and Ewingsdale by inserting Section E5.7A North Beach Byron E4 Land and include provisions for the subdivision of the land addressing the following matters:			
i. the submission of a Vegetation Management Plan with any application for subdivision; and			
ii. the provision of public beach access comprising a width of 10 metres increasing to a width of 20 metres at the boundary with Crown land.			
Mover: Michael Lyon		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.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
21-531	Inflow and Infiltration - April 2021 update Report: I2021/718	25/11/2021	27/12/2021
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 4.1 Inflow and Infiltration - April 2021 update File No: I2021/718 <u>Committee Recommendation 4.1.1</u>			
That Council:			
a) notes the report from Environmental Data Services;			
b) notes that the measuring system on which the report was based does not work when the manholes surcharge;			
c) investigates methods of assessing the benefits to Inflow and Infiltration of sewer repairs in our leakiest sewer catchments, to ascertain the efficacy of the repairs to date and into the future of ongoing repairs.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: 30 Jun 2022 1:30pm Clark, Cameron Council Staff noted. Staff are currently investigating methods for measuring I&I. This will be reported at the October 2022 WWSAC meeting.			

Res No	Report Title	Meeting Date	Due Date
21-542	Drafting a Strategic Plan for Arts and Culture Report: I2021/1822	25/11/2021	30/10/2023
Directorate: Corporate and Community Services Officer: Firth, Melitta			
Resolved:			
1. That a briefing be provided to Councillors in March 2022, outlining progress thus far on development of a Strategic Plan for the Arts and Culture. This progress report to consider:			
a) Community and stake-holders engagement to date			
b) Community needs and wants			
c) What have we got, what's working for us, what's not?			
d) Where do we want to take the arts and culture in this Shire (Vision)			
e) Starting from what we've got, how might we reach our goals, over time.			
2. That the Strategic Plan for the Arts and Culture be delivered by October 2022.			
Mover: Jan Hackett		Seconder: Paul Spooner	
Comments: 30 May 2023 9:08am Firth, Melitta 1. Completed., 2. Draft Arts and Culture Action Plan being reviewed internally prior to public exhibition.			

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

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

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

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
<p>Resolved that Council:</p> <p>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.</p> <p>2. Continues to seek funding opportunities to allow reactivation of the rail corridor within the Byron Shire.</p> <p>3. Engages in discussions with Lismore City Council regarding collaboration on improved public transport strategies and use of the rail corridor.</p> <p>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.</p> <p>Mover: Peter Westheimer Seconded: Duncan Dey</p>			
<p>Comments:</p> <p>01 Dec 2022 2:22pm Black, Therese</p> <p>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.,</p> <p>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.,</p> <p>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. ,</p> <p>4. Completed - Council has been successful in rolling over to FY2023; \$100,000 funding from TfNSW for the clearing of the rail corridor.</p>			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

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:			
24 Mar 2023 8:30am Tarrant, Sam Request for quotation issued to engineering consultancies to provide advice on infrastructure capacity for two large lot residential areas in the vicinity of Mullumbimby.			
10 Jun 2023 10:43am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 30 January 2023 to 30 June 2024 - to reflect resolution and OP timing for this project			

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: Caras, Alex			
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.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
22-293	First Nations Voice to Council Report: I2022/675	23/06/2022	30/06/2023
Directorate: Corporate and Community Services Officer: 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		Seconder: Sarah Ndiaye	
Comments:			
27 Mar 2023 9:51am Appo, Robert			
1. Completed.,			
2. Arakwal MOU committee to meet in April to finalise the MOU after advice received from Arakwal Board Meeting, 14 March 2023.,			
3. Aboriginal Project Officer consulting with Aboriginal stakeholders groups within the Shire including Arakwal, Widjabal/Wyabal, Tweed Byron and Jali LALC.			

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

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
22-321	Delineation of Byron Bay Beaches Report: I2022/278	23/06/2022 Directorate: Infrastructure Services Officer: Robertson, Malcolm	30/11/2023
Resolved that Council: 1. Approves the proposed refinement of mapping on public exhibition for 28 days; and 2. Requests a further report on the resulting community feedback generated, for consideration of agreed naming. Mover: Sarah Ndiaye Seconder: Peter Westheimer			
Comments: 25 Nov 2022 12:07pm Robertson, Malcolm Public consultation is planned for February 2023 to avoid any conflicts over the holiday season and ensure maximum opportunities for community response. 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 Directorate: Infrastructure Services Officer: Weallans, Kirk	31/07/2023
Resolved that Council adopts the following Committee Recommendations: Report No. 6.1 Deacon Street Sight Distance File No: I2022/579 <u>Committee Recommendation 6.1.1</u> That Council: 1. Supports "No stopping" treatments around the corners of the access into Bangalow Parklands from Deacon Street, Bangalow. 2. The proposed treatments include: a) Line-marking (yellow), marked up to the existing footpath crossing the Bangalow Parklands access and will extend around the corners for approximately 24 metres on the eastern approach, and 12 metres on the western approach of Deacon Street (as per figure 3 in the LTC report); and b) "No stopping" signs installed on the western corner of the access as shown in figure 3 (as per figure 3 in the LTC report). Mover: Michael Lyon Seconder: Sarah Ndiaye			
Comments: 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 June 2023

Res No	Report Title	Meeting Date	Due Date
22-346	Report No. 6.5 No Overnight Parking - Bangalow Heritage House Report: I2022/629	11/08/2022	30/06/2023
Directorate: Infrastructure Services Officer: Weallans, Kirk			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.5 No Overnight Parking - Bangalow Heritage House File No: I2022/629			
<u>Committee Recommendation 6.5.1</u> That Council:			
1. Supports the installation of "No Parking Area 1am – 6am" and "prohibitive activities" signs at the entrance to the informal carparking area adjacent Bangalow Heritage House on Ashton Street, Bangalow.			
2. Supports the removal of the existing "all day free parking" sign at the entrance to the informal carparking area adjacent Bangalow Heritage House on Ashton Street.			
3. Public Space Liaison Officers directly engage with people camping at the site, providing them with adequate notice about the changes in parking arrangements and helping to refer to appropriate supports prior to implementing proposed signage changes.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments:			
13 Oct 2022 1:24pm Holloway, Phillip Item 1 - Staff will program these changes, Item 2 - Staff will program these changes, Item 3 - Will be referred to Council Place Liaison Officers			
13 Apr 2023 1:26pm Frumpui, Samuel - Reallocation Action reassigned to Weallans, Kirk by Frumpui, Samuel - Works to install signage and provide update when completed, to be closed out.			

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:			
05 Jun 2023 8:40am Caddick, Lizabeth			
1. Byron Shire Wildlife Corridor System for public exhibition Oct-December 2022.,			
2. Councillor workshop regarding submissions scheduled for June 2023, now rescheduled for September 2023 due to councillor workshop scheduling.,			
3. DCP Chapter 'B1 – Biodiversity' currently being reviewed by PlanIt Consulting to reflect the adopted Wildlife Corridor Map and additional supporting amendments.			
10 Jun 2023 11:45am Burt, Shannon - Target Date Revision			
Target date changed by Burt, Shannon from 30 June 2023 to 30 November 2023 - to allow for DCP review and report back to council on Maps and DCP amendments together			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
22-409	North Rail Corridor Utilisation Report: I2022/1011	25/08/2022	26/09/2022
Directorate: Infrastructure Services Officer: Warner, Phil			
Resolved that Council:			
1. Notes the removal of train tracks from the rail corridor north of Byron Shire following Tweed Shire Council's decision to implement a bike path in the rail corridor in their Shire.			
2. Receives a report on the rail corridor from Mullumbimby station through to the northern shire border:			
a) Identifying known constraints of a trail beside the rail for the length of this section			
b) Detailing any offers or interest received from commercial or other operators to reinstate a form of rail transport in this section			
c) Identifying cost savings that may be realised by utilising the corridor as part of the Mullum to Brunswick bike trail			
d) Providing a cost estimate and identifying funding sources for converting and then maintaining this corridor section as a bike and pedestrian track			
e) Detailing any benefits to the broader 'Northern River Rail Trail' of connecting to the Tweed section			
Mover: Asren Pugh		Seconder: Michael Lyon	
Comments:			
17 Oct 2022 3:02pm Warner, Phil A budget variation is being prepared for the November quarterly review to fund the necessary assessment by an engineering consultant.			
20 Apr 2023 8:38am Warner, Phil Consultants Burchills engaged. Report anticipated to be presented to Council at the August meeting			

Res No	Report Title	Meeting Date	Due Date
22-412	Western Rail Corridor Utilisation Report: I2022/1012	25/08/2022	26/09/2022
Directorate: Infrastructure Services Officer: Warner, Phil			
Resolved that Council:			
1. Notes the previous unanimous support of council for the utilisation of the Rail Corridor through Bangalow from Rifle Range Road for bike and pedestrian travel			
2. Receives a report on the rail corridor from Bangalow station through to Binna Burra:			
a) Identifying known constraints of a trail beside the rail for the length of this section			
b) Detailing any offers or interest received from commercial or other operators to reinstate a form of rail transport in this section			
c) Provide a cost estimate for implementing and maintaining annually a bike and pedestrian track along the rail corridor:			
i. from the Bangalow Station to Rifle Range Road			
ii. from the Bangalow Station to the Bangalow Industrial Estate			
iii. from the Bangalow Station to Binna Burra			
d) Detailing any benefits to the community of building a bike and pedestrian track as above			
Mover: Asren Pugh		Seconder: Michael Lyon	
Comments:			
17 Oct 2022 3:09pm Warner, Phil A budget variation is being prepared for the November quarterly review to fund the necessary assessment by an engineering consultant.			
20 Apr 2023 8:39am Warner, Phil Consultants Burchills engaged. The required report is likely to be presented to the August meeting of Council			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
22-438	Rifle Range Road Traffic Calming Report: I2022/1013	25/08/2022	30/06/2023
		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:			
16 May 2023 2:38pm Cornwall, Judd Council staff have completed the Traffic Survey, traffic survey data. This data does not indicate an issue with problematic speeding (85th percentile speeds are below 40km/h) and the traffic volumes do not indicate non-local traffic using this section of the road. Council staff will reach out to the community stakeholders for further discussion.			
07 Jun 2023 4:07pm Cornwall, Judd - Target Date Revision Target date changed by Cornwall, Judd from 26 April 2023 to 30 June 2023 - Residents within this section of Rifle Range Rd will receive a letter offering them the opportunity to voice their opinion regarding the proposed traffic calming for Koala safety. This letter is expected to be delivered to residences 10 June 2023, and the window for them to express their opinion will be two weeks from the date of delivery.			

Res No	Report Title	Meeting Date	Due Date
22-459	Wallum Place Affordable Housing Investigation Report: I2022/1104	08/09/2022	30/09/2023
		Directorate: Sustainable Environment and Economy Officer: Burt, Shannon	
Resolved that Council:			
1. Receives a report into the suitability of the B4 Mixed Use part of Council-owned land at 42 Wallum Place (Lot 4 DP1004514) (excluding the Byron Herb Nursery), for an affordable housing development to provide much needed housing supply for key workers and low – moderate income residents living in Byron Shire.			
2. Funds this investigation to the amount of \$10,000 from the Property Development Reserve.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments:			
10 Jun 2023 11:42am Burt, Shannon Report on consultants findings to council second half 2023			
10 Jun 2023 11:43am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 30 June 2023 to 30 September 2023			

ACTIVE RESOLUTIONS REPORT

As at 30 June 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		Seconder: Sarah Ndiaye	
Comments:			
28 Jun 2023 8:34am 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 second half of 2023.			

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

ACTIVE RESOLUTIONS REPORT

As at 30 June 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	31/10/2022
Directorate: Infrastructure Services Officer: Baulch, Dean			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.4 West Byron STP Compliance Report File No: I2022/947			
<u>Committee Recommendation 4.4.1</u>			
That the Water and Sewer Advisory Committee:			
a) Note the report and the attachments.			
b) Note from the report in terms of Condition 9, that 2791ET (1.65ML/day) were connected between December 2002 and April 2022, and that reuse capacity is 3416ET (2.016ML/day), being the Melaleuca regeneration area, the West Byron STP onsite reuse and the urban reuse.			
c) Note that further work on the recycled water applications is nearing completion and the committee receives a report at the next meeting.			
d) The Operational Environmental Management Plan (OEMP) be updated, and an application be made to amend the consent to reflect an updated OEMP.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: 13 Oct 2022 12:35pm Holloway, Phillip Item a - Noted, Item b - Noted, Item c - Noted, Item d - Operational Environmental Management Plan to be updated as per the resolution			

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: 08 Jun 2023 3:11pm Cornwall, Judd - Target Date Revision Target date changed by Cornwall, Judd from 31 October 2022 to 30 September 2023 – 1. Noted 2. Noted 3. Concept to be developed and budget allocation to be requested at the next review			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
22-534	Pay Parking Potential Report: I2022/866	29/09/2022	31/07/2023
		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:			
08 Jun 2023 3:11pm Cornwall, Judd			
Parking study is underway, final data collection to take place -			
• 7-day Parking Occupancy – Saturday 10th to Friday 16th June,			
• Further Weekend Parking Occupancy – Saturday 17th to Sunday 18th June,			
• 2-Day Parking Duration of Stay – Thursday 15th & Saturday 17th June			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
22-555	PLANNING - Amendments to Byron Local Environmental Plan 2014 Report: I2022/1087	13/10/2022	31/08/2023
Directorate: Sustainable Environment and Economy Officer: Hughes , Kristie			
Resolved that Council:			
1. Endorses the potential amendments to Byron LEP 2014 and Byron LEP 1988 as detailed within this report for further investigation including the following:			
(i) Remove subclause 2(c) from clause 4.2D Erection of dual occupancies (detached) and secondary dwellings in Zones RU1 and RU2 in LEP 2014			
(ii) Amend Item 5 in Table 1 of the Report so that the current Clause 3 is replaced by:			
(3) Development consent must not be granted to tourism development on land to which this clause applies unless the consent authority is satisfied that—			
(a) there is, or will be, adequate vehicular access to and from a road, taking into account the scale of the development proposed, and			
(b) where that road is a classified road, vehicular access to and from the road must be safe, ensure the safety, efficiency and ongoing operations of the classified road, and it must be demonstrated that alternate access from a road other than a classified road is not practicable or safe, and			
(c) the development is small scale and low impact, and			
(d) the development is complementary to the rural or environmental attributes of the land and its surrounds, and			
(e) the development will not have a significant adverse impact on agricultural production, amenity or significant features of the natural environment.			
2. Requests staff to prepare a planning proposal based on this investigation.			
3. Receives a report outlining the particulars of this planning proposal for consideration prior to seeking a gateway determination.			
Mover: Peter Westheimer		Seconder: Michael Lyon	
Comments: 10 Jun 2023 11:52am Burt, Shannon Planning Proposal report to August 2023 due to delays to legal advice and review of same.			

Res No	Report Title	Meeting Date	Due Date
22-568	Annual Community Awards Ceremony Report: I2022/1199	27/10/2022	7/08/2023
Directorate: Corporate and Community Services Officer: Evans Crane, Amber			
Resolved that Council:			
1. Notes the feedback received from the community regarding replacing the Australia Day Awards ceremony with a more inclusive event at another time of year.			
2. Endorses the Australia Day Awards to be replaced by a new award program, with an event to be held during Local Government Week (1-7 August).			
3. Establishes a project reference group to consult with on aspects of the awards program, membership is to consist of:			
a) A Councillor			
b) Former Australia Day Award recipients, such as the 2022 Citizen and Young Citizen of the Year			
c) Two randomly selected survey respondents			
4. Notes guidance from the Department of Prime Minister and Cabinet regarding flying flags at Council and on Council owned buildings at half-mast.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: 29 May 2023 12:17pm Evans Crane, Amber 1. Previous Australia Day Award recipients and YourSay Survey recipients have been contacted to be in the Project Reference Group. Planning for the event will be underway in 2023., 2.The Project Reference Group convened for a workshop and were consulted with on aspects of the event. Planning for the awards ceremony is ongoing., 3. Nominations for awards close on 1 June 2023 and a meeting of the evaluation panel has been scheduled. Details of the Ceremony are being organised.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
22-579	Safe and Secure Yield Report: I2022/1281	27/10/2022	28/11/2022
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved that Council adopts the following Committee Recommendations: Report No. 4.1 Safe and Secure Yield File No: I2022/1281			
<u>Committee Recommendation 4.1.1</u>			
1. That Council: a) Notes the report; and b) Defers the report to next committee meeting and invite the Rous representatives to discuss regarding future water supply.			
2. That the committee receives report on integrated water cycle management in the shire.			
Mover: Michael Lyon		Seconder: Sama Balson	
Comments: 12 Apr 2023 9:44am Clark, Cameron action Item 2b - A workshop has been scheduled with Rous and BSC for the 18th May 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:			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
22-603	Report in response to Res 22-461 Outcome of NSW Flood Enquiries Report: I2022/1260	27/10/2022	1/03/2023
Directorate: Infrastructure Services Officer: Frumpui, Samuel			
Resolved that Council adopt the following Committee Recommendations:			
Report No. 4.1 Report in response to Res 22-461 Outcome of NSW Flood Enquiries File No: I2022/1260			
<u>Committee Recommendation 4.1.1</u>			
1. That the Committee notes the recommendations of the two NSW Flood Inquiry reports and that staff have commenced work to identify relevant actions to be pursued through Local, State and Federal avenues.			
2. That Council support staff also working to support the following recommendations of the Parliamentary Inquiry:			
a) Recommendation 10 - Work with the community broadcasting sector to identify ways in which community broadcasters could be better supported to provide critical services during natural disasters, with a view to providing them adequate long term funding.			
b) Recommendation 15 - . Ensure that the current review of evacuation centres considers the role, accreditation and support of community evacuation centres, with the outcomes of this review to be made public and incorporated into the update of state emergency plans.			
c) Recommendation 19 - Establish a standing workforce from within the public service to staff evacuation and recovery centres, with this workforce to be trained ahead of time and mobilised as soon as a natural disaster occurs.			
Mover: Duncan Dey		Secunder: Sama Balson	
Comments: 09 Feb 2023 12:10pm Moffett, Scott - Target Date Revision Target date changed by Moffett, Scott from 28 November 2022 to 01 March 2023 - Discussions were required at Director level with specific State agencies to understand the delineation of responsibilities of Local Government and newly formed relevant State agencies.			

Res No	Report Title	Meeting Date	Due Date
22-629	Flood Impact Assessment Report:	10/11/2022	12/12/2022
Directorate: Infrastructure Services Officer: Holloway, Phillip			
Resolved that Council:			
1. Advocates to the State Government on behalf of the two properties impacted by above floor flooding by the temporary housing works in Prince St, namely 1 and 5 Poinciana St, to:			
a) Cover them for future liability for damage to their properties in a flooding event that was caused by the works			
b) Consider them for a buyback under the Resilient Homes program			
2. Asks Resilience NSW to update its Flood Report of November 2022 to include flood hazard (depth x velocity) as well as flood level			
3. Notes that any further properties identified in future as being similarly impacted receive the same advocacy.			
Mover: Michael Lyon		Secunder:	
Comments: 01 Feb 2023 1:11pm Tomanek, Dominika Letter to The Hon. Steph Cooke MP regarding Advocacy for 1 & 5 Poinciana Street Mullumbimby has been sent on 22/12/2022. Please refer to E2022/127621. Response received on 12/01/2023. Please refer to E2023/11123			

ACTIVE RESOLUTIONS REPORT

As at 30 June 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	26/12/2022
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			
Committee Recommendation 4.2.1 That Council: a) seeks the highest value outcome for the bamboo; and b) prepares a Master Plan for the Bangalow STP land			
Mover: Michael Lyon		Seconded: Sarah Ndiaye	
Comments:			

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.			
Mover: Michael Lyon		Seconded: 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.			

Res No	Report Title	Meeting Date	Due Date
22-657	Byron Shire Natural Burial Ground - Next Steps Report: I2022/1429	24/11/2022	26/12/2022
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved that Council: 1. Rescinds Resolution 21-250 part 2 and no longer support a Natural Burial Ground at Council's Vallances Road site (Lot 1 DP 129374); 2. Further investigate both Clunes and Mullumbimby cemeteries for a Natural Burial Ground and receive a report on the matter in the first quarter of 2023; and 3. Thanks the Natural Burial Group Reference Group members for their contribution in the project and advise the group of these outcomes and ask its community members whether they wish to continue their involvement in the Project.			
Mover: Duncan Dey		Seconded: Michael Lyon	
Comments: 12 Apr 2023 10:48am Clark, Cameron - Target Date Revision Target date changed from 26 December 2022 to 26 December 2022 - Project Feasibility at Vallances Road is now complete			

ACTIVE RESOLUTIONS REPORT

As at 30 June 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
22-678	Federal Village Masterplan Report: I2022/1482	08/12/2022	31/10/2023
Directorate: Sustainable Environment and Economy Officer: FitzGibbon, Andrew			
Resolved that Council:			
<ol style="list-style-type: none">Adopts the Federal Village Masterplan (Attachment 1, E2022/112461) as a place planning strategy document for Byron Shire.Thanks the Federal Village Masterplan Steering Group and the wider Federal and surrounding community for their hard work and commitment to preparing the Federal Village Masterplan.Notes an evaluation report will be forthcoming in 2023 to reflect more broadly on the advantages and challenges of a community led place planning process and consider the implementation of the Federal Village Masterplan.Notes that a final video of the community-led masterplan process for the Federal Village Masterplan is currently being completed in accordance with Resolution 20-689.			
Mover: Mark Swivel		Seconder: Sarah Ndiaye	
Comments:			
1 - Complete , 2 - Complete, 3 - To be reported / finalised in 2023, 4 - To be reported / finalised in 2023			
18 May 2023 9:46am FitzGibbon, Andrew			
1 - Complete , 2 - Complete, 3 - To be reported / finalised in 2023, 4 - Complete - Video has been completed and will be shared via Council's website			
10 Jun 2023 11:47am Burt, Shannon - Target Date Revision			
Target date changed by Burt, Shannon from 09 January 2023 to 31 October 2023 - to allow time for report back to council			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
22-705	Update Resolution 22-552 PLANNING - 26.2022.8.1 - Planning Proposal for an amendment to Byron Local Environmental Plan 2014 to permit events on certain Council owned land at 249 Ewingsdale Road, Ewingsdale (Cavanbah Centre) Report: I2022/1740	15/12/2022	30/06/2023
Directorate: Sustainable Environment and Economy Officer: Meech, Roseanna			
Resolved that Council:			
1. Notes the update provided on Resolution 22-552 PLANNING - 26.2022.8.1 - Planning Proposal for an amendment to Byron Local Environmental Plan 2014 to permit events on certain Council owned land at 249 Ewingsdale Road, Ewingsdale (Cavanbah Centre);			
2. Supports an amendment to the Planning Proposal (Attachment 1 #E2022/93749) such that the proposed events clause will now seek to permit a defined LEP land use (like function centre) as development without consent;			
3. Authorises staff to make the amendment in point 2;			
4. Supports the submission of the amended Planning Proposal to the Department of Planning Industry and Environment for gateway determination;			
5. Pending a positive gateway determination, undertakes public exhibition of the planning proposal in accordance with the determination requirements;			
6. Considers a submissions report post exhibition that includes any recommended changes to the planning proposal for final adoption.			
Mover: Michael Lyon		Seconder: Mark Swivel	
Comments:			
24 Mar 2023 8:35am Tarrant, Sam Planning proposal to be exhibited 27 March to 1 May 2023.			
15 May 2023 12:14pm Meech, Roseanna Submissions Report prepared for June Council Meeting			

Res No	Report Title	Meeting Date	Due Date
22-708	Planning agreement between Billinudgel Pty Ltd and Byron Shire Council Report: I2022/1727	15/12/2022	16/01/2023
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved that Council agrees to enter into the Planning Agreement provided as Attachment 1 (E2022/117451) to this report.			
Mover: Michael Lyon		Seconder: Mark Swivel	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
22-729	Planning Proposal 26.2020.1.1 Amendment to State Environmental Planning Policy (Housing) 2021 Short-term Rental Accommodation in Byron Shire - Submissions Report	15/12/2022	30/11/2023
	Report: I2022/1432	Directorate: Sustainable Environment and Economy Officer: French, Sharyn	
Resolved that Council:			
1. Amends the planning proposal to:			
a) include in the 365-day cap precinct, the area as per the maps in the body of this report, namely:			
i) Shirley Lane and south of Shirley Street and precinct west of bus interchange around Sommerset Street, Byron Bay			
ii) Byron Bay central business area			
b) remove from the 365-day cap precinct the areas as per the maps in the body of this report, namely:			
i) Suffolk Park			
ii) area south of Booyun Street, Brunswick Heads			
2. Adopts the amended planning proposal to amend State Environmental Planning Policy (Housing) 2021 to:			
a) increase the number of days of non-hosted short term rental accommodation in part of the Byron Shire Local Government Area from the current 180-day cap to a 365-day cap for areas in set mapped precincts in the Brunswick Heads and Byron Bay localities; and			
b) reduce the number of days of non-hosted short term rental accommodation for the balance of the Byron Shire Local Government Area from the current 180-days cap to a 90-day cap.			
3. Forwards the adopted planning proposal to Department of Planning Industry and Environment requesting that the amendment to the Housing SEPP 2021 be finalised. In doing so, acknowledges that the Minister for Planning is to seek the advice of the Independent Planning Commission before the planning proposal is finalised.			
4. Invites the Independent Planning Commission to meet with Council about the adopted planning proposal as soon as possible and practical;			
5. Notes staff will report to Council in 2023 on:			
a) an updated STRA risk mitigation and monitoring strategy that reflects the finalised planning proposal and mapped precincts; and			
b) STRA enforcement strategy.			
6. Notes should the planning proposal be adopted by Council, there will be a 12-month transition period for any changes to commence. This means any changes will likely not come into effect until 2024.			
7. Requests staff write to the NSW government advocating for changes in response to the alternative policy measures shared by many stakeholders including:			
a) differential rating of STRA properties			
b) establishing a levy to generate funds to cover enforcement and infrastructure demands			
c) assigning the STRA register to Council to administer with appropriate fees for servicing			
8. Appoints the Audit Risk and Improvement Committee to review and regularly advise Council on matters of compliance, risk management, financial management, governance, community service, data collection and the overall performance of the proposed planning STRA amendment 26.2020.1.1.			
9. Recognises the submissions made during public access that identified specific areas in need of further investigation as part of the monitoring strategy for potential inclusion in the 90 day cap precinct such as in Brunswick Heads			
Mover: Alan Hunter		Seconder: Michael Lyon	
Comments:			
20 Jun 2023 10:55am French, Sharyn			
Conditional Gateway received with extension to 24 September. Staff continue to prepare a revised Planning Proposal in accordance with the IPC recommendations.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
22-737	Former Mullumbimby Hospital - Land Use and Development Planning Update Report: I2022/1640	15/12/2022	30/06/2023
Directorate: Sustainable Environment and Economy Officer: FitzGibbon, Andrew			
Resolved that Council:			
1. Thanks all community members who gave feedback during the consultation period on the draft Site Strategy and Urban Design Protocol.			
2. Notes that submissions have been used to improve the exhibited document and will be used as inputs into future planning and design stages.			
3. Endorses the revised Site Strategy and Urban Design Protocol (Attachment 1 E2022/113329) for the former Mullumbimby Hospital site to be used as a guiding document for the project.			
4. Requests staff to prepare a draft planning proposal informed by the Site Strategy and Urban Design Protocol and any required Baseline Studies and Advice and report this to Council for consideration prior to seeking a gateway determination.			
5. Requests staff to arrange an Enquiry by Design process (inclusive of community, industry and Councillor engagement) to underpin Concept Masterplan and Development Control Plan drafting.			
6. Requests staff to report the Concept Masterplan, Development Control Plan, and associated development options to Council.			
7. Requests that an arts facility / hub or artist in residence program be integrated as a core part of the community facilities.			
Mover: Peter Westheimer Seconder: Michael Lyon			
Comments:			
18 May 2023 9:45am FitzGibbon, Andrew 1 - Complete - noted, 2 - Complete - noted, 3 - Complete - noted, 4 - In progress, 5 - Planning for workshop commenced, 6 - Work commenced in preparation for item 5, 7 - Complete - noted			
10 Jun 2023 10:33am Burt, Shannon Report to 22 June Ordinary Meeting to update resolution and work program to follow.			
10 Jun 2023 10:34am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 16 January 2023 to 30 June 2023			

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: Holloway, Phillip			
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			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-009	Consult about local impacts of 2023 Triathlon Report: I2023/96	09/02/2023	30/09/2023
Directorate: Sustainable Environment and Economy Officer: Gilmore, Jess			
Resolved that Council:			
1. Requests that the proponents of the Triathlon undertake a feedback process with the Byron Bay community and businesses post the 2023 Triathlon to identify improvements that may be made to the event to lessen its impact including variations of routes and/or timing of road closures for future events and provide a report on this feedback to Council.			
2. Consults with the community on the Triathlon via a Have Your Say process following the event.			
Mover: Duncan Dey		Secunder: Cate Coorey	
Comments: 11 Apr 2023 3:04pm Gilmore, Jess Re Part 2 of resolution - the Your Say page will be live 1 week prior, noting the dates feedback will be requested/open. Updated webpage scheduled with form for feedback to go live the day following the event for 4 weeks as per engagement strategy. Reporting timeframes for Council / public exhibition to be confirmed.			

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		Secunder: 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.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-017	Planning agreement for the dedication of land at Bayside 15 Torakina Road, Brunswick Heads Report: I2023/94	09/02/2023	13/03/2023
Directorate: Infrastructure Services Officer: Soulsby, Christopher			
Resolved that Council enters into the planning agreement as provided at Attachment 1, subject to: <ul style="list-style-type: none">a) the satisfactory resolution of the drainage issues at the development site; andb) approval of the development by the planning panel; andc) the agreement being generally amended to remove Council as the authority to be satisfied with the public positive covenants and replace these references with the Department of Planning and Environment.			
Mover: Duncan Dey		Seconded: Michael Lyon	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-035	Grants January 2023 Report: I2023/184	23/02/2023	30/08/2023
Directorate: Corporate and Community Services Officer: Johnston, Donna			
Resolved that Council: <ul style="list-style-type: none">1. Notes the report and Attachment 1 (#E2023/14683) for Byron Shire Council's grant submissions as at 31 January 2023.2. Undertakes a proactive communication strategy within current resourcing to educate the community on the role of grant funding and celebrates the successes of securing funding from state and federal government and other sources.			
Mover: Mark Swivel		Seconded: Sarah Ndiaye	
Comments: 21 Jun 2023 5:20pm Johnston, Donna - Target Date Revision Target date changed by Johnston, Donna from 30 June 2023 to 30 August 2023 - Updated end date to allow for 2023 grant outcomes to be reviewed.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 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: Moffett, Scott			
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		Seconder: 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			

Res No	Report Title	Meeting Date	Due Date
23-103	Rural Fire Brigade - Authorised Parking Report: I2023/305	13/04/2023	15/05/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 6.1 Rural Fire Brigade - Authorised Parking File No: I2023/305			
<u>Committee Recommendation 6.1.1</u> That LTC support the installation of a restricted parking zone adjacent the Rural Fire Service building, Alcorn Street, Suffolk Park as shown by attachment 1 (E2023/21961).			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: 08 Jun 2023 3:16pm Cornwall, Judd All signage has been installed as per resolution.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-108	Alternative Flowpath Bayshore Drive Report: I2023/490	13/04/2023	15/05/2023
Directorate: Infrastructure Services Officer: Clark, Cameron			
Resolved that:			
1. Council receives a Report at the 25 May 2023 ordinary meeting outlining the progress of the additional/alternative flow path including: <ol style="list-style-type: none">How often it is used and in what conditions, i.e. wet weather and dry weather.The amount of water transferred down it from the STP under various conditions, including as a percentage of total out flows.Any filling that has been done to grade the drain toward west Byron and its effectiveness.Performance relative to initial project objectives.Impact on the amount of water leaving the STP through the drain on the Flick's property.The hydraulic efficacy of the flow path, given the stagnant water apparent in the photographs attached in the Notice of Motion.			
2. The Report also goes on the agenda of the next meeting of Council's Water & Sewer Advisory Committee.			
Mover: Michael Lyon		Secunder: Alan Hunter	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-118	Report of the Water and Sewer Advisory Committee Meeting held on 30 March 2023 Report: I2023/536	27/04/2023	29/05/2023
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council notes the minutes of the Water and Sewer Advisory Committee Meeting held on 30 March 2023.			
Mover: Michael Lyon		Secunder: Alan Hunter	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-119	Review of Council's Onsite Sewage Management Strategy 2001 and Onsite Sewage Management Guidelines 2004 Report: I202/251	27/04/2023	29/05/2023
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.1 Review of Council's Onsite Sewage Management Strategy 2001 and Onsite Sewage Management Guidelines 2004 File No: I2023/251			
<u>Committee Recommendation 4.1.1</u> That Water and Sewer Advisory Committee:			
1. Notes the draft Onsite Sewage Management Strategy and draft Onsite Sewage Management Guidelines; and			
2. Request staff to convene a meeting with available committee members prior to reporting documents in point 1 to Council prior to exhibition.			
Mover: Michael Lyon		Secunder: Alan Hunter	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 June 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: Tomanek, Dominika			
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:			
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: 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; and e) maximising demand management, including the harvesting of roof water.			
8. The investigation above to include: 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; and g) economic assessment.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-121	Report of the Moving Byron Advisory Committee Meeting held on 30 March 2023 Report: I2023/537	27/04/2023	29/05/2023
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council notes the minutes of the Moving Byron Advisory Committee Meeting held on 30 March 2023.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-122	Discussion Items Report: I2023/431	27/04/2023	29/05/2023
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.1 Discussion Items			
File No: I2023/431			
<u>Committee Recommendation 4.1.1</u>			
1. That Council supports the Moving Byron Committee continuing discussions with Transport for New South Wales on the Integrated Transport Management Plan.			
2. That the Committee endorses the choice of Mullumbimby CBD to the Industrial Estate and Suffolk Park from Clifford Street to Bangalow Road (High school) for assessment via the Heathy Streets Framework for completion by TfNSW within this financial year.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-124	Dingo Protection and Wild Dog Pest Management Plan revisal Report: I2023/544	27/04/2023	30/09/2023
Directorate: Sustainable Environment and Economy Officer: Caddick, Lizabeth			
Resolved that Council:			
1. Recognises that dingoes are native animals with an important ecological role, and are worthy of protection and care;			
2. Acknowledges the deep connection between dingoes and Aboriginal Australians, and endeavours to respect this connection in relevant actions of the Council;			
3. Recognises that the term 'wild dogs' is frequently and incorrectly used to describe dingoes or dingo-hybrids;			
4. a) Notes that Council currently does not bait other than for rodents in community halls.			
b) Discusses this matter at the next available Councillor Workshop including:			
i) Possibilities for actively providing information to re-educate residents of the Byron Shire Council about the value, importance and mistreatment of dingoes and importance of responsible domestic pet ownership;			
ii) Including the active engagement with stakeholders about new research into effective, non-lethal tools and practices to manage coexistence with dingoes on private property;			
iii) Revising and amending the Byron Shire Council's Wild Dog Pest Management Plan to reflect updated language, strategies and education policies accordingly.			
iv) Considers writing a letter on behalf of the Council to the Hon. Penny Sharpe MLC, Minister for the Environment and Heritage, to call for dingoes to be a protected animal under the Biodiversity Conservation Act 2016 (NSW), with all other relevant policies and management plans updated to reflect this protected status, to ensure this protected status is reflected in the implementation of the Biosecurity Act 2015 (NSW), and to ban the use of 1080 as an inhumane and indiscriminate poison.			
v) Considers writing a letter on behalf of the Council to the Hon. Tanya Plibersek MP, Federal Minister for Environment and Water, to call for dingoes to be included in the list of threatened species protected by the Environment Protection and Biodiversity Conservation Act 1999 (Cth), or to be included in a special list of non-threatened species to be protected by the Environment Protection and Biodiversity Conservation Act 1999 (Cth).			
c) Receives a report in late June following the Councillor Workshop in (b) above on the ways to avoid trapping, baiting, shooting and otherwise killing dingoes whilst still controlling other animals that are pests and/or are creating environmental damage.			
Mover: Sama Balson		Second: Michael Lyon	
Comments:			
05 Jun 2023 8:44am Caddick, Lizabeth			
4.b) Matter discussed at Councillor workshop on 1 June 2023. Presentations from staff and from Local Land Services. Information was presented at the workshop relating to current science on dingo genetics, species concepts, ecology and landholder impacts. Management options including responsible pet ownership were discussed, in particular the need for greater stakeholder engagement. , Council is reviewing its Pest Animal Management Plan in 2024 and this will be a good opportunity to engage with the community, researchers and other stakeholders and ensure an ongoing best practice management approach., Report to go to August council meeting.			
10 Jun 2023 11:44am Burt, Shannon - Target Date Revision			
Target date changed by Burt, Shannon from 30 June 2023 to 30 September 2023 - to allow time for report back to council			

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		Second: Sama Balson	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-136	Legrope enforcement on Byron Shire beaches Report: I2023/552	27/04/2023	29/05/2023
		Directorate: Infrastructure Services Officer: Holloway, Phillip	
Resolved that Council:			
<ol style="list-style-type: none">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:<ol style="list-style-type: none">a) installing notices at the formed entrances to the beaches, andb) the notices would advise relevant board riders that they must use a leg rope in the surf.4. The proposed notices would:<ol style="list-style-type: none">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)); andc) relate to the use of surfboards in the surf (633(4)(c) and 633(5))d) advise that breaches of the notice attract a fine5. 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		Seconder: Mark Swivel	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 June 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		Second: 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.			

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.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-149	Heritage Park Mullumbimby - Draft Landscape Masterplan Report: I2022/1272	27/04/2023	31/08/2023
Directorate: Infrastructure Services Officer: Robertson, Malcolm			
Resolved that Council:			
1. Amends the draft Landscape Masterplan for Heritage Park, Mullumbimby (Draft C, E2023/34326) to edit out certain abbreviations;			
2. Approves the amended draft Landscape Masterplan for public exhibition for a minimum of 28 days; and			
3. Receives a further report on the outcomes from the consultation process.			
4. Requests staff to provide a report within 28 days on the implications of excising the dog exercise area from heritage park.			
5. Requests a staff report on providing a higher level of regular maintenance to the Maslen Arboretum.			
Mover: Peter Westheimer Seconder: Michael Lyon			
Comments:			
02 May 2023 4:04pm Robertson, Malcolm			
1. Draft Landscape Masterplan for Heritage Park, Mullumbimby was edited to remove certain abbreviations; , 2. Draft Landscape Plan placed on public exhibition for a minimum of 28 days, with further report on the outcomes from the consultation process.			
28 Jun 2023 7:56am Robertson, Malcolm - Target Date Revision			
Target date changed by Robertson, Malcolm from 29 May 2023 to 31 August 2023 - Report to be returned to next available Council meeting.			

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: Warner, Phil			
Resolved that Council			
1. Writes to TAHE, to Transport for NSW, to the NSW Minister for Transport (Jo Haylen), and to the NSW Minister for Regional Transport and Roads (Jenny Aitchison) regarding preservation of the Casino to Murwillumbah Railway Land (the rail corridor) within Byron Shire and invites TAHE and Transport for NSW to attend a Councillor Workshop to be held in June or August 2023 or, if unable to attend, to respond in writing to the issues we raise below:			
a) Does TAHE use a strategic approach when selling parts of the rail corridor within Byron Shire, such that minimum widths are maintained at each point along the corridor?			
b) Does TAHE take account of future transport needs of the corridor such as, for example:			
i. addition of a shared path for pedestrians and bicycles,			
ii. possible duplication of tracks for rail transport, and			
iii. possible connection of new villages that could be enabled by such transport.			
c) Whether TAHE can adopt an approach to ensure the sale or transfer of corridor assets will not prevent dual tracks between Billinudgel and Bangalow plus appropriate sidings where needed.			
2. Requests that staff notify Councillors when staff become aware of any impending sale or transfer of railway land.			
Mover: Peter Westheimer Seconder: Duncan Dey			
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 June 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
23-165	Independent Planning Commission (IPC) - Byron Shire Short Term Rental Accommodation Planning Proposal - Advice Report Report: I2023/717	11/05/2023	30/11/2023
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council writes to the Minister for Planning, The Hon. Paul Scully:			
1. Expressing Council's broad support for all 12 recommendations and noting they are a much better alternative to the planning proposal in its current form.			
2. Confirming Council's commitment to work with the Department of Planning on:			
a. the formulation and implementation of an appropriate regulatory regime to enable Council to plan for and manage non-hosted STRA as per Recommendation 2 of the IPC report, as an immediate priority			
b. the implementation of the remaining recommendations, noting that there may be a need to fine-tune part or all of some of these recommendations.			
Mover: Michael Lyon		Seconder:	
Comments: 18 May 2023 9:56am Graham, Toni Mayor sent letter to Minister for Planning and Public Spaces as per resolution (E2023/49396). 10 Jun 2023 11:40am Burt, Shannon Letter to DPE sent requesting extension to Gateway deadline to November 2023. Staff waiting for a response. , Work on the IPC recommendations progressing as required to support the Planning proposal. 10 Jun 2023 11:42am Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 12 June 2023 to 30 November 2023			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-175	Market Parking - Somerset Street, Byron Bay Report: I2023/522	11/05/2023	12/06/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 6.3	Market Parking - Somerset Street, Byron Bay		
File No: I2023/522			
<u>Committee Recommendation 6.3.1</u>			
That the Local Traffic Committee support the implementation of the Byron Bay Community Markets two-hour parking area implementation for market days only in Somerset Street, Byron Bay.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments: 08 Jun 2023 3:21pm Cornwall, Judd Completed by Cornwall, Judd (action officer) on 08 June 2023 at 3:21:36 PM - This matter has been endorsed by the Local Traffic Committee. All works will be carried out by the event organisers event by event.			

Res No	Report Title	Meeting Date	Due Date
23-176	No Parking Area - Scanlons Road (Devines Hill, Lookout) Report: I2023/523	11/05/2023	12/06/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 6.4	No Parking Area - Scanlons Road (Devines Hill, Lookout)		
File No: I2023/523			
<u>Committee Recommendation 6.4.1</u>			
That the local Traffic Committee support the implementation of a No Parking (1am to 6am) Area for the access road for Devines Hill (Scanlons Road) to help prevent/enforce nuisance camping.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments: 08 Jun 2023 3:25pm Cornwall, Judd - Completed by Cornwall, Judd (action officer) on 08 June 2023 at 3:25:34 PM - LTC supported the installation of the No Parking Area on the 18 April 2023. A works order has been generated for the installation of these signs.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-177	Extension of No Parking Area - Bayshore Drive, Byron Bay Report: I2023/527	11/05/2023	14/07/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 6.5 File No: I2023/527	Extension of No Parking Area - Bayshore Drive, Byron Bay		
<u>Committee Recommendation 6.5.1</u>			
That the Local Traffic Committee endorse the proposed extension of the existing no stopping area in Bayshore Drive from Wallum Place to the end of Bayshore Drive.			
Mover: Duncan Dey		Seconded: Michael Lyon	
Comments: 08 Jun 2023 3:29pm Cornwall, Judd - Target Date Revision Target date changed by Cornwall, Judd from 12 June 2023 to 14 July 2023 - Additional signage is required to ensure that residents have an exception to park during the no stopping times. This signage will be reported to LTC on the 13 June 2023.			

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			
It will be the responsibility of the nominee to advise who their plus one will be. Please liaise with your nominee to make suitable arrangements.			
Mover: Michael Lyon		Seconded: Alan Hunter	
Comments: 26 Jun 2023 10:40am Clark, Cameron Project Manager being assigned for the design and construct of the ponds at old south byron STP			

ACTIVE RESOLUTIONS REPORT

As at 30 June 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:			
30 May 2023 11:34am Meech, Roseanna Recommendation to be discussed at Councillor Workshop June 1			
10 Jun 2023 12:14pm Burt, Shannon Landowner Consultation to progress as per recommendation with a follow up report to council to follow			
10 Jun 2023 12:15pm Burt, Shannon - Target Date Revision Target date changed by Burt, Shannon from 26 June 2023 to 30 November 2023			

Res No	Report Title	Meeting Date	Due Date
23-192	School/community tree-planting program on Council owned or managed land Report: I2023/732	25/05/2023	31/08/2023
Directorate: Infrastructure Services Officer: Robertson, Malcolm			
Resolved that Council:			
1. Receives a report identifying a parcel or parcels of land up to 1Ha managed or owned by Byron Shire Council such as: a) The Vallances Rd STP along the river and in the flood prone areas of the site. b) Riverside Drive in Mullumbimby c) Any other suitable land, particularly riparian land.			
to enable a pilot tree-planting project by the local "Regeneration" group to facilitate environmental awareness amongst schoolchildren			
2. Investigates funding opportunities or existing resources for this small-scale project			
3. Receives a report on the outcomes of this pilot project in relation to Council's capacity for such projects			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments:			
28 Jun 2023 7:53am Robertson, Malcolm - Target Date Revision Target date changed by Robertson, Malcolm from 26 June 2023 to 31 August 2023 - Land has been identified. Report to be returned to Council August,			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

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		Second: Asren Pugh	
Comments:			

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: Weallans, Kirk			
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		Second:	
Comments:			
21 Jun 2023 2:59pm Flockton, James - Reallocation Action reassigned to Weallans, Kirk by Flockton, James - reallocating to ensure on ground works occur			

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		Second: 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.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-215	Arakwal MOU review Report: I2023/569	25/05/2023	26/06/2023
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		Second: Michael Lyon	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-216	Report of the Infrastructure Advisory Committee Meeting held on 20 April 2023 Report: I2023/603	25/05/2023	26/06/2023
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council notes the minutes of the Infrastructure Advisory Committee Meeting held on 20 April 2023.			
Mover: Alan Hunter		Second: Michael Lyon	
Comments:			

Res No	Report Title	Meeting Date	Due Date
23-217	New Brighton Parking Options Investigation Report: I2023/472	25/05/2023	14/09/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
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		Second: Michael Lyon	
Comments: 08 Jun 2023 3:32pm Cornwall, Judd			
1. Noted			
2. Noted			
3. Under development			
4. Noted and to be referred to Chloe Dowsett			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-221	Bayshore Lane - One Way restriction Report: I2023/599	25/05/2023	31/08/2023
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:			
08 Jun 2023 3:34pm Cornwall, Judd			
The Local Traffic Committee has endorsed the installation of the one way proposal. Engagement will take place in the form of a letter, advising residents that the one-way proposal supported by their (resident) petition was endorsed by Council and if they have any concerns regarding this treatment they are to contact staff within two weeks from receiving the letter.			
08 Jun 2023 3:41pm Cornwall, Judd - Target Date Revision			
Target date changed by Cornwall, Judd from 26 June 2023 to 31 August 2023 - Time required for consultation and plan development.			

Res No	Report Title	Meeting Date	Due Date
23-225	Trial Electric Vehicle Chargers Byron Bay Report: I2023/731	25/05/2023	26/06/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 6.6	Trial Electric Vehicle Chargers Byron Bay		
File No: I2023/731			
<u>Committee Recommendation 6.6.1</u>			
That the Local Traffic Committee endorse parking restrictions to support two Electric Vehicle car parking spaces in Byron Bay Town Central, two of the five locations within Attachment 1 (E2023/46707) as part of the Essential Energy EVX pole mounted charger trial.			
Mover: Michael Lyon		Seconder: Duncan Dey	
Comments:			
08 Jun 2023 3:44pm Cornwall, Judd			
Completed by Cornwall, Judd (action officer) on 08 June 2023 at 3:44:23 PM - This matter (regulatory signage to support the EVX trial) was endorsed by LTC and Council. Essential Energy will be advised of this outcome.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-226	No Overtaking - Coolamon Scenic Dr Report: I2023/631	25/05/2023	26/06/2023
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 7.1 No Overtaking - Coolamon Scenic Dr File No: I2023/631			
<u>Committee Recommendation 7.1.1</u>			
That the Local Traffic Committee recommend that no change be made to the current overtaking restrictions on Coolamon Scenic Drive.			
Mover: Michael Lyon		Second: Duncan Dey	
Comments: 08 Jun 2023 3:47pm Cornwall, Judd - Completed by Cornwall, Judd (action officer) on 08 June 2023 at 3:47:19 PM - The Local Traffic Committee on the 16 May 2023, supported Council staff recommendation to not allow overtaking on Coolamon Scenic Dr where the current double barrier lines are present. This report was for engineering advice only no further action required.			

Res No	Report Title	Meeting Date	Due Date
23-229	Mayor and Councillor Remuneration 2023/24 Report: I2023/734	25/05/2023	26/06/2023
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved that Council:			
1. Fixes the fee payable to each Councillor under section 248 of the <i>Local Government Act 1993</i> for the period 1 July 2023 to 30 June 2024 at \$26,070.			
2. Fixes the fee payable to the Mayor under section 249 of the <i>Local Government Act 1993</i> , for the period from 1 July 2023 to 30 June 2024 at \$64,390.			
3. Not determine a fee payable to the Deputy Mayor, in accordance with current practice, and:			
a) Prepare a submission for the LGNSW Conference requesting that Deputy Mayors are recognised as a separate category in remuneration			
b) Continue to make submissions to the Remuneration Tribunal for a specific allowance for Deputy Mayors.			
Mover: Sarah Ndiaye		Second: Peter Westheimer	
Comments: 04 Jun 2023 10:42am Sills, Heather 1. Budget adjusted to fix the fee payable to each Councillor at \$26,070., 2. Budget adjusted to fix the fee payable to the Mayor at \$64,390., 3. Motions submission for the 2023 Annual Conference will open in July 2023 and must be submitted by 15 September 2023.			

Res No	Report Title	Meeting Date	Due Date
23-234	PLANNING - Variations to development standards - Quarter 1 2023 Report: I2023/604	08/06/2023	10/07/2023
Directorate: Sustainable Environment and Economy Officer: Graine, Kylie			
Resolved that Council notes the Report on variations to development standards for the period January 2023 to March 2023.			
Mover: Michael Lyon		Second: Alan Hunter	
Comments:			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-236	Homelessness Crisis in the Byron Shire Report: I2023/797	08/06/2023	10/07/2023
		Directorate: Corporate and Community Services Officer: Davis, Esmeralda	
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.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-239	PLANNING - 10.2014.417.3 S4.55 to Reconfigure Five (5) Apartments inclusive of Dual Key Functionality for Two (2) of the Apartments, increasing Building Height to Accommodate Two (2) Roof Top Swimming Pools, associated Access and Structures, provision of Internal Access between Levels and Modification to Private Open Space at 43 Lawson Street BYRON BAY Report: I2023/485	08/06/2023	10/07/2023
Directorate: Sustainable Environment and Economy Officer: Docherty, Patricia			
Resolved that pursuant to Section 4.55 of the Environmental Planning & Assessment Act 1979, that Application No. 10.2014.417.3 for S4.55 to Reconfigure Five (5) Apartments inclusive of Dual Key Functionality for Two (2) of the Apartments, increasing Building Height to Accommodate Two (2) Roof Top Swimming Pools, associated Access and Structures, provision of Internal Access between Levels and Modification to Private Open Space, be refused as follows:			
<ol style="list-style-type: none">1. Pursuant to section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development does not comply with Section 2.11 of State Environmental Planning Policy - Resilience and Hazards.2. Pursuant to section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development does not comply with Clause 4.3 Height of building under Byron Local Environmental Plan 2014.3. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development does not comply with Chapter C3 Byron Development Control Plan 2014.4. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development does not comply with Chapter D1 of Byron Development Control Plan 2014.5. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development does not comply with Chapter E5 of Byron Development Control Plan 2014.6. Pursuant to Section 4.15 (1) (a) (iv) the application for the proposed modification of an approved residential flat building does not comply with section 102 of the Environmental Planning and Assessment Regulation 2021.7. Pursuant to Section 4.15 (1) (b) of the Environmental Planning and Assessment Act 1979 the proposed development is likely to result in adverse environmental impacts on both the natural and built environments, and social impacts in the locality and the occupants of that environment.8. Pursuant to Section 4.15(1)(d) of the Environmental Planning & Assessment Act 1979 the proposed development is not in the public interest with regards for relevant matters for consideration raised in properly made submissions received by Council.9. Pursuant to Section 4.15(1)(e) of the EP&A Act 1979 the proposed development is not in the public interest for the reasons outlined above.			
Mover: Michael Lyon		Seconder: Duncan Dey	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-244	PLANNING - 26.2022.5.1 - Planning controls for rural tourist and visitor accommodation - LEP and DCP amendments submissions report Report: I2023/332	08/06/2023	10/07/2023
Directorate: Sustainable Environment and Economy Officer: Meech, Roseanna			
Resolved that Council			
1. Adopts the amended planning proposal as attached to this report (Attachment 1 – #E2023/46789) to introduce a minimum lot size for rural tourist accommodation, and forwards this to the Department of Planning and Environment for finalisation.			
2. Supports the following amendments to Byron DCP 2014 Part A and Chapter D3: Tourist Accommodation, to be further exhibited and then reported to Council:			
a) Part A (Attachment 2 – #E2023/50568) - Amend Rural Tourist Accommodation definition to reflect proposed changes			
b) Chapter D3 (Attachment 3 – #E2022/34439) – Reinstate updated Table D3.1 'Density of Rural Tourist Accommodation' within the Prescriptive Measures of D3.3.4			
c) Chapter D3 – Add an additional Table to regulate for farm stay accommodation densities within the Prescriptive Measures of D3.3.4.			
Mover: Peter Westheimer		Seconder: Michael Lyon	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-245	PLANNING - 10.2014.417.4 S4.55 for Changes to Building Height to accommodate One (1) Roof Top Swimming Pool and associated Access and Structures, provision of Internal Access between Levels and Modification to Private Open Space 43 Lawson Street BYRON BAY Report: I2023/486	08/06/2023	10/07/2023
Directorate: Sustainable Environment and Economy Officer: Docherty, Patricia			
Resolved pursuant to Section 4.55 of the Environmental Planning & Assessment Act 1979, that Application No. 10.2014.417.4, for S4.55 for Changes to Building Height to accommodate One (1) Roof Top Swimming Pool and associated Access and Structures, provision of Internal Access between Levels and Modification to Private Open Space, be refused as follows:			
<ol style="list-style-type: none">1. Pursuant to section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development does not comply with Section 2.11 of State Environmental Planning Policy - Resilience and Hazards.2. Pursuant to section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development does not comply with Clause 4.3 Height of building under Byron Local Environmental Plan 2014.3. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development does not comply with Chapter C3 Byron Development Control Plan 2014.4. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development does not comply with Chapter D1 of Byron Development Control Plan 2014.5. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development does not comply with Chapter E5 of Byron Development Control Plan 2014.6. Pursuant to Section 4.15 (1) (a) (iv) the application for the proposed modification of an approved residential flat building does not comply with section 102 of the Environmental Planning and Assessment Regulation 2021.7. Pursuant to Section 4.15 (1) (b) of the Environmental Planning and Assessment Act 1979 the proposed development is likely to result in adverse environmental impacts on both the natural and built environments, and social impacts in the locality and the occupants of that environment.8. Pursuant to Section 4.15(1)(d) of the Environmental Planning & Assessment Act 1979 the proposed development is not in the public interest with regards for relevant matters for consideration raised in properly made submissions received by Council.9. Pursuant to Section 4.15(1)(e) of the EP&A Act 1979 the proposed development is not in the public interest for the reasons outlined above.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

Res No	Report Title	Meeting Date	Due Date
23-246	PLANNING - 26.2022.8.1 - Planning proposal to permit events at the Cavanbah Centre without the need to obtain development consent - Submissions Report Report: I2023/600	08/06/2023	10/07/2023
Directorate: Sustainable Environment and Economy Officer: Meech, Roseanna			
Resolved that Council:			
<ol style="list-style-type: none">1. Adopts the amended planning proposal as attached to this report (Attachment 1 - #E2023/1080) for an amendment to Byron Local Environmental Plan 2014 to permit events on certain Council owned land at 249 Ewingsdale Road, Ewingsdale (Cavanbah Centre), and forwards this to the Department of Planning, Industry and Environment for finalisation.2. Once the Local Environmental Plan amendment has been notified then Council issues a Media release.			
Mover: Mark Swivel		Seconder: Peter Westheimer	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

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: Report to June Meeting of Council – updated not required at time of compiling report.			

Res No	Report Title	Meeting Date	Due Date
23-251	Growing Regions Program Round 1 - grant application Report: I2023/794	22/06/2023	24/07/2023
Directorate: Corporate and Community Services Officer: Johnston, Donna			
Resolved that Council endorses the following applications for Growing Regions Program Round 1:			
1. Byron Bioenergy Facility			
2. Sandhills Wetlands Recreation Precinct – Stage 2			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

Res No	Report Title	Meeting Date	Due Date
23-252	Revised Delivery Program 2022-26 Report: I2023/901	22/06/2023	24/07/2023
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved that Council notes the revised Delivery Program 2022-26 for consideration and endorsement at the 24 August 2023 Ordinary Council Meeting.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-253	Council Investments - 1 May 2023 to 31 May 2023 Report: I2023/879	22/06/2023	24/07/2023
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council notes the Report listing Council's investments and overall cash position as of 31 May 2023.			
Mover: Michael Lyon		Seconded: Alan Hunter	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

Res No	Report Title	Meeting Date	Due Date
23-254	Grants May 2023 Report: I2023/891	22/06/2023	24/07/2023
Directorate: Corporate and Community Services Officer: Johnston, Donna			
Resolved that Council notes the Report and Attachment 1 (#E2023/56813) for Byron Shire Council's Grant submissions as at 30 May 2023.			
Mover: Michael Lyon		Seconded: Alan Hunter	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

Res No	Report Title	Meeting Date	Due Date
23-255	Car share expression of interest - project timeline update Report: I2023/815	22/06/2023	24/07/2023
Directorate: Sustainable Environment and Economy Officer: Briggs, Hayley			
Resolved that Council:			
1. Notes that the evaluation of the car share expression of interest will be reported to the 24 August 2023 Ordinary Council meeting.			
2. Resolves to extend the current car share provider's (Popcar's) annual permits by two months, with an expiry date of 29 September 2023.			
Mover: Michael Lyon		Seconded: Alan Hunter	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-261	Fraud and Corruption Control Policy Report: I2023/385	22/06/2023	24/07/2023
Directorate: Corporate and Community Services Officer: Jones, Mila			
Resolved that Council adopts the following Committee and Management Recommendations:			
Report No. 4.4	Fraud and Corruption Control Policy		
File No: I2023/385			
<u>Committee Recommendation 4.4.1</u>			
1. That Council adopt the draft revised Fraud and Corruption Control Policy.			
2. That the Fraud and Corruption Framework Review be included in the draft FY2025 Internal Audit Program.			
<u>Management Recommendation</u>			
3. That:			
a) Council endorses the draft revised Fraud and Corruption Control Policy be placed on public exhibition for a minimum period of 28 days and, should there be no submissions received, the Policy is endorsed from the date after the close of the exhibition period; and			
b) should submissions be received on the Policy, it 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:			
27 Jun 2023 8:06am Jones, Mila			
The Policy has been scheduled for public exhibition from 03/07/2023 for 28 days.			

Res No	Report Title	Meeting Date	Due Date
23-262	Draft Risk Management Policy and Risk Management Strategy Report: I2023/591	22/06/2023	24/07/2023
Directorate: Corporate and Community Services Officer: Watt, Amber			
Resolved that Council adopts the following Committee and Management Recommendations:			
Report No. 4.5	Draft Risk Management Policy and Risk Management Strategy		
File No: I2023/591			
<u>Committee Recommendation 4.5.1</u>			
1. That Council adopts the draft revised Risk Management Policy (E2023/31169).			
2. That the Audit, Risk, and Improvement Committee endorses the draft Risk Management Strategy (E2023/31170).			
<u>Management Recommendation</u>			
3. That:			
a) Council endorses the draft revised Risk Management Policy be placed on public exhibition for a minimum period of 28 days and, should there be no submissions received, the Policy is endorsed from the date after the close of the exhibition period; and,			
b) should submissions be received on the Policy, it 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:			
27 Jun 2023 8:11am Jones, Mila			
Policy scheduled for public exhibition from 03/07/2023 for 28 days			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-264	2022-2023 External Audit Engagement Plan Report: I2023/399	22/06/2023	24/07/2023
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 5.3	2022-2023 External Audit Engagement Plan		
File No: I2023/399			
<u>Committee Recommendation 5.3.1</u>			
That Council notes the External Audit Engagement Plan prepared by the Audit Office of New South Wales for the year ended 30 June 2023 as outlined in Confidential Attachment 1 (#E2023/21582).			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

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: Report to June Meeting of Council – updated not required at time of compiling report.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

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: Report to June Meeting of Council – updated not required at time of compiling report.			

Res No	Report Title	Meeting Date	Due Date
23-269	Report of the Floodplain Management Advisory Committee Meeting held on 16 May 2023 Report: I2023/782	22/06/2023	24/07/2023
Directorate: Infrastructure Services Officer: Tomanek, Dominika			
Resolved that Council notes the minutes of the Floodplain Management Advisory Committee Meeting held on 16 May 2023.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 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: Moffett, Scott			
Resolved that Council does not adopt Committee Recommendation(s) 4.2 as shown in the attachment to this report, but instead adopts the Management Recommendation:			
Report No. 4.2 North Byron Sky Pump Proposal File No: I2023/652			
<u>Committee Recommendation 4.2.1</u>			
That the Flood Advisory Committee recommends Council support the scope of the North Byron Sky Pumps Proposal with the following changes:			
1. That there be four scenarios namely:			
a) 100-year rainfall with 20-year ocean level;			
b) 20-year rainfall with 100-year ocean level;			
c) 20-year rainfall with 20-year ocean level;			
d) 100-year rainfall plus 100-year Climate change with 20-year ocean level plus 100-year Climate Change			
2. That the locations change:			
a) North of sports field at New Brighton (153.5503, -28.5063).			
b) South of levee at SGB (154.5499, -28.4984).			
c) Remnant dredged channel from 1970s in Billinudgel Nature Reserve (intersects remnant channels) (153.5506, -28.4856).			
<u>Management Recommendation</u>			
The above scenarios a) to d) do not allow for a potential east coast low that could hit the region bringing 100 year rain with 100 year ocean levels. Further scenario c) is a minor event when compared to 100 year events and is not really relevant to this investigation.			
It is recommended that scenario c be changed to '100-year rainfall with 100-year ocean level;'.			
Recommended resolution:			
That Council support the scope of the North Byron Sky Pumps Proposal with the following changes:			
1. That there be four scenarios namely:			
a) 100-year rainfall with 20-year ocean level;			
b) 20-year rainfall with 100-year ocean level;			
c) 100-year rainfall with 100-year ocean level;			
d) 100-year rainfall plus 100-year Climate change with 20-year ocean level plus 100-year Climate Change			
2. That the locations change:			
a) North of sports field at New Brighton (153.5503, -28.5063).			
b) South of levee at SGB (154.5499, -28.4984).			
c) Remnant dredged channel from 1970s in Billinudgel Nature Reserve (intersects remnant channels) (153.5506, -28.4856).			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-274	2021-1145: Water Main Supply and Construction, Byron Bay and Mullumbimby Report: I2023/876	22/06/2023	24/07/2023
Directorate: Infrastructure Services Officer: Griffiths, Lee			
Resolved:			
1. That Council allocates a total project budget of \$3,056,900 in the 2023/2024 financial year to fund works subject to this tender as per Table 4 in the report.			
2. That the remaining budgets in the 2022/2023 financial year totalling \$1,870,400 outlined in the report at Table 1 and associated funding be removed from the 2022/2023 budget with funding returned to respective reserves.			
3. That Council award Tender 2021-1145: Water Main Supply and Construction, Byron Bay and Mullumbimby to the preferred supplier identified in the tender evaluation report Confidential Attachment 1 (#E2023/60226).			
4. That Council's seal be affixed to the relevant documents if required.			
5. That Council makes public its decision, including the name and amount of the successful tenderer, in accordance with Clause 179(b) of the Local Government (General) Regulation 2021.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

Res No	Report Title	Meeting Date	Due Date
23-275	Draft 2023-2033 Long Term Financial Plan Report: I2023/952	22/06/2023	24/07/2023
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council adopt the 2023-2033 Long Term Financial Plan (#E2023/60942) including any budget changes (if any) made in the consideration of Report 13.8 to this Ordinary Meeting.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

Res No	Report Title	Meeting Date	Due Date
23-277	Project update - Additional Flow Path Report: I2023/874	22/06/2023	24/07/2023
Directorate: Infrastructure Services Officer: Orams, Pablo			
Resolved:			
1. That Council notes the Additional Flow Path (AFP) project report dated May 2023			
2. That Council receives a Report that responds to all Parts of Resolution 23-108 including Part 1(f) and also assesses:			
(g) whether Council should have and does have a Legal Point of Discharge from Council's STP land onto the Flicks' property;			
(h) current condition of vegetation on the AFP as a starting point for Drain Maintenance, which was discussed in Section 3.3 of Attachment 2;			
(i) when periodic checks of vegetation should commence;			
(j) the likely annual cost of mechanical vegetation removal and which Council Fund should cover that cost.			
(k) That also assesses capacity to go beyond 1 megalitre per day into the AFP during the trial period and up to the maximum possible whilst maintaining environmental flows at EPA 4			
3. That a detailed response is provided in the next Ordinary Council Meeting in August 2023.			
Mover: Alan Hunter		Seconder: Duncan Dey	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-280	Adoption of Operational Plan 2023/24, including Budget, Statement of Revenue Policy, and Fees and Charges Report: I2023/889	22/06/2023	24/07/2023
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved that Council:			
1. Notes the submissions received during the public exhibition period for the Operational Plan 2023/24 (including the Budget, Statement of Revenue Policy, and Fees and Charges) as outlined in Attachment 2 (#E2023/43184).			
2. Receives regular updates via memos to Councillors on issues as they evolve in the rail corridor investigation areas, specifically relating to 5.1.4.1 and 5.1.4.2 of the Operational Plan 2023/24.			
3. Adopts the following documents:			
a) Operational Plan 2023/24 as amended, Attachment 1 (#E2023/56757).			
b) Statement of Revenue Policy 2023/24 including fees and charges as exhibited, with the amendments (included in Attachment 4 #E2023/58449) discussed in the report under the headings 'Draft General Land Rates and Charges (Statement of Revenue Policy)' and 'Draft Fees and Charges (Statement of Revenue Policy)'			
d) Budget Estimates 2023/24 as exhibited, with the amendments discussed in the report under the heading 'Draft 2023/24 Budget Estimates (Statement of Revenue Policy)' and included at Attachment 5 (#E2023/58291) along with the Draft 2023/24-2032/33 Long Term Financial Plan.			
Mover: Peter Westheimer		Second: Michael Lyon	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

Res No	Report Title	Meeting Date	Due Date
23-283	Waiver of Repayments for Mullumbimby Leagues Club During COVID Period Report: I2023/910	22/06/2023	24/07/2023
Directorate: Infrastructure Services Officer: Orams, Pablo			
Resolved that Council extends the Repayment Date in the Deferral Agreement between Byron Shire Council and Mullumbimby Rugby League Football Club Ltd from 10 years after the date of the agreement to 12 years after the date of the agreement.			
Mover: Michael Lyon		Second: Duncan Dey	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

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.			
Mover: Michael Lyon		Second: Cate Coorey	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

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Res No	Report Title	Meeting Date	Due Date
23-286	Mullumbimby Residents Association submission Report:	22/06/2023	24/07/2023
Directorate: General Manager Officer: Spinner, Zali			
Resolved that Council:			
1. Notes the submission from the Mullumbimby Residents Association with respect to the recent announcements by the NRRC with respect to the Resilient Homes Program.			
2. 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.			
3. 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:			
a) clarify the eligibility criteria.			
b) clarify how the mapping released by NRRC can be interpreted by individual residents who have applied under the RHP			
c) discuss the processing of individual requests. - including the exceptional circumstances procedure and appeal procedure			
d) discuss 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		Second:	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

Res No	Report Title	Meeting Date	Due Date
23-287	Classification of newly acquired Council lot Report: I2023/784	22/06/2023	24/07/2023
Directorate: General Manager Officer: Meir, Matt			
Resolved that Council:			
1. Gives public notice for not less than 28 days of the following proposed resolution, pursuant to Section 34 of the Local Government Act 1993: "That Lot 194 DP 1281667 be classified "operational" under the Local Government Act 1993." And			
2. Accompanies the web version of that notice with details including (i) a satellite view with cadastral boundaries the vicinity including Lots 193 to 196 and Council-owned Lot 128 DP 1247524 and Lot 104 DP 1232439; (ii) the proposed usage of Lot 194; and (iii) classification and usage of Lots 193 and 195.			
Mover: Duncan Dey		Second: Michael Lyon	
Comments: 30 Jun 2023 9:31am Meir, Matt Public notice placed on Council's website on 23 June for 28 days.			

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		Second: Mark Swivel	
Comments: 30 Jun 2023 9:32am Meir, Matt Creative Capital advised of price shortly after Council meeting on 22/6. Creative considering.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-291	Amendment to the Code of Conduct for Committee Members, Delegates of Council and Council Advisors Report: I2023/749	22/06/2023	24/07/2023
		Directorate: Corporate and Community Services	
		Officer: Jones, Mila	
Resolved:			
1.	That the draft amended Code of Conduct for Council Committee Members, Delegates of Council and Council Advisors (Attachment 1) be amended as follows: Add two notes after proposed Clause 4.8(c) to say: <i>As at time of adopting:</i> (i) <i>community members of s355 Hall Committees and Boards of Management are designated persons.</i> (ii) <i>community members of an Advisory Committee of Council are not designated persons.</i>		
2.	That the draft Code thus amended be placed on public exhibition for a period of 28 days to allow for submissions.		
3	That: a) should there be no submissions received, then the updated Code is endorsed from the date after the close of the exhibition period; and, b) should submissions be received, the Code be reported back to Council noting the submissions and any amendments made as a result of the feedback received.		
Mover: Duncan Dey		Seconded: Cate Coorey	
Comments: 27 Jun 2023 8:14am Jones, Mila The Code of Conduct has been scheduled for public exhibition from 03/07/2023 for 28 days.			

Res No	Report Title	Meeting Date	Due Date
23-293	Tender - Electricity Procurement Report: I2023/796	22/06/2023	24/07/2023
		Directorate: Corporate and Community Services	
		Officer: Sills, Heather	
Resolved that Council:			
1.	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.		
2.	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		Seconded: Michael Lyon	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-294	Making of the 2023/24 Ordinary Rates, Charges, Fees and Interest Rate Report: I2023/908	22/06/2023	24/07/2023
Directorate: Corporate and Community Services Officer: Ansoul , Stephen			
Resolved that Council makes the charges, makes the fees and sets the interest rate to be charged on overdue rates and charges for 2023/24 in accordance with Sections 533, 534, 535, 543 and 566 of the Local Government Act 1993 (LGA) as listed in the tables within this report - Option 2: Ordinary Rates – Minimum Rate of \$1,000.00.			
Mover: Duncan Dey		Seconder: Asren Pugh	
Comments: 29 Jun 2023 10:34am Ansoul, Stephen 2023/24 Statement of Revenue Policy Updated., The adopted rates, charges and fees will be updated in Council's rating software parameters during the process to rollover from 2022/23 to 2023/24 on 30/06/2023., The 2023/24 rate levy will be processed on 08/07/2023 based on the adopted rates, charges and fees.			

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: Adams, Julia			
Resolved that Council:			
<ol style="list-style-type: none">Notes the definitions of net zero and carbon neutrality.Receives a further report on whether meeting the proposed revised net zero target date of 2030 is achievable and how this might be achieved, with regard to the proposed pathways in the report and utilising the Climate Active Standard.Places the draft Carbon Offset Procurement Policy (Attachment 1, E2023/54559) on public exhibition and available for public comment for 28 days. Following this period, Council receives a further report. That members of the Climate Change and Resource Recovery Committee be specifically invited to make a submission.Notes the financial implications of achieving both carbon neutrality in 2025 and net zero in 2030			
Mover: Asren Pugh		Seconder: Duncan Dey	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

Res No	Report Title	Meeting Date	Due Date
23-297	Busking Policy Review Report: I2023/783	22/06/2023	24/07/2023
Directorate: Sustainable Environment and Economy Officer: Johnstone, Dylan			
Resolved that Council:			
<ol style="list-style-type: none">Places the Draft Busking Policy in Attachment 1 (E2023/56924) on public exhibition for a minimum period of 28 days.Following exhibition, receives a further report detailing submissions made.			
Mover: Cate Coorey		Seconder: Michael Lyon	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

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:			
<ol style="list-style-type: none"> Notes the update on Resolution 22-737 Former Mullumbimby Hospital Site. 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. 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:			
28 Jun 2023 11:18am Burt, Shannon			
1 report update noted , 2 staff to complete work on planning proposal for submission to DPE as expeditiously as possible, 3 RFQ for EbD being finalised to schedule this and the next steps of the work in the program as per the report			
28 Jun 2023 11:20am Burt, Shannon - Target Date Revision			
Target date changed by Burt, Shannon from 24 July 2023 to 31 December 2023 - to allow time for the work program to be completed			

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			

ACTIVE RESOLUTIONS REPORT

As at 30 June 2023

Res No	Report Title	Meeting Date	Due Date
23-303	Resilient Lands Strategy Report:	22/06/2023	24/07/2023
		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		Second: Michael Lyon	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			

Res No	Report Title	Meeting Date	Due Date
23-306	Feros Village Byron Bay Report:	22/06/2023	24/07/2023
		Directorate: General Manager Officer: McKelvey, Shannon	
Resolved that:			
1. Council authorises the General Manager to engage with all stakeholders including the Minister for Lands and Property and the Department of Crown Lands to explore the feasibility of its appointment as Crown Land Manager of Reserve 140024.			
2. Council gives in principle support to being appointed the future Crown Land Manager of Reserve 140024 situated at 29-33 Marvell Street, Byron Bay, currently known as Feros Village Byron Bay, subject to the following:			
a) Council must <u>not</u> become responsible for direct delivery of services on the site, including but not limited to aged care services.			
b) That there must be a signed lease or leases in place between Crown Land and appropriate aged care service providers or community housing providers before any change in crown land manager occurs.			
c) The Reserve and premises on it need to be in a good repair and compliant condition, and be without contamination or any need for capital expenditure. If they are not, there must be a written agreement in place confirming that Crown Lands will be responsible for the costs of works required on the reserve.			
d) Agreement can be reached on all other conditions required to protect Council's interests as deemed necessary by the General Manager.			
3. During the July Council recess, with agreement from the Mayor, the General Manager be authorised to accept an appointment by the New South Wales State Government as the Crown Land Manager provided the requirements of this resolution are satisfied and Council's role is strictly limited to the role of Crown Land Manager and that it will <u>not</u> extend to the delivery of services on the site including, aged care services. Otherwise, the matter be reported back to Council for further consideration, including calling an extraordinary meeting if required.			
Mover: Asren Pugh		Second: Michael Lyon	
Comments: Report to June Meeting of Council – updated not required at time of compiling report.			