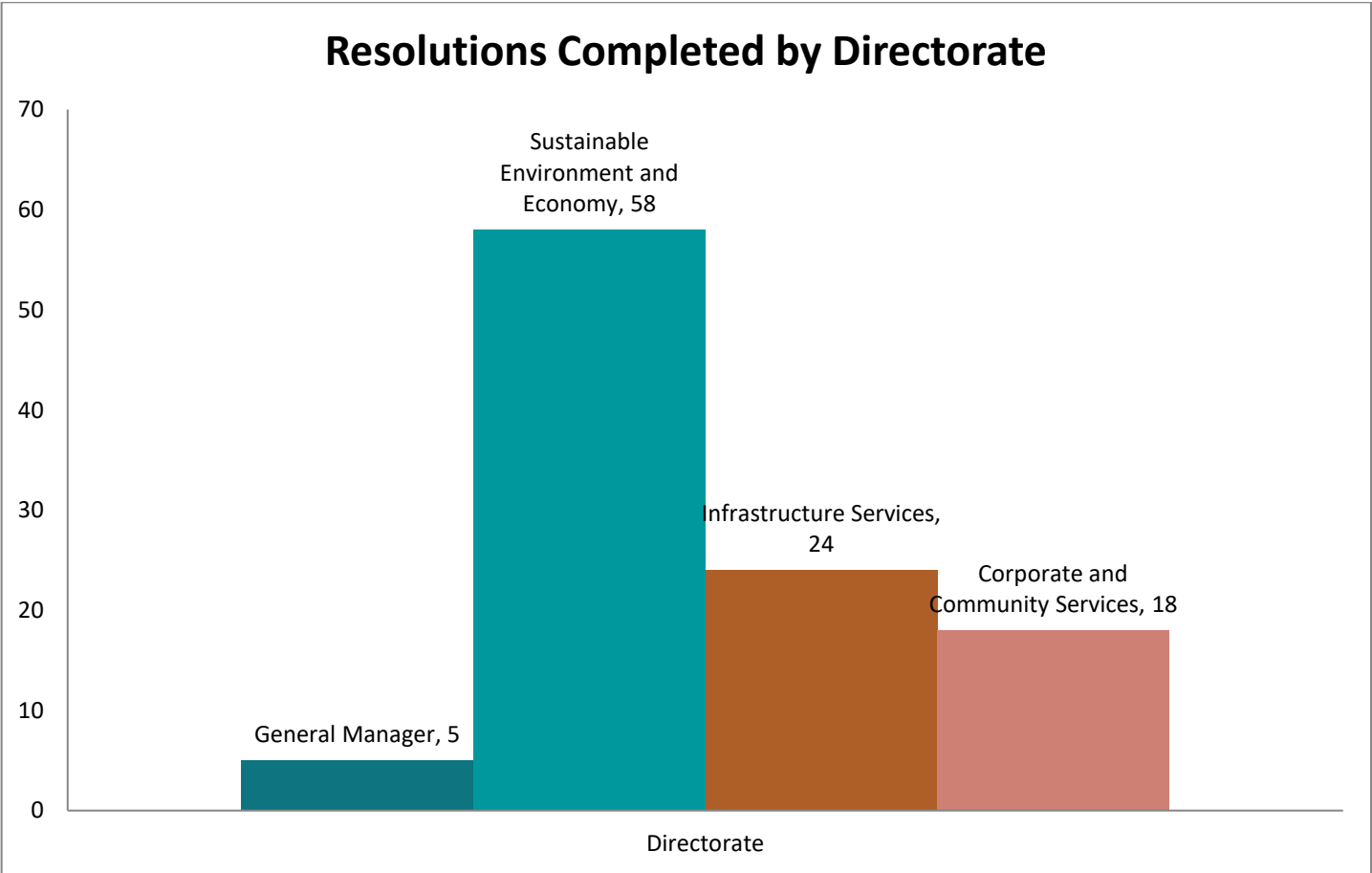
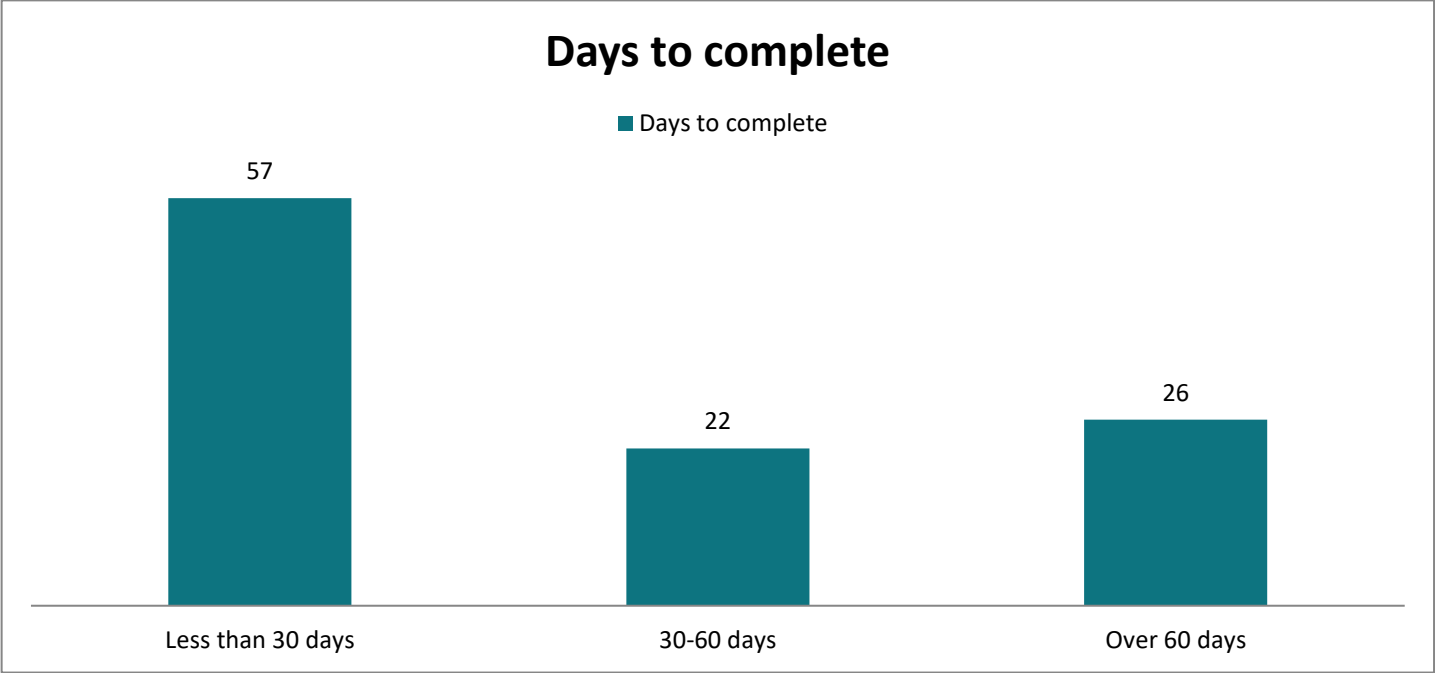


COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Total number resolutions completed in reporting period: **105**



COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
19-137	West Byron - Alternate Zoning Plan Report: I2019/384	28/03/2019	15/07/2022
Directorate: Sustainable Environment and Economy Officer: Caras, Alex			
Resolved that Council proceed with the preparation of a planning proposal to rezone the West Byron Urban Release Area as per the Alternate Zoning Map in Attachment 1 (#E2019/19623) for submission to the Department of Planning for gateway determination.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Caras, Alex (action officer) on 15 July 2022 at 2:03:07 PM - Courtesy email sent to Planit Consulting (#E2022/66891) advising that an LEP mapping amendment to implement this resolution will be included in the next housekeeping LEP later this year, noting that the map considered by Council on 28/3/19 (attached) will need to be updated to reflect the court determined approval.			

Res No	Report Title	Meeting Date	Completed Date
20-413	Brunswick Heads Parking Scheme Review Report: I2020/1010	27/08/2020	30/09/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved:			
1. That in relation to consideration of proposed Parking Scheme changes within Brunswick Heads, Council:			
a) Note the recommendations in the TPS Report - Brunswick Heads Parking Scheme Review 2020 (E2020/29468) including the recommendation "that Council should undertake a cost/benefit analysis with the objective to introducing metered parking into Brunswick Heads in order to address the capacity and compliance issues identified in this project"; and			
b) Defer consideration of any changes to the Brunswick Heads Parking Scheme until the March 2022 Ordinary Council meeting due to the current impacts of the COVID-19 crisis.			
c) Continue to monitor parking demand within Brunswick Heads and parking occupancy rates within the existing 1P and 2P time limited areas and the area east of South Arm Bridge; and			
d) Not introduce pay parking to the CBD and Beach Precincts as identified in Figure 1.1b and Table 1.2b until parking occupancy rates return to 90% within the CBD Precinct.			
2. That the report to the March 2022 Ordinary in response to the Recommendation from the TPS Report - Brunswick Heads Parking Scheme Review 2020 (E2020/29468) include a cost/benefit analysis and implementation plan for the introduction of a Pay Parking Scheme for Brunswick Heads incorporating:			
a) Delivery Program;			
b) Meter and sensor layouts;			
c) Relevant time limit modifications;			
d) Signs and line plan;			
e) Permit system;			
f) Business case with recommended pay parking fee rate and months over which the pay parking scheme should operate; and			
g) Media and communications plan			
Mover: Sarah Ndiaye		Seconder: Paul Spooner	
Comments: Completed by Cornwall, Judd (action officer) on 30 September 2022 at 1:37:28 PM - This action will be completed as part of resolution 22-534 (Resolved at Council, 29 September 2022).			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
21-122	Parklet trial Report: I2021/353	08/04/2021	30/09/2022
Directorate: Sustainable Environment and Economy Officer: FitzGibbon, Andrew			
Resolved:			
1. That Council uses the results and feedback from the first three months of the Talking Streets trial in Mullumbimby to inform the development of a Shire wide 'Parklets and Street Activation Policy.			
2. That the development of the 'Parklets and Street Activation Policy be commenced, including (but not limited to) consultation with relevant chambers around site suitability, consideration of loss of car parking spaces and safety requirements.			
Mover: Simon Richardson		Seconder: Sarah Ndiaye	
Comments: Completed by Burt, Shannon on behalf of FitzGibbon, Andrew (action officer) on 30 September 2022 at 5:13:21 PM - See Resolutions 22-312 and 22-288			

Res No	Report Title	Meeting Date	Completed Date
21-253	Update Resolution 21-122 Housing Crisis Report: I2021/979	24/06/2021	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1. Notes the update provided by staff on Resolution 21-112.			
2. Continues to work with the other member councils in the NRJO on potential housing solutions for our region.			
3. Continues to work with relevant state government agencies, housing providers and local housing groups to deliver (on ground) safe, secure and location appropriate housing solutions for Byron Shire locals and key workers.			
4. Continues to advocate and agitate for housing policy change and financial support from the state and commonwealth governments where opportunities arise.			
5. Hosts a session with staff, interested property/land holders and key stakeholders to specifically look at quick short term options and sites. This could include local language schools, backpacker accommodation providers, and 'meanwhile use' options for vacant buildings, both private and public.			
6. Explores the possibility of doing a public call out to land and property owners outlining the challenges we are facing in the shire in regards to this as per Bega Valley Shire Council's recent move, calling on holiday home owners to consider putting their vacant properties up for rent during the quieter winter months or transfer it to long term altogether.			
Mover: Sarah Ndiaye		Seconder: Michael Lyon	
Comments: Completed by Burt, Shannon (action officer) on 29 September 2022 at 10:04:10 AM - Actions completed - Work continues through Flood Recovery and Response work as well as Settlement Strategy work.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
21-303	Responding to our Housing Crisis Report: I2021/1176	05/08/2021	29/09/2022
		Directorate: Sustainable Environment and Economy Officer: Burt, Shannon	
Resolved that Council:			
1.	Notes that multiple innovative housing initiatives progressing to address our housing crisis have now been stalled/delayed by the DPIE including Lot 22 Planning Proposal, Tiny Homes Planning Proposal, Short Term Rental Accommodation Planning Proposal and Affordable Housing Contributions Scheme (SEPP 70).		
2.	Notes that Council is still to receive a response from the Office of Local Government on its submission to the Minister for Local Government to create Byron Land Limited.		
3.	Requests the General Manager seek an urgent meeting with the Coordinator General, Planning Delivery and Local Government to discuss 1 and 2.		
4.	Supports the work of staff on the Housing Working Subgroup (HWG) of the Northern Rivers Planners Group that is collaborating to prepare and lodge a submission to the Minister for Planning and Public Spaces Regional Housing taskforce and the Parliamentary Inquiry into Options to improve access to existing and alternate accommodation to address the social housing shortage.		
5.	Due to the short submission periods of 4, is provided with a copy of both submissions once finalised by the HWG.		
6.	Expresses its deep frustration and dismay at the lack of movement on any of the above initiatives, given that we represented on all of these issues at a meeting in March with the Planning Minister and were given assurances that we would see some movement.		
7.	Notes that the NRJO at its recent meeting, passed a resolution declaring that we are experiencing a housing crisis in the region.		
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Burt, Shannon (action officer) on 29 September 2022 at 10:05:51 AM - Actions completed - Work continues through Flood Recovery and Response work as well as Settlement Strategy work.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
21-337	Size limitations on Secondary Dwellings in rural zones Report: I2021/555	26/08/2021	27/09/2022
Directorate: Sustainable Environment and Economy Officer: Caras, Alex			
Resolved:			
1. That Council supports the inclusion of clause 5.5 into Byron LEP 2014 as follows: Clause 5.5 Controls relating to secondary dwellings on land in a rural zone [optional] If development for the purposes of a secondary dwelling is permitted under this Plan on land in a rural zone— (a) the total floor area of the dwelling, excluding any area used for parking, must not exceed whichever of the following is the greater— (i) [70] square metres, (ii) [0%] of the total floor area of the principal dwelling, and (b) the distance between the secondary dwelling and the principal dwelling must not exceed [100] metres.			
2. That Council requests staff to advise the Department of Planning Industry and Environment of point 1 prior to 29 August 2021.			
3. That Council requests staff to review the existing controls for secondary dwellings in D2.5 (Dual Occupancies and Secondary Dwellings) Development Control Plan (DCP) 2014, including the investigation of clearer regulation around boundary setbacks in relation to neighbouring properties and report on amendments to these if required, in a future housekeeping DCP amendment report to Council.			
4. That Council further reviews the matter through future community consultation on the DCP.			
Mover: Sarah Ndiaye		Seconded: Jan Hackett	
Comments: Completed by Caras, Alex (action officer) on 27 September 2022 at 10:24:29 AM - Addressed in next Housekeeping DCP which will be reported to 13 October Planning Meeting.			

Res No	Report Title	Meeting Date	Completed Date
21-405	Byron STP Condition 9 Additional Load - Quarterly Report Report: I2021/717	23/09/2021	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.3 Byron STP Condition 9 Additional Load - Quarterly Report File No: I2021/717			
Committee Recommendation 4.3.1			
1. That Council notes the report.			
2. Once the audit of consent conditions has been completed, if necessary, the extraordinary meeting of Water Waste and Sewer Advisory Committee is held.			
Mover: Michael Lyon		Seconded: Cate Coorey	
Comments: Completed by Burt, Shannon on behalf of Larkin, Chris (action officer) on 29 September 2022 at 9:33:14 AM - action complete			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
21-442	Pay Parking Potential Report: I2021/1635	28/10/2021 Directorate: Infrastructure Services Officer: Cornwall, Judd	30/09/2022
Resolved that Council receive a report on:			
1. Pay parking revenue in 2018-19 broken down into meter charges (combined), worker permits and resident permits, including an analysis of what the meter charges revenue would have been at \$5 and \$6 per hour.			
2. Potential profit from schemes introduced into Brunswick Heads, Mullumbimby and Bangalow based on expected usage under business-as-usual conditions, at rates of \$4, \$5 and \$6 per hour.			
3. The Breakdown of pay parking revenue from meters originating from residents of NRJO, being Byron, Ballina, Lismore, Kyogle, Richmond Valley and Tweed Shires vs those coming from elsewhere.			
4. Ways that parking meters in a town like Bangalow could be made to better suit aesthetically the Heritage nature of the town.			
5. Details of areas identified for potential peripheral parking in Mullumbimby and progress of discussions with Transport for NSW for access and or lease.			
6. Comparisons with other local government areas that have high tourist numbers and that have pay parking and how they manage their system of residential permits.			
Mover: Michael Lyon		Second: Jeannette Martin	
Comments: Completed by Cornwall, Judd (action officer) on 30 September 2022 at 1:51:34 PM - Any further actions contained within this resolution will be addressed as part of resolution number 22-534 (29 September 2022).			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
21-454	Broken Head Reserve Road and Seven Mile Beach Road - Update Report: I2021/1319	28/10/2021	29/08/2022
Directorate: Infrastructure Services Officer: Flockton, James			
Resolved that Council:			
1.	Supports the development of issue for construction designs and the commencement of construction works for Broken Head Reserve Road Stage 1 and Seven Mile Beach Road Stage 2 in accordance with the designs provided at attachments 1 (E2021/114798) and 2 (E2021/114799) with following adjustments:		
a)	That the single lane slow points be brought forward into Stage 1 of the Broken Head Road Reserve		
b)	That staff seek the concurrence of Transport for NSW for a reduction to 30 km/h in the village area of Broken Head		
c)	That staff explore placing hardwood bollards instead of castellated kerb on the southern side of Broken Head Road in Stages 1 and 2		
2.	Supports the use of Election Commitment Grant Pavement Asphalt Overlay Program funding to supplement the works in item 1 as required to complete these approved works.		
3.	Publishes the issue for construction drawings on Council's website for information when complete.		
4.	Advises local resident groups and the wider community where and how to find the final design drawings.		
5.	Supports the progression of Option 1 - In ground parking sensors as a parking control solution for Seven Mile Beach Road and Broken Head Reserve Road as funding permits.		
6.	Supports staff discussing the funding of Broken Head Reserve Road Stage 4 – 30 Kings Beach Carpark with the National Parks and Wildlife Service.		
7.	Undertakes a comprehensive communications campaign in advance of rocks being placed at the end of Seven Mile Beach road to advise the community that they are for the protection of biodiversity, will save funds with regard to other measures and prevent damage to dunes from 4WDs on the beach		
8.	Prioritises sealing car parks so that lines can be drawn which would properly designate parking spaces		
9.	Further consultation be held with residents and stakeholders to supply information regarding the underground sensors for parking on Seven Mile Beach Road.		
Mover: Cate Coorey		Seconder: Sarah Ndiaye	
Comments: Completed by Flockton, James (action officer) on 29 August 2022 at 8:04:44 PM - All actions now complete. Latest update reflects actions. Works proceeding on site.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
21-496	Update Resolution 21-273 Emergency Housing Report: I2021/1620	04/11/2021	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1. Notes the staff update on Resolution 21-273 Emergency Housing.			
2. Suspend the preparation of a development application for Transitional Supported Accommodation on part of Lot 22, but continue to attempt resolution of the access issues to the site including by contacting the landowner to the east of the site and TfNSW with respect to access across the rail line or down the rail corridor.			
3. Continues to look for more appropriate, less constrained sites for this type of development.			
4. Continues to work with the other member councils in the NRJO on potential housing solutions for our region.			
5. Continues to work with relevant state government agencies, housing providers and local housing groups to deliver (on ground) safe, secure and location appropriate housing solutions for Byron Shire locals and key workers.			
6. Continues to advocate and agitate for housing policy change and financial support from the state and commonwealth governments where opportunities arise.			
Mover: Michael Lyon		Secunder: Sarah Ndiaye	
Comments: Completed by Burt, Shannon (action officer) on 29 September 2022 at 10:06:15 AM - Actions completed - Work continues through Flood Recovery and Response work as well as Settlement Strategy work.			

Res No	Report Title	Meeting Date	Completed Date
21-562	Belongil Parking Scheme Review Report: I2021/1471	25/11/2021	28/09/2022
Directorate: Infrastructure Services Officer: Giraldo , Cesar			
Resolved that Council:			
1. Adopts the Belongil Parking Scheme Review, consisting of attachments 1 and 2 (E2021/113682 and E2021/113683).			
2. That staff scope and estimate the short term actions from the Belongil Parking Scheme Review and report a proposed delivery program, with consideration of other conflicting Local Area Traffic Management priorities, to the next available Transport Infrastructure Advisory Committee meeting.			
3. That a budget of \$100,000 from the Infrastructure Renewal Reserve – Byron Bay be allocated in the 2021/22 budget to fund the commencement of Local Area Traffic Management Programs and the short term actions from the Belongil Parking Scheme Review.			
Mover: Sarah Ndiaye		Secunder: Michael Lyon	
Comments: Completed by Giraldo, Cesar (action officer) on 28 September 2022 at 9:48:18 AM - All actions completed			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-006	Byron Shire Housing Summit 2022 Report: I2022/6	03/02/2022	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved:			
1.	That Council convenes a second Byron Shire Housing Summit to share current options and explore new ones for making housing accessible and affordable in the Byron Shire.		
2.	The Summit to include presentations from Council, a community housing provider, a housing industry representative, Housing NSW, Landcom, a local community organisation, a representative from NSW Department of Planning, and a housing policy specialist.		
3.	The Summit to be open to the public and invited stakeholders, including state and federal political representatives.		
4.	The Summit to include consideration of the following: a) current policies, strategies and resolutions to promote and/or inhibit affordable housing; b) proposals that could be trialled and implemented to support affordable housing in the Byron Shire.		
5.	That a report be generated summarising the key findings and outcomes of the Summit that is publicly available and used to assist the work of Council's Housing and Affordability Advisory Committee.		
Mover: Sarah Ndiaye		Secunder: Duncan Dey	
Comments: Completed by Burt, Shannon (action officer) on 29 September 2022 at 10:10:33 AM - Actions completed - Work continues through Flood Recovery and Response work as well as Settlement Strategy work.			

Res No	Report Title	Meeting Date	Completed Date
22-047	Development Application Processing Performance Report: I2022/102	24/02/2022	5/08/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved:			
1.	That the matter "Development Application Processing Performance" be brought before the next available Strategic Planning Workshop.		
2.	In the interim Council provide strong communications and media messaging advising applicants to have a pre-lodgement meeting with Council's development support advisory service.		
Mover: Cate Coorey		Secunder: Michael Lyon	
Comments: Completed by Burt, Shannon (action officer) on 05 August 2022 at 10:26:19 AM - Actions complete.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-059	Place Planning Collective Update and Expression of Interest for Upcoming Vacancies Report: I2021/1425	24/02/2022	28/09/2022
Directorate: Sustainable Environment and Economy Officer: FitzGibbon, Andrew			
Resolved:			
1. That Council notes the 2021 update from the Place Planning Collective.			
2. That Council thanks the community members on the Place Planning Collective for their time and contributions made throughout 2021.			
3. That Council endorses an Expression of Interest process to select new community representatives to replace members who have reached the end of their term.			
4. That Council nominates Cr Lyon, Cr Swivel, and Cr Ndiaye to be members of the Place Planning Collective and Cr Dey be nominated as an alternate.			
Mover: Sarah Ndiaye		Second: Peter Westheimer	
Comments: Completed by FitzGibbon, Andrew (action officer) on 28 September 2022 at 2:39:59 PM - 1 - Complete, 2 - Complete (members thanked), 3 - EOI process completed, 4 - Complete			

Res No	Report Title	Meeting Date	Completed Date
22-106	Speed Zone Reviews Report: I2022/39	24/03/2022	8/07/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved:			
1. That Council note the speed zone reviews raised with TfNSW as listed in the report.			
2. That Council requests a further review on McAuleys Lane by TfNSW that includes an identification and assessment of risks to cyclists and pedestrians with a view to reduce the speed limit.			
Mover: Cate Coorey		Second: Michael Lyon	
Comments: Completed by Flockton, James on behalf of Cornwall, Judd (action officer) on 08 July 2022 at 1:10:35 PM - 1. Noted., 2. A Speed limit review request has been sent to TfNSW for McAuleys Lane. This request specifies the consideration of pedestrians and cyclists in the review. CM9 file reference in resolution notes.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-120	Byron Shire Council and Landcom Project Agreement for an Affordable Housing Development on 57 Station Street Mullumbimby Report: I2022/213	14/04/2022	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1.	Notes the overview of who Landcom is, and their experience in delivering affordable housing projects (Attachment 1 #E2022/29946);		
2.	Notes the project rationale and the preliminary concept plan prepared for an affordable housing development on 57 Station Street, Mullumbimby (Attachment 2 #E2022/29947);		
3.	Notes that one of the key project objectives is 'to deliver the optimum amount of affordable housing which best meets the housing needs of the local community, while being financially feasible for all parties'.		
4.	Further to point 3, the Term Sheet objectives be amended to include consideration of: utilising the ground floor to include shopfronts along Station Street and additional dwellings rather than car parking. This to be explored via the co-design process workshopped with Councillors. The final design to be reported to Council.		
5.	Endorses the Mayor to sign a Project Agreement in the form of a Terms Sheet Agreement (Confidential Attachment 3 #E2022/29948) with Landcom to facilitate work with Council on an affordable housing project on 57 Station Street Mullumbimby as amended by point 4.		
6.	Requests Landcom to engage with adjoining landowners to explore opportunities for further development and design via collaboration to maximise the benefits of the project.		
7.	Notes that we are in a housing emergency and approaches this project as a potential template for other projects across the Shire.		
Mover: Asren Pugh		Secunder: Michael Lyon	
Comments: Completed by Burt, Shannon (action officer) on 29 September 2022 at 10:18:15 AM - Superseded by Resolution 22-413			

Res No	Report Title	Meeting Date	Completed Date
22-142	Dedicated parking for parcel pick-up Byron Farmers Market Report: I1011/111	28/04/2022	12/09/2022
Directorate: Infrastructure Services Officer: Bhagwat, Kaustubh			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.1 Dedicated parking for parcel pick-up Byron Farmers Market File No: I2022/111			
<u>Committee Recommendation 6.1.1</u>			
That Council support:			
1.	The use of 5 parking spaces located between the old and new disabled parking bays on Somerset Street, Byron Bay to the Byron Farmers Market Inc during the weekly farmers markets for the period of their lease.		
2.	The installation of "loading zone, Rear to Kerb, 15 minute, Thursday 7am-11am" signs on the existing sign posts between the old and new disabled parking bays on Somerset Street, Byron Bay.		
3.	Removal of the old disabled parking bays pavement markings to the left of the proposed loading zone to reduce confusion regarding parking restrictions.		
Mover: Michael Lyon		Secunder: Sarah Ndiaye	
Comments: Completed by Bhagwat, Kaustubh (action officer) on 12 September 2022 at 12:25:45 PM - Works now complete			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-183	Temporary accommodation leases between Council and Resilience NSW Report: I2022/449	12/05/2022	29/07/2022
	Directorate: General Manager Officer: James, Ralph		
	Resolved:		
1.	That Council provides its in principle support to the proposed leases over Lot 1 in Deposited Plan 560486 (125 Tweed Street Brunswick Heads) and Lots 51 and 69 in Deposited Plan 851902 (Excelsior Circuit and Torakina Road Brunswick Heads) to Resilience NSW.		
2.	That Council authorises the General Manager, under delegation, to negotiate the final form of a lease and enter into a lease with Resilience NSW (ABN 11 518 338 739) on the following terms: a) over Lot 1 in Deposited Plan 560486 (125 Tweed Street Brunswick Heads). b) for a term of 3 years, with 2 x 1 year options to renew, c) for rental of \$136,213 per year, d) for the purpose of construction, maintenance, and operation of temporary housing, and making good the site at the end of the lease but providing that base eligibility criteria for the pop-up village pod allocation is to be expanded to include additional criteria - primary place of residence inaccessible, unusable, or unliveable as a result of the February and March 2022 flood events e) Lessee must, at its cost, be responsible for the following: i) all outgoings payable in respect of the Land, ii) providing a minimum \$20 million public risk insurance cover noting Byron Shire Council as an interested party, and f) Lessee must, at its cost, remove all improvements from the Land and return the Land as vacant possession to the Lessor on the day the Lease.		
3.	That Council authorises the General Manager, under delegation, to negotiate the final form of a lease and to enter into a lease with Resilience NSW (ABN 11 518 338 739) on the following terms: a) over Lots 51 and 69 in Deposited Plan 851902 (Excelsior Circuit and Torakina Road Brunswick Heads). b) for a term of 3 years, with 2 x 1 year options to renew, c) for rental of \$19,459 per year, d) for the purpose of construction, maintenance, and operation of temporary housing, and making good the site at the end of the lease but providing that base eligibility criteria for the pop-up village pod allocation is to be expanded to include additional criteria - primary place of residence inaccessible, unusable, or unliveable as a result of the February and March 2022 flood events e) Lessee must, at its cost, be responsible for the following: i) all outgoings payable in respect of the Land, ii) providing a minimum \$20 million public risk insurance cover noting Byron Shire Council as an interested party, and f) Lessee must, at its cost, remove all improvements from the Land and return the Land as vacant possession to the Lessor on the day the Lease ends, unless a new lease is negotiated to commence on the day after the end of the Head Lease.		
4.	That as part of the negotiations in 2 and 3, staff continue to work with the Government Architect Office to optimise the temporary housing proposals to address best practice design in relation to the site and neighbouring properties.		
5.	That Council seeks the consent of Resilience NSW to draft and issue a joint media statement setting out the proposed use of the sites for temporary housing.		
6.	That Councillors be provided with weekly updates by Memorandum as to the progress toward negotiating the leases and as to the final form of the leases.		
7.	That Council requests Resilience NSW to undertake consultation with nearby properties, in such a way that doesn't delay the project.		
	Mover: Asren Pugh	Seconded: Peter Westheimer	
	Comments: Completed by Hardy, Jazz on behalf of James, Ralph (action officer) on 29 July 2022 at 10:10:56 AM - Completed		

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-208	Non-compliant companion animals Report: I2022/283	26/05/2022	31/08/2022
Directorate: Sustainable Environment and Economy Officer: Nagel, Sarah			
Resolved that Council:			
1. Notes the recent perceived increase in the number of dogs visible in the Shire;			
2. Acknowledges that a 'Dogs in Public Spaces' Strategy is being developed but the Community Engagement stage has been delayed by the recent floods ;			
3. Shares the concern of many residents and visitors at the numbers of dogs (i) in sensitive ecological areas, (ii) on public beaches, and (iii) roaming and/or barking in residential areas;			
4. Notes that there is substantial evidence demonstrating that the presence of dogs has a negative impact on biodiversity;			
5. Notes the priorities regarding dogs and cats in the adopted (Council Ordinary 24/3/22) Compliance Priorities Program Report 2021 and:			
a) promotes a minimal tolerance enforcement approach (Penalty Infringement Notices and formal warning) in lieu of the current informal warning approach;			
b) requests staff to put further priority and emphasis on nuisance, off-leash dogs and all dogs in environmentally sensitive areas such as Belongil and Tallows estuaries and adjacent beaches, (iii) and Broken Head beach adjacent to the Nature Reserve, so as to ensure the protection of our unique biodiversity;			
c) requests staff to enforce the no dogs policy in Wildlife Protection Zones -- Hardy Avenue in Ocean Shores and Lilli Pilli and that dogs in those areas must remain within their owners' boundaries;			
d) requests staff to put further enforcement priority and emphasis on off-leash dogs in towns and villages,			
e) enhances community messaging of 5a) and 5b) through local media – particularly The Echo and Bay FM and any other channels, including additional signage in key biodiversity areas,			
f) conveys the same to tourism and accommodation operators and reminds operators of the significant ecological values of the Shire, and			
g) adds a new category to Compliance Priorities: High Priority - Dogs in environmentally sensitive areas;			
6. Changes the heading on Council's website from ' <i>Byron is a Dog Friendly Shire</i> ' to ' <i>Byron is a Dog Responsible Shire</i> '; and			
7. Continues to work with NPWS to discourage the presence of dogs in National Parks and Reserves, and seeks their assistance in providing more targeted signage in areas they administer..			
Mover: Cate Coorey		Seconded: Michael Lyon	
Comments:			
Completed by Nagel, Sarah (action officer) on 31 August 2022 at 9:49:18 AM –			
1. Noted the recent perceived increase in the number of dogs visible in the Shire,;			
2. Acknowledges that a 'Dogs in Public Spaces' Strategy is being developed but the Community Engagement stage has been delayed by the recent floods ;,			
3. Shares the concern of many residents and visitors at the numbers of dogs (i) in sensitive ecological areas, (ii) on public beaches, and (iii) roaming and/or barking in residential areas,;			
4. Noted that there is substantial evidence demonstrating that the presence of dogs has a negative impact on biodiversity,;			
5. Noted the priorities regarding dogs and cats in the adopted (Council Ordinary 24/3/22) Compliance Priorities Program Report 2021 and,; a) is promoting a minimal tolerance enforcement approach (Penalty Infringement Notices and formal warning) in lieu of the current informal warning approach; , b) staff are putting further priority and emphasis on nuisance, off-leash dogs and all dogs in environmentally sensitive areas s...			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-210	Land and Funds for Emergency Accommodation Report: I2022/353	26/05/2022	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1. Continues to explore other funding opportunities including from philanthropic organisations and from Local, State, and Federal Governments to provide the community with Temporary Supported Emergency Accommodation.			
2. Continues to explore and investigate funding models to facilitate housing outcomes, including "rent to own" options for tenants, and other financial models, on Council and State-owned land.			
3. Identifies parcels of land administered by other agencies that could hold Temporary Supported Emergency Accommodation for residents affected by floods, fires, natural disaster or housing displacement and create pathways to get people temporary emergency accommodation on those sites.			
4. Continues to advocate for Temporary Supported Emergency Accommodation that includes pet friendly accommodation options.			
Mover: Sama Balson		Seconded: Mark Swivel	
Comments: Completed by Burt, Shannon (action officer) on 29 September 2022 at 11:10:45 AM - Work continues through Flood Recovery and Response work as well as Settlement Strategy work.			

Res No	Report Title	Meeting Date	Completed Date
22-216	North Byron Shire Masterplan Report: I2022/504	26/05/2022	28/09/2022
Directorate: Sustainable Environment and Economy Officer: FitzGibbon, Andrew			
Resolved:			
1. That Expressions of Interest are opened for the next Masterplan of a town or village in early August 2022.			
2. That the community groups in the north Byron Shire area be informed of the EOI process and invited to put in an EOI.			
Mover: Asren Pugh		Seconded: Mark Swivel	
Comments: Completed by FitzGibbon, Andrew (action officer) on 28 September 2022 at 2:38:22 PM - 1 - EOI process opened on 12 August 2022, 2 - Community groups informed			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-218	Byron Bay Community Association support Report: I2022/502	26/05/2022	1/09/2022
Directorate: General Manager Officer: Meir, Matt			
Resolved that Council:			
1. Acknowledges the request from the Byron Bay Community Association for financial assistance in relation to Byron Bay markets and the extenuating circumstances that have resulted in financial losses			
2. Offers a line of credit of up to \$100,000 to the Byron Bay Community Association from the Property Development Reserve to assist them with: i) current shortfalls in markets revenue and ii) cost of market relocation if development consent is given for the town centre site			
3. Offers the line of credit to be available in five advances of \$20,000 each with an interest rate set at 3.5% per annum			
4. Connects the term of any amounts borrowed to the markets licence, which is valid until 31 October 2026			
5. Delegates to the Mayor, Deputy Mayor, and General Manager oversight of the agreement to ensure the risk to Council is minimised			
6. Encourages the Byron Bay Community Association to investigate other funding options			
Mover: Michael Lyon		Seconder: Asren Pugh	
Comments: Completed by Meir, Matt (action officer) on 01 September 2022 at 5:30:59 PM - Letter and draft agreement sent to BCA.			

Res No	Report Title	Meeting Date	Completed Date
22-253	Review of Council Policies 2021-2022 Report: I2021/1691	23/06/2022	23/08/2022
Directorate: Corporate and Community Services Officer: Jones, Mila			
Resolved:			
1. That Council adopts the unamended Local Orders for the Keeping of Animals Policy 2021, per s161(2) of the Local Government Act 1993.			
2. That the Events on Public and Private Land Policy 2010 be placed on public exhibition, for repeal, for 28 days, and a) should there be no submissions received the repeal be endorsed; or b) should submissions be received the policy be reported back to Council noting the submissions and any amendments made as a result of the feedback received.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Jones, Mila (action officer) on 23 August 2022 at 3:50:32 PM - No amendments required per resolution. Current version of policy is published on Council's website.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-255	PLANNING - Report of the Planning Review Committee held 2 June 2022 Report: I2022/672	23/06/2022	2/08/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Council endorses the outcomes of the Planning Review Committee meeting held on 2 June 2022. <i>The motion was put to the vote and declared carried.</i>			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Scott, Noreen on behalf of Larkin, Chris (action officer) on 02 August 2022 at 10:22:38 AM - noted endorsed outcome from PRC			

Res No	Report Title	Meeting Date	Completed Date
22-257	Tender 2021-1247 - Panel of Providers - Provision of Plumbing, Electrical, General Building & Maintenance Services Report: I2022/592	23/06/2022	28/07/2022
Directorate: Infrastructure Services Officer: Winter, Joshua			
Resolved:			
1. That Council establishes a panel of providers inclusive of each of the organisations recommended in the Tender Evaluation Report (Confidential Attachment 1 - E2022/29277).			
2. That Council makes public its decision, including the names of the successful tenderers, in accordance with Clause 169(4) and Clause 178 of the Local Government (General) Regulation 2021.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Winter, Joshua (action officer) on 28 July 2022 at 4:44:50 PM - Panel of Providers has been established.			

Res No	Report Title	Meeting Date	Completed Date
22-275	Report of the Heritage Advisory Committee Meeting held on 21 April 2022 Report: I2022/542	23/06/2022	5/08/2022
Directorate: Sustainable Environment and Economy Officer: Scott, Noreen			
Resolved that Council notes the minutes of the Heritage Advisory Committee Meeting held on 21 April 2022.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Burt, Shannon on behalf of Scott, Noreen (action officer) on 05 August 2022 at 9:46:47 AM - NFA required.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-277	3.2 Review Constitution of Heritage Advisory Committee Report: I2022/359	23/06/2022	6/07/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Council adopts the following Committee Recommendation(s):			
Report No. 3.2 Review Constitution of Heritage Advisory Committee File No: I2022/359			
<u>Committee Recommendation 3.2.1</u>			
That the Heritage Advisory Committee recommend to Council to amend the constitution at Attachment 1 E2021/148702.			
1. Under heading No 7 Quorum, amend to read as follows: "A quorum is to constitute at least half the number of voting members, one of which is to be a Councillor". and delete the rest of the sentence.			
2. Under heading No 5 – Membership: Change from "Membership is to:", "Membership may include:".			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Evans Crane, Amber on behalf of Larkin, Chris (action officer) on 06 July 2022 at 3:07:09 PM - The Heritage Advisory Committee constitution has been uploaded to the BSC website and the Hub.			

Res No	Report Title	Meeting Date	Completed Date
22-278	3.3 Heritage Advisor Annual Report 2021-2022 Report: I2022/360	23/06/2022	5/08/2022
Directorate: Sustainable Environment and Economy Officer: Scott, Noreen			
Resolved that Council adopts the following Committee Recommendation(s):			
Report No. 3.3 Heritage Advisor Annual Report 2021-2022 File No: I2022/360			
<u>Committee Recommendation 3.3.1</u>			
That the Heritage Advisory Panel endorse the presentation from Council's Heritage Advisor regarding the FY21/22 Heritage Advisor Annual Report with a Final draft to follow by mid May 2022. (# E2022/36033).			
That Council staff to consider moving the next Heritage Advisory Committee meeting to the 30 June 2022.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Burt, Shannon on behalf of Scott, Noreen (action officer) on 05 August 2022 at 9:52:13 AM - NFA.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-280	4.2 Review Constitution of Biodiversity Advisory Committee Report: I2022/471	23/06/2022	4/07/2022
Directorate: Sustainable Environment and Economy Officer: McElroy, Arika			
Resolved that Council adopts the following Committee Recommendation(s):			
Report No. 4.2 Review Constitution of Biodiversity Advisory Committee File No: I2022/471			
<u>Committee Recommendation 4.2.1</u>			
1. That the Biodiversity Advisory Committee recommends to Council to adopt the constitution at Attachment 1 (E2021/147945) with an amendment to the number of community members of up to 5.			
2. That the Biodiversity Advisory Committee elects Cr Sarah Ndiaye as Chair.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by McElroy, Arika (action officer) on 04 July 2022 at 4:04:28 PM - Resolution will be superseded at 25 August Council meeting.			

Res No	Report Title	Meeting Date	Completed Date
22-281	4.7 Renewal of MOU with Brunswick Valley Landcare Report: I2022/485	23/06/2022	29/09/2022
Directorate: Sustainable Environment and Economy Officer: French, Sharyn			
Resolved that Council adopts the following Committee Recommendation(s):			
Report No. 4.7 Renewal of MOU with Brunswick Valley Landcare File No: I2022/485			
<u>Committee Recommendation 4.7.1</u>			
That the Biodiversity Advisory Committee recommends to Council that the Memorandum of Understanding between Brunswick Valley Landcare and Byron Shire Council (Attachment – E2021/121393) be endorsed.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by French, Sharyn (action officer) on 29 September 2022 at 2:27:51 PM - MOU Signed 5 September 2022			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-299	Draft Councillor and Staff Interaction Policy for Public Exhibition Report: I2022/389	23/06/2022	29/07/2022
Directorate: General Manager Officer: James, Ralph			
Resolved:			
1. That Council endorses the Draft Councillor and Staff Interaction Policy being placed on public exhibition for a minimum period of 28 days.			
2. That in the event:			
a) that any submissions are received on the draft Policy, those submissions be reported back to Council, prior to the adoption of the Policy			
b) that no submissions are received on the draft Policy, the Policy be adopted.			
Mover: Alan Hunter		Seconder: Sarah Ndiaye	
Comments: Completed by Hardy, Jazz on behalf of James, Ralph (action officer) on 29 July 2022 at 10:11:34 AM - Completed			

Res No	Report Title	Meeting Date	Completed Date
22-314	PLANNING - Development Application 10.2020.458.1 Demolition of existing structures and construction of a mixed use development comprising of a specialised retail premises, business	23/06/2022	7/09/2022
Report: I2022/519		Directorate: Sustainable Environment and Economy Officer: Holland, Ivan	
Resolved that, pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2020.458.1 for demolition of existing structures and construction of a mixed-use development comprising of a specialised retail premises, business premises and two (2) shop top housing dwellings, be granted consent subject to the recommended conditions of approval in Attachment 6 (#E2022/45336).			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Holland, Ivan (action officer) on 07 September 2022 at 1:30:43 PM - Recission motion lodged against decision to approved development application. Recission motion subsequently defeated. Notice of determination was issued on 19/8/2022			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-316	Councillor Expenses and Facilities Policy Report: I2022/226	23/06/2022	23/08/2022
Directorate: Corporate and Community Services Officer: Jones, Mila			
Resolved:			
1. That in accordance with section 253 of the <i>local government act 1993</i> , council endorses the councillor expenses and facilities policy (#e2021/147065) to be placed on public exhibition for a minimum period of 28 days with the following change:			
2. That in the event:			
a) any submissions are received on the draft policy, those submissions be reported back to council, prior to the adoption of the policy.			
b) no submissions are received on the draft policy, the policy be adopted.			
<i>Crs Westheimer, Ndiaye, Balson and Dey voted against the motion.</i>			
<i>The mayor used his casting vote and declared the motion carried.</i>			
<i>The amendment upon becoming the substantive motion was put to the vote and declared carried.</i>			
Mover: Michael Lyon		Second: Alan Hunter	
Comments:			
Completed by Jones, Mila (action officer) on 23 August 2022 at 3:48:27 PM - Policy adopted following public exhibition. No submissions were received. Policy register updated and adopted version published to council's website.			

Res No	Report Title	Meeting Date	Completed Date
22-319	PLANNING - 10.2021.750.1 Boundary adjustment of disused rail land with adjoining land Report: I2022/564	23/06/2022	2/08/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2021.750.1 for boundary adjustment of disused rail land with adjoining land at 156 Jonson Street Byron Bay, be approved subject to Conditions of Consent in Attachment 2 (#E2022/47151).			
Mover: Michael Lyon		Second: Sarah Ndiaye	
Comments:			
Completed by Scott, Noreen on behalf of Larkin, Chris (action officer) on 02 August 2022 at 10:29:29 AM - notice of determined issued 296/6/22 #E2022/60868			

Res No	Report Title	Meeting Date	Completed Date
22-320	PLANNING - 10.2021.411.1 Community Title Subdivision consisting of Three (3) Community Title Lots and One (1) Neighbourhood Property 139 Broken Head Reserve Road BROKEN HEAD Report: I2022/589	23/06/2022	5/08/2022
Directorate: Sustainable Environment and Economy Officer: Holland, Ivan			
Resolved that pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2021.411.1 for Community Title Subdivision consisting of Three (3) Community Title Lots and One (1) Neighbourhood Property, be granted consent subject to the recommended conditions in Attachment 7 (#E2022/50270).			
Mover: Michael Lyon		Second: Alan Hunter	
Comments:			
Completed by Scott, Noreen on behalf of Holland, Ivan (action officer) on 05 August 2022 at 11:27:04 AM - notice of determination issued E2022/61447 30/6/22			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-325	DA10.2014.753.7 - 2 Tanner Lane Tyagarah 2481 - S4.55 to Modify Condition Report:	23/06/2022	5/08/2022
	Directorate: Sustainable Environment and Economy Officer: Larkin, Chris		
Resolved: That Council:			
1. Upon receipt of a Traffic Control Plan/Traffic Management Plan from the applicant convenes an extraordinary Local Traffic Committee meeting to consider it as part of the supporting documents for DA10.2014.753.7 - 2 Tanner Lane Tyagarah 2481 - S4.55 to Modify Condition 13 to allow the Camping ground to be operated in support of the Splendour in the Grass 2022 event and operate two days either side.			
2. Delegates to the General Manager pursuant to the Local Government Act 1993, the authority: a) to approve any Minutes issued following the extraordinary Local Traffic Committee referred to in 1. b) to determine DA10.2014.753.7 - 2 Tanner Lane Tyagarah 2481 - S4.55 to Modify Condition 13 to allow the Camping ground to be operated in support of the Splendour in the Grass 2022 event and operate two days either side.			
3. Communicates its desire for the most environmentally sensitive areas of the bluesfest campgrounds not be used as part of this approval and that buses be used as part of the traffic management plan for the transport of patrons between the two sites.			
Mover: Michael Lyon		Seconder:	
Comments: Completed by Burt, Shannon on behalf of Larkin, Chris (action officer) on 05 August 2022 at 10:09:07 AM - Complete			

Res No	Report Title	Meeting Date	Completed Date
22-329	Endorsement of Resourcing Strategy Report: I2022/648	30/06/2022	7/07/2022
	Directorate: Corporate and Community Services Officer: Sills, Heather		
Resolved that Council endorses the Resourcing Strategy 2032; namely:			
1. The Long-Term Financial Plan 2022-2032 (Attachment 1 #E2022/57444)			
2. The Workforce Management Strategy 2022-2026 (Attachment 2 #E2022/34263)			
3. The Asset Management Policy (Attachment 3 #E2021/121105), Asset Management Strategy 2022-2032 (Attachment 4 #E2016/100839), State of the Assets Report (Attachment 5 #E2022/49852) and Asset Management Plans: a) Transport b) Buildings c) Open Space			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Sills, Heather (action officer) on 07 July 2022 at 8:28:12 AM - The endorsed Resourcing Strategy documents have been updated and are provided on Council's website.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-335	Byron Shire Community Strategic Plan 2032 Report: I2022/493	30/06/2022	7/07/2022
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved:			
1. That Council notes the submissions and responses outlined in the report.			
2. That Council adopts the amended <i>Byron Shire Community Strategic Plan 2032</i> (#E2022/54404). <i>carried</i> .			
Mover: Duncan Dey		Seconder: Peter Westheimer	
Comments: Completed by Sills, Heather (action officer) on 07 July 2022 at 8:28:47 AM - The adopted Community Strategic Plan has been updated and is provided on Council's website.			

Res No	Report Title	Meeting Date	Completed Date
22-336	Making of the 2022/23 Ordinary Rates, Charges, Fees and Interest Rate Report: I2022/687	30/06/2022	5/07/2022
Directorate: Corporate and Community Services Officer: Ansoul, Stephen			
Resolved that Council makes the ordinary rates, makes the charges, makes the fees and, sets the interest rate to be charged on overdue rates and charges for 2022/23 as listed in the tables within this report, in accordance with Sections 533, 534, 535, 543 and 566 of the Local Government Act 1993 (LGA). <i>carried</i> .			
Mover: Asren Pugh		Seconder: Sarah Ndiaye	
Comments: Completed by Ansoul, Stephen (action officer) on 05 July 2022 at 11:55:12 AM - Adopted rates and charges to be used for 2022/23 levy.			

Res No	Report Title	Meeting Date	Completed Date
22-341	Report of the Local Traffic Committee Meeting held on 14 June 2022 Report: I2022/723	11/08/2022	24/08/2022
Directorate: Infrastructure Services Officer: Flower, Shelley			
Resolved that Council notes the minutes of the Local Traffic Committee Meeting held on 14 June 2022.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Flower, Shelley (action officer) on 24 August 2022 at 3:45:43 PM - Noted. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-344	Report No. 6.3 Writers Festival 2022 Report: I2022/587	11/08/2022	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Blunden, Gray			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.3 Writers Festival 2022 File No: I2022/587			
<u>Committee Recommendation 6.3.1</u>			
That Council endorses the Traffic Guidance Scheme Plans for Writers Festival to be held 26 to 28 August 2022, in accordance with the following Local Traffic Committee recommendations:-			
1. That the endorsement provided is subject to:			
a) The installation and enforcement of signage on:-			
i) Tweed Valley Way reduced speed limits around Gate C;			
ii) Tweed Valley Way, Brunswick Valley Way and Pacific Motorway VMS directional signage be installed			
2. That the event organisers are to undertake the following:			
a) Separate approvals from NSW Police and TfNSW being obtained, noting that the event is on a state road or may impact the state road network;			
b) The Traffic Management Plan and Traffic Guidance Schemes be implemented by those with appropriate accreditation;			
c) That the impact of the event be advertised via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect, noting it must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints.			
d) The event be notified on Council's webpage with event details supplied to Council by the event organiser.			
3. That the event organisers:			
a) undertake consultation with community and affected businesses including adequate response/action to any raised concerns.			
b) undertake consultation with emergency services and address any identified issues/concerns.			
c) holds \$20m public liability insurance cover which is valid for the event.			
d) pay Council's Road Event Application Fee prior to the event.			
4. Within 3 months after the 2022 Byron Writers Festival a report must be submitted to Council from the original TGS designer with comments of the effectiveness of the traffic control arrangements during the event and list recommendations if required for consideration by Council and other authorities for future events.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Burt, Shannon on behalf of Blunden, Gray (action officer) on 29 September 2022 at 9:38:19 AM - recommendation implemented as part of the relevant development consent			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-345	Report No. 6.4 New intersection on Bangalow Road Report: I2022/593	11/08/2022	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Blunden, Gray			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 6.4 New intersection on Bangalow Road File No: I2022/593			
<u>Committee Recommendation 6.4.1</u>			
That Council notes that LTC are deferring a decision until further reporting has been submitted to a future LTC meeting.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Burt, Shannon on behalf of Blunden, Gray (action officer) on 29 September 2022 at 9:39:34 AM - Item subject to further report to LTC. Time to be determined.			

Res No	Report Title	Meeting Date	Completed Date
22-347	Report of the Floodplain Management Advisory Committee Meeting held on 16 June 2022 Report: I2022/745	11/08/2022	6/09/2022
Directorate: Infrastructure Services Officer: Moffett, Scott			
Resolved that Council adopts the following Committee Recommendation:			
1. That Council notes the minutes of the Floodplain Management Advisory Committee Meeting held on 16 June 2022.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Flockton, James on behalf of Moffett, Scott (action officer) on 06 September 2022 at 3:54:22 PM - Noted. No further actions in resolution.			

Res No	Report Title	Meeting Date	Completed Date
22-348	Report No. 3.1 Adoption of Minutes from Previous Meeting Report: I2022/586	11/08/2022	15/08/2022
Directorate: Infrastructure Services Officer: Flower, Shelley			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 3.1 Adoption of Minutes from Previous Meeting File No: I2022/586			
<u>Committee Recommendation 3.1.1</u>			
That the minutes of the Floodplain Management Advisory Committee Meeting held on 21 April 2022 be confirmed.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Flower, Shelley (action officer) on 15 August 2022 at 1:51:14 PM - Item noted. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-349	Report No. 4.1 Byron Shire Council Flood Risk Management Plan-Actions and Accomplishments Report: I2022/632	11/08/2022	6/09/2022
Directorate: Infrastructure Services Officer: Moffett, Scott			
Resolved that Council adopts the following Committee Recommendations:			
 Report No. 4.1 Byron Shire Council Flood Risk Management Plan-Actions and Accomplishments File No: I2022/632			
<u>Committee Recommendation 4.1.1</u>			
That Council notes:			
1. The current Byron Shire Council Flood Mitigation Program, Attachment 1 (E2022/52007).			
2. The Floodplain Management Advisory Committee will hold a workshop in July to re-prioritise the items in Attachment 1.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Flockton, James on behalf of Moffett, Scott (action officer) on 06 September 2022 at 3:55:20 PM - Item 1 noted.			

Res No	Report Title	Meeting Date	Completed Date
22-352	Report No. 4.4 Byron Shire Post 2022 Flood Analysis Update Report: I2022/651	11/08/2022	6/09/2022
Directorate: Infrastructure Services Officer: Moffett, Scott			
Resolved That Council adopts the following Committee Recommendation:			
 Report No. 4.4 Byron Shire Post 2022 Flood Analysis Update File No: I2022/651			
<u>Committee Recommendation 4.4.1</u>			
That Council notes the report and the Floodplain Management Advisory Committee continue to receive progress reports on the Post 2022 Flood Analysis.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Flockton, James on behalf of Moffett, Scott (action officer) on 06 September 2022 at 3:59:14 PM - Noted. Next report will be due when the Post Event report is received.			

Res No	Report Title	Meeting Date	Completed Date
22-354	Report of the Infrastructure Advisory Committee Meeting held on 16 June 2022 Report: I2022/748	11/08/2022	15/08/2022
Directorate: Infrastructure Services Officer: Flower, Shelley			
Resolved that Council notes the minutes of the Infrastructure Advisory Committee Meeting held on 16 June 2022.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Flower, Shelley (action officer) on 15 August 2022 at 1:40:19 PM - Action noted. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-355	Report No. 3.1 Election of Chair and Committee Constitution Report: I2022/565	11/08/2022	15/08/2022
Directorate: Infrastructure Services Officer: Flower, Shelley			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 3.1 Election of Chair and Committee Constitution File No: I2022/565			
<u>Committee Recommendation 3.1.1</u>			
That Council supports the following:			
1. Appointment of Cr Lyon as the Chairperson of the Infrastructure Advisory Committee.			
2. The Infrastructure Advisory Committee adopting the draft Committee Constitution as amended.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Flower, Shelley (action officer) on 15 August 2022 at 1:28:59 PM - Items noted. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-356	Report No. 3.2 Mullum to Bruns/Ocean Shores Cycleway - Route Options Report: I2022/631	11/08/2022	6/09/2022
Directorate: Infrastructure Services Officer: Weallans, Kirk			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 3.2 Mullum to Bruns/Ocean Shores Cycleway - Route Options File No: I2022/631			
<u>Committee Recommendation 3.2.1</u>			
That Council notes that the Infrastructure Advisory Committee noted the Mullum to Bruns Cycleway – Route Options Report.			
Mover: Michael Lyon		Seconder: Sarah Ndiaye	
Comments: Completed by Flockton, James on behalf of Weallans, Kirk (action officer) on 06 September 2022 at 3:47:49 PM - Noted. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-363	PLANNING - 10.2018.384.3 - S4.55 to delay provision of suitable vehicular access for Dual Occupancy (Detached) - 183 Coopers Lane West, Main Arm Report: I2022/584	11/08/2022	18/08/2022
Directorate: Sustainable Environment and Economy Officer: Holland, Ivan			
Resolved that pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979, application no. 10.2018.384 to modify development consent 10.2018.384.1 to delay requirement to the access road easement to be corrected to accurately overlay the physical access road prior to the issue of a construction certificate for alterations and additions to the dual occupancy (detached), be approved as follows:			
Delete Condition 14 and insert new 5A in stage 2 of consent.			
5A. Legal Access to Property			
Sufficient evidence to demonstrate that the property access road through Lot 3 DP 558858, Lot 1 DP 445771 and Lot 7 DP 591828, is wholly contained within a legal right of carriageway. Any redundant rights of carriageway/easements to be extinguished.			
Such evidence must include:			
a) an updated survey of the access road that shows the access road and any further widening wholly within suitable rights of carriageway under the Conveyancing Act 1919.			
b) A copy of the registered rights of carriageway and a title search for all affected lots.			
The evidence to be provided to Council within 5 years of this date.			
Mover: Alan Hunter		Seconded: Michael Lyon	
Comments: Completed by Holland, Ivan (action officer) on 18 August 2022 at 9:30:59 AM - Determination prepared for issue (E2022/79054)			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-365	PLANNING - DA 10.2021.348.1 Alterations to Existing Building and Change of Use to Mixed Use Development including Shop, Office Premises and Construction of a Two-Storey Carpark Report: I2022/646	11/08/2022	16/08/2022
Resolved:			
1.	<p>That pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2021.348.1 for Alterations to Existing Building and Change of Use to Mixed Use Development including Shop, Office Premises and Construction of a Two-Storey Carpark, be granted consent subject to the conditions recommended attached to this report and the following additional conditions:</p> <p>16A. Amended Plans for gate on Western Boundary</p> <p>Prior to issue of a Construction Certificate the plans are to be amended to provide a locked gate to be installed on the western boundary of the development between the Harris Farm Building and the Car Park where it joins the Railway Corridor at the ground level, and to provide a lockable gate at the entrance to the upper level car park.</p> <p>16B. Amended Plans Solar Panels on Carpark Roof</p> <p>Plans to be submitted for Construction Certificate are to provide for roof top solar on the roof of the car park with a minimum of 80KW and not exceeding 100Kw.</p> <p>32A. Street Plantings in Jonson Street</p> <p>A landscape plan to be submitted to Council for approval under Section 138 of the Roads Act 1993 for a minimum of thirty (30) street trees to be planted either side of the Jonson Street Road Reserve. Plants species are to be natives endemic to the North Coast of NSW and have a minimum maturity height of 10 metres to screen the car park from surrounding development.</p> <p>89A. Green Wall</p> <p>The Green Wall is to be planted in accordance with the approved Landscaping Plan to the satisfaction of Byron Shire Council infrastructure Services and Sustainable Environment and Economy.</p> <p>89B. Solar Panels on Carpark Roof to be Installed and Operational</p> <p>The Solar panels are to be installed on the roof of the car park prior to the issue of the Occupation Certificate.</p> <p>89C. Gates to be installed</p> <p>The locked gate must be installed on the western boundary to Railway Corridor between the Harris Farm Building and the Car Park and the lockable gate to be installed on the ramp to the upper level car park to be installed prior to the issue of the Occupation Certificate and in accordance with the approved plans.</p> <p>121. Green Wall Maintained</p> <p>The approved Green Wall must be maintained and watered sufficiently using harvested or recycled water and any vegetation that doesn't become established or dies back is to be replanted to ensure the car park is fully screened along the eastern elevation.</p> <p>122. Solar Panels Maintained</p> <p>Solar Panels are to be maintained and upgraded as required over the life of the development.</p> <p>123. Locked Gate to upper level car park</p> <p>The gate to the upper level to be locked when the upper level car park is not open as per Condition 115.</p>		
2.	<p>That staff engage with TfNSW and bus service providers to establish a location for bus stops and associated shelters to service this development and the immediate locality. Upon completion of the development the construction of the bus shelters be incorporated into Council's capital works plan for delivery.</p>		
Mover: Asren Pugh		Seconded: Sarah Ndiaye	
Comments:			
Completed by Docherty, Patricia (action officer) on 16 August 2022 at 10:42:48 AM - sent to DSO for Notice of determination to be prepared 15/08/22 Recommendation 2: referred to Judd Cornwall Infrastructure Services Directorate for Action.(on 19 August 2022)			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-367	DA 10.2021.511.1 Dual occupancy (detached) and swimming pool Report: I2022/822	11/08/2022	16/08/2022
<p>Directorate: Sustainable Environment and Economy Officer: Docherty, Patricia</p> <p>Resolved that Pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2021.511.1 for Dual occupancy (detached) and Swimming Pool, be granted consent subject to the conditions of approval attached to this report with the following additional condition added to the consent accordingly:</p> <p><u>Landscaping plan required</u></p> <p>The application for a Construction Certificate is to include updated plans and specifications that indicate the landscaping of the site generally in accordance with landscaping plan. Such landscaping plan must incorporate adequate detail to demonstrate compliance with the provisions of Chapter B9 of Development Control Plan 2014. Species identified in Chapter B9 of Development Control Plan 2014 are to be planted wherever possible. The landscaping plan must indicate:</p> <ul style="list-style-type: none"> a) proposed location for planted shrubs and trees b) botanical name of shrubs and trees to be planted – must not contain environmental weed species c) mature height of trees to be planted d) location of grassed and paved areas, and e) location of trees identified for retention in the development application plans. f) Removal of Bamboo and other exotic invasive species along the northern boundary. g) The plan is to be prepared by a suitably qualified landscape architect / architect / ecologist who has appropriate experience and competence in landscaping. <p>Such plans and specifications must be approved as part of the Construction Certificate.</p> <p>Mover: Asren Pugh Seconder: Michael Lyon</p> <p>Comments: Completed by Docherty, Patricia (action officer) on 16 August 2022 at 10:43:47 AM - sent to DSO 15/08/22 for Notice of determination to be prepared</p>			

Res No	Report Title	Meeting Date	Completed Date
22-374	PLANNING - 10.2021.114.1 - 'Fed Sheds' Light Industry Excluding Artisan Food & Drink Premises at 467 Federal Drive, Federal Report: I2022/877	11/08/2022	30/09/2022
<p>Directorate: Sustainable Environment and Economy Officer: Docherty, Patricia</p> <p>Resolved:</p> <ol style="list-style-type: none"> 1. That a decision on the DA be deferred in the public interest, given the extent of community opposition, the need to consider social impact and specific queries raised with the proposal (consistent with section 4.15 of the EPAA 1979 - old section 79C), and that the developer be requested to conduct a workshop with invited representatives from the Federal community and the Federal Village Masterplan Committee. 2. That a report come back to Council within 28 days to consider the Development Application including any modifications. 3. That Infrastructure Services staff assess the drainage system in Coachwood Court in the next 4 weeks. <p>Mover: Asren Pugh Seconder: Mark Swivel</p> <p>Comments: Completed by Burt, Shannon on behalf of Docherty, Patricia (action officer) on 30 September 2022 at 5:20:04 PM - Superseded by Resolution 22-447</p>			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-376	Byron Writers Festival 2022 relocation to Elements of Byron Report: I2022/1002	11/08/2022	19/08/2022
		Directorate: Sustainable Environment and Economy Officer: Burt, Shannon	
Resolved that Council:			
1.	Notes that Organisers of the Byron Writers Festival as a result of recent weather events at the North Byron Parklands, have sought to relocate this year's festival back to Elements of Byron on 26-28 August 2022. The timeframe to do this is extremely short.		
2.	Notes that, to do this, DA 10.2016.251.4 - S4.55 to Extend Event to 2022 and Modify Site Layout has been lodged for assessment.		
3.	Notes that under A14.3 Public Exhibition and Notification of Applications to Modify Development Consents and Review Determinations, DA10.2016.251.4 - S4.55 to Extend Event to 2022 and Modify Site Layout is not required to be placed on public exhibition or notified.		
4.	Notes also that a Traffic Control Plan/Traffic Management Plan has also been submitted as part of the supporting documents by the applicant which is to be considered by an extraordinary Local Traffic Committee meeting.		
5.	Delegates to the General Manager pursuant to the Local Government Act 1993, the authority to approve any Minutes issued following the extraordinary Local Traffic Committee referred to in 4.		
6.	Notes that staff have delegation to determine DA10.2016.251.4 - S4.55 to Extend Event to 2022 and Modify Site Layout once the Minutes from the extraordinary Local Traffic Committee referred to in 4 have been issued and all other assessment requirements completed.		
Mover: Michael Lyon		Seconder:	
Comments: Completed by Burt, Shannon (action officer) on 19 August 2022 at 4:40:30 PM - resolution completed			

Res No	Report Title	Meeting Date	Completed Date
22-377	DA 10.2021.582.1 in Kumbellin Glen, Ocean Shores Report: I2022/873	11/08/2022	29/09/2022
		Directorate: Sustainable Environment and Economy Officer: Larkin, Chris	
Resolved that Council reverse its decision within Resolution 22-116 of 14 April 2022 in relation to DA 10.2021.582.1 and bring that DA to a Council Meeting for Determination.			
Mover: Duncan Dey		Seconder: Mark Swivel	
Comments: Completed by Burt, Shannon on behalf of Larkin, Chris (action officer) on 29 September 2022 at 9:35:23 AM - DA to be reported to available council meeting			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-378	AGRN1012 - Natural Disaster \$2.375 million - Program of Works Report: I2022/900	11/08/2022	24/08/2022
	Directorate: Corporate and Community Services Officer: Johnston, Donna		
Resolved:			
1.	That Council endorses the following Program of Works under the \$2 million Local Council Support Package:		
	a)	Natural Disaster Planner (\$220,000)	
	b)	Natural Disaster Policy Planner (\$220,000)	
	c)	Discussion Paper: 'After the floods: Working out possibilities together' (\$60,000)	
	d)	Business and Visitor Economy Strategy (\$70,000)	
	e)	South Golden Beach Resilience Betterment Program (\$500,000)	
	f)	Byron Shire Council Flooding and Drainage Easement Community Education Program (\$15,000)	
	g)	Community Education Strategy and Review of Flood Options (\$40,000)	
	h)	Byron Shire Event Strategy (\$50,000)	
	i)	Review and Update of Byron DCP 2014 Chp 'C2' - Areas Affected by Flood and DCP 2010 Part 'K' – Flood Liable Land (\$25,000)	
	j)	Byron Shire Council Drainage Enhancement Program (\$390,000)	
	k)	Supporting Community Resilience and Recovery: Emergency Communications (\$90,000)	
	l)	Supporting Community Resilience and Recovery: Spontaneous Volunteering (\$90,000)	
	m)	Northern Rivers Together – Regional marketing and promotion campaign (\$50,000)	
	n)	Project Managing Community Building Restoration (\$180,000)	
2.	That Council endorses the following Program of Works under the \$375,000 Local Council Support Package Companion Animals:		
	a)	Animal Education and Enforcement Officer (\$190,000)	
	b)	Companion Animals Education Program (\$60,000)	
	c)	Educational signage (\$95,000)	
	d)	Microgrants for Byron Dog Rescue, Animal Welfare League Mullumbimby and Pets For Life Billinudgel (\$30,000)	
Mover: Asren Pugh		Seconded: Sarah Ndiaye	
Comments: Completed by Johnston, Donna (action officer) on 24 August 2022 at 10:40:54 AM - Endorsed Program of Works submitted to Office of Local Government.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-381	DRAFT North Coast Regional Plan 2041 Report: I2022/941	11/08/2022	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1.	Notes the short period of time and inadequate engagement that Council has been given to review and comment on the Draft North Coast Regional Plan 2041.		
2.	Notes the current North Coast Regional Plan 2036 did not deliver on many key actions and identified outcomes like – preparation of a Housing and Land Monitor, to facilitate the supply of more affordable housing, to update to the Regional and State significant farmland maps for the North Coast, to work with councils to develop strategic plans, risk management plans and emergency management actions;		
3.	Supports a staff submission being made to the Draft North Coast Regional Plan 2041 that includes, but not limited to commentary as detailed in points 1-12 in the report - particularly the concerns around the lack of integration of key data that should help shape this strategy, (and any other issues identified by councillors): and in response to objective 3: the importance of and need for regional and sub regional biodiversity corridors to be identified and mapped across local government areas, and in response to objective 16 the need to augment public transport, active transport (cycling, walking) opportunities in the region thereby reducing commutes for workers between Shires;		
4.	Strongly supports a request by staff to the Department of Planning that it undertakes further engagement with Council on our submission prior to the final North Coast Regional Plan 2041 being released.		
5.	Advise the Northern Rivers Reconstruction Corporation of this resolution and ask them to advocate for the delivery of the region's needs.		
Mover: Sarah Ndiaye		Seconder: Michael Lyon	
Comments: Completed by Burt, Shannon (action officer) on 29 September 2022 at 10:12:56 AM - actions complete			

Res No	Report Title	Meeting Date	Completed Date
22-386	Grants June/July 2022 Report: I2022/988	25/08/2022	28/09/2022
Directorate: Corporate and Community Services Officer: Johnston, Donna			
Resolved that Council notes the report and Attachment 1 (#E2022/75968) for Byron Shire Council's grant submissions as at 31 July 2022.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Johnston, Donna (action officer) on 28 September 2022 at 10:29:59 AM - Noted endorsement			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-387	Lease to Byron Visitors Centre Incorporated Report: I2022/717	25/08/2022	1/09/2022
Directorate: General Manager Officer: Telford, Paula			
Resolved:			
1.	That Council notes that no submissions were received from public notice of a proposed five-year lease over part Folio 1/827049, 80 Jonson Street Byron Bay advertised between 22 June and 19 July 2022.		
2.	That Council grants a five-year premise lease over part Folio 1/827049, 80 Jonson Street Byron Bay to the Byron Visitors Centre Incorporated on the following terms and conditions:		
a)	term of two-years with an option of three-years with no holding over,		
b)	annual rent to be fully subsidised via a section 356 donation of Council to the value of \$69,600 being calculated at 6% of the unimproved land value,		
c)	fixed rates and charges to be fully subsidised in accordance with Councils Section 356 Donations Rates and Charges Policy 2021,		
d)	Lessee to pay all other outgoings for occupation of the premises including but not limited to public liability insurance and contents insurance for full replacement value,		
e)	Lessor to be responsible for annual fire safety inspections, annual pest inspections and controls and all structural repairs, renewals, and replacements,		
f)	closed circuit television equipment installed in the Premises is owned and managed by the Byron Shire Council.		
g)	Council to waive document preparation fees as set by Councils 2022-2023 Fees and Charges.		
Mover: Michael Lyon		Second: Alan Hunter	
Comments: Completed by Telford, Paula (action officer) on 01 September 2022 at 10:00:44 AM - Lease (E2022/84521) sent to Byron Visitors Centre Inc for signing under resolution (22-387).			

Res No	Report Title	Meeting Date	Completed Date
22-388	Licence to RBA Holdings Pty Ltd Report: I2022/731	25/08/2022	1/09/2022
Directorate: General Manager Officer: Telford, Paula			
Resolved that Council authorise the General Manager, under delegated authority, to grant a licence with RBA Holdings Pty Ltd (A.C.N 144 070 986) on the following terms and conditions:			
a)	part Folio 1/735732, Warrambool Road Ocean Shores,		
b)	term five-years with option of five-years with no holding over,		
c)	annual rent set at \$1 if demanded,		
d)	Licensee to own all digital re-transmission equipment and to have unlimited access to the site,		
e)	Licensor to maintain, at its cost, access to the site, the equipment shed, mains power connection and all usage costs, an air-conditioner, a transmission tower, and security fencing, and		
f)	Council to waive document preparation fees as set by its 2022-2023 Fees and Charges.		
Mover: Michael Lyon		Second: Alan Hunter	
Comments: Completed by Telford, Paula (action officer) on 01 September 2022 at 10:02:32 AM - Licence Deed (E2022/68626) forwarded to RBA Holdings for electronic signing under resolution (22-388).			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-389	Community Initiatives Program 2022-2023 Recommendations for Funding Report: I2022/462	25/08/2022	8/09/2022
Directorate: Corporate and Community Services Officer: Fajerman, Emily			
Resolved:			
1. That Council approves the recommended projects for the Community Initiatives Program as per Attachment 1 (E2022/73029), listed below:			
a) Spaghetti Circus - \$4,190			
b) Coorabell Hall - \$5,000			
c) Who Gives a Cluck Inc - \$5,000			
d) Zero Emissions Byron - \$5,000			
e) Green and Clean Awareness Team - \$800			
f) Eureka Hall - \$5,000			
g) Brunswick Valley Landcare - \$4,804			
h) Empowered Today - \$5,000			
i) Federal Community Centre - \$3,000			
j) Suffolk Park Community Garden Inc - \$1,406			
k) Byron Bay High School P&C Association - \$5,000			
2. That Council notes the applications not recommended as per Attachment 1 (E2022/73029).			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Fajerman, Emily (action officer) on 08 September 2022 at 9:05:41 AM - Actions completed.			

Res No	Report Title	Meeting Date	Completed Date
22-390	Council Investments - 1 June 2022 to 30 June 2022 Report: I2022/843	25/08/2022	29/08/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council notes the report listing Council's investments and overall cash position as at 30 June 2022.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Brickley, James (action officer) on 29 August 2022 at 4:25:57 PM - No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-391	Carryovers for Inclusion in the 2022-2023 Budget Report: I2022/902	25/08/2022	29/08/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council approves the works and services (with respective funding) shown in Attachment 1 (#E2022/76668) to be carried over from the 2021/2022 financial year and that the carryover budget allocations be adopted as budget revotes for inclusion in the 2022/2023 Budget Estimates.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Brickley, James (action officer) on 29 August 2022 at 4:27:34 PM - Carryover Budgets updated in Authority with 2022/23 Budgets now reflecting carryover amounts. No further action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-392	Council Resolutions Quarterly Review - Q4 - 1 April to 30 June 2022 Report: I2022/943	25/08/2022	8/09/2022
Directorate: Corporate and Community Services Officer: Sills, Heather			
Mover: Michael Lyon		Seconded: Alan Hunter	
Comments: Completed by Sills, Heather (action officer) on 08 September 2022 at 3:43:24 PM - Noted, not further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-393	Council Investments - 1 July 2022 to 31 July 2022 Report: I2022/951	25/08/2022	29/08/2022
Directorate: Corporate and Community Services Officer: Brickley, James			
Resolved that Council notes the report listing Council's investments and overall cash position as at 31 July 2022.			
Mover: Michael Lyon		Seconded: Alan Hunter	
Comments: Completed by Brickley, James (action officer) on 29 August 2022 at 4:26:30 PM - No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-394	Popcar FY2021 report Report: I2022/561	25/08/2022	28/09/2022
Directorate: Sustainable Environment and Economy Officer: Ridler, Phillip			
Resolved that Council:			
1. Continues to lease the 14 bays to Popcar to provide a car sharing service in Byron Bay and Mullumbimby and invite Popcar to renew their annual lease, with an end date of 29 July 2023.			
2. Notes that the cost of applications and bay permits as outlined in the Car Share Procedure and Council's Fees and Charges will be reviewed in line with the 2023/24 budget process.			
Mover: Michael Lyon		Seconded: Alan Hunter	
Comments: Completed by Ridler, Phillip (action officer) on 28 September 2022 at 8:26:35 AM - 2022 invoiced and paid by Popcar, EOI will be sent out the beginning of 2023			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-395	Resolution 22-332 - Animal Enforcement Resourcing Report: I2022/897	25/08/2022	29/08/2022
Directorate: Sustainable Environment and Economy Officer: Nagel, Sarah			
Resolved that Council:			
1.	Notes the current companion animal education and animal enforcement resourcing and staff operations as discussed in the report.		
2.	Notes that employment of an Animal Education and Enforcement Officer under the NSW Local Council Support Package Companions Animals Grant is proposed for a period of up to 20 months which will increase the number of Animal Enforcement Officers to three.		
3.	Notes that the Animal Education and Enforcement Officer would take on all educative duties in relation to companion animals, thereby allowing the other two Animal Enforcement Officers to solely focus on the animal enforcement activities under Resolution 22-208.		
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Nagel, Sarah (action officer) on 29 August 2022 at 11:51:23 AM –			
1.	The current companion animal education and animal enforcement resourcing and staff operations as discussed in the report is noted.,		
2.	Employment of an Animal Education and Enforcement Officer under the NSW Local Council Support Package Companions Animals Grant (proposed for a period of up to 20 months) which will increase the number of Animal Enforcement Officers to three is noted.,		
3.	That the Animal Education and Enforcement Officer would take on all educative duties in relation to companion animals, thereby allowing the other two Animal Enforcement Officers to solely focus on the animal enforcement activities under Resolution 22-208 is noted.		

Res No	Report Title	Meeting Date	Completed Date
22-396	PLANNING - 10.2021.291.2 - S4.55 to introduce Construction Staging of Development and for Minor Internal Changes to Floor Plans, Amendments to Roof Top Area and Introduction of Dual Key Apartments Report: I2022/935	25/08/2022	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Pursuant to Section 4.55 of the Environmental Planning & Assessment Act 1979, that Application No. 10.2021.291.2 for S4.55 to introduce construction staging of development and for minor internal changes to floor plans, amendments to roof top area and introduction of dual key apartments, be approved subject to the conditions of consent as amended in Attachment 1 (#E2022/75457).			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Burt, Shannon (action officer) on 29 September 2022 at 11:11:49 AM - Development Consent issued NFA required			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-397	PLANNING - Report of the Planning Review Committee held 4 August 2022 Report: I2022/989	25/08/2022	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Council endorses the outcomes of the Planning Review Committee meeting held on 4 August 2022.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Burt, Shannon on behalf of Larkin, Chris (action officer) on 29 September 2022 at 9:25:19 AM - action complete			

Res No	Report Title	Meeting Date	Completed Date
22-398	Report of the Strategic Business Advisory Committee Meeting held on 30 June 2022 Report: I2022/846	25/08/2022	19/09/2022
Directorate: Sustainable Environment and Economy Officer: Chapman, Michelle			
Resolved that Council notes the minutes of the Strategic Business Advisory Committee Meeting held on 30 June 2022.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Chapman, Michelle (action officer) on 19 September 2022 at 1:11:18 PM - Constitution updated and new members advertised			

Res No	Report Title	Meeting Date	Completed Date
22-400	Report of the Infrastructure Advisory Committee Meeting held on 16 June 2022 Report: I2022/857	25/08/2022	29/08/2022
Directorate: Infrastructure Services Officer: Flower, Shelley			
Resolved that Council notes the minutes of the Infrastructure Advisory Committee Meeting held on 16 June 2022.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Flower, Shelley (action officer) on 29 August 2022 at 11:59:31 AM - Item noted. No action required.			

Res No	Report Title	Meeting Date	Completed Date
22-401	Election of Chair and Committee Constitution Report: I2022/565	25/08/2022	29/08/2022
Directorate: Infrastructure Services Officer: Flower, Shelley			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 3.1 Election of Chair and Committee Constitution File No: I2022/565			
<u>Committee Recommendation 3.1.1</u>			
That Council supports the following:			
1. Appointment of Cr Lyon as the Chairperson of the Infrastructure Advisory Committee.			
2. The Infrastructure Advisory Committee adopting the draft Committee Constitution as amended.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Flower, Shelley (action officer) on 29 August 2022 at 11:58:28 AM - Item noted. No action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-402	Mullum to Bruns/Ocean Shores Cycleway - Route Options Report: I2022/631	25/08/2022	6/09/2022
Directorate: Infrastructure Services Officer: Weallans, Kirk			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 3.2 Mullum to Bruns/Ocean Shores Cycleway - Route Options File No: I2022/631			
<u>Committee Recommendation 3.2.1</u>			
That Council note that the Infrastructure Advisory Committee noted the Mullum to Bruns Cycleway – Route Options Report.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Flockton, James on behalf of Weallans, Kirk (action officer) on 06 September 2022 at 3:48:21 PM - Noted. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-403	Myocum Quarry DA Compliance and Options Report Report: I2022/656	25/08/2022	30/09/2022
Directorate: Infrastructure Services Officer: Bourke, Nikki			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 3.3 Myocum Quarry DA Compliance and Options Report File No: I2022/656			
<u>Committee Recommendation 3.3.1</u>			
That Council supports:			
<ol style="list-style-type: none">1. The actions as recommended in the report "DA Compliance and Options Assessment for Myocum Quarry" (E2021/155252) in response to resolution 21-098 and including preparation of a section 4.55(2) modification to the original development consent.2. The provision of six monthly updates to the Infrastructure Advisory Committee.3. The first six monthly update to include consideration of budget implications.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Bourke, Nikki (action officer) on 30 September 2022 at 3:13:40 PM - Duplicate action for item 14.3			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-404	Report of the Local Traffic Committee Meeting held on 14 July 2022 Report: I2022/1039	25/08/2022	29/08/2022
Directorate: Infrastructure Services Officer: Flower, Shelley			
Resolved that Council notes the minutes of the Local Traffic Committee Meeting held on 14 July 2022. Mover: Michael Lyon Seconder: Alan Hunter			
Comments: Completed by Flower, Shelley (action officer) on 29 August 2022 at 11:57:59 AM - Item noted. No action required.			

Res No	Report Title	Meeting Date	Completed Date
22-405	New Intersection on Bangalow Road Report: I2022/840	25/08/2022	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Blunden, Gray			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.1 New Intersection on Bangalow Road File No: I2022/840			
<u>Committee Recommendation 6.1.1</u>			
That the Local Traffic Committee:			
<ol style="list-style-type: none">1. Endorses the proposed intersection plans as per marked up plan and comments provided by Transport for NSW.2. The conditions of approval for the Roads Act Consent include provisions for a reseal of the area to be line marked for safety reasons.			
Mover: Michael Lyon Seconder: Alan Hunter			
Comments: Completed by Burt, Shannon on behalf of Blunden, Gray (action officer) on 29 September 2022 at 9:41:58 AM - recommendation implemented as part of the relevant development consent			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-406	Traffic Management Plan - Splendour in the Grass Campground at Bluesfest, 35 Yarun Road, Tyagarah Report: I2022/858	25/08/2022	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.2 Traffic Management Plan - Splendour in the Grass Campground at Bluesfest, 35 Yarun Road, Tyagarah File No: I2022/858			
<u>Committee Recommendation 6.2.1</u>			
1.	That Council endorses the regulatory traffic management facilities and devices, including signs and traffic controller provisions proposed for the Council controlled public road network as outlined in attachments 1 (E2022/62160), for the use of the Bluesfest site as a Camp Ground and for park and ride in association with the Splendour in the Grass 2022 event from Wednesday 20 July 2022 to Tuesday 26 July 2022, subject to: a) Separate approvals by NSW Police and TfNSW being obtained, noting that the event is on a state road or may impact the state road network; b) The event be held through the implementation of the events Traffic Management Plan and Traffic Control Plan(s) as per attachments 1 (E2022/62160); c) The Traffic Management Plan and the Traffic Control Plan(s) to be implemented by those with relevant and current TfNSW accreditation; d) Traffic camera data recorders or similar be used to obtain an accurate record of traffic impacts at KPI queue locations;		
2.	That the event organiser: a) inform community and businesses that are directly impacted (e.g. adjacent to the Bluesfest Site) via written information which is delivered to the property in a timely manner so as to document, consider and respond to any concerns raised; b) arrange for private property access and egress affected by the use of the proposed Bluesfest site from camping and Park and Ride; c) liaise with bus and taxi operators and ensuring arrangements are made for provision of services during conduct of the event; d) consult with emergency services and any identified issues be addressed; e) holding \$20m public liability insurance cover which is valid for the period of Camping and Park and Ride from the Bluesfest Site.		
<u>Management Comment:</u> This item has been approved by Council's General Manager under his Council delegated authority as per resolution 22-325 (refer Attachment 2).			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Burt, Shannon on behalf of Larkin, Chris (action officer) on 29 September 2022 at 9:28:00 AM - action complete			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-417	PLANNING - 26.2021.3.1 150 Lismore Road, Bangalow Submissions Report Report: I2022/554	25/08/2022	27/09/2022
Directorate: Sustainable Environment and Economy Officer: Tarrant, Sam			
Resolved that Council adopts the amended planning proposal as attached to this report (Attachment 1 - #E2022/62680) to rezone part 150 Lismore Road, Bangalow to IN1 General Industrial and C3 Environmental Management, and forwards this to the Department of Planning, Industry and Environment for finalisation.			
Mover: Asren Pugh		Seconder: Alan Hunter	
Comments: Completed by Tarrant, Sam (action officer) on 27 September 2022 at 3:52:19 PM - Planning proposal submitted to DPE for finalisation 8 September 2022. Plan to be made and effective in the coming months			

Res No	Report Title	Meeting Date	Completed Date
22-426	Review Constitution of Arts and Creative Industries Advisory Committee Report: I2022/581	25/08/2022	7/09/2022
Directorate: Corporate and Community Services Officer: Firth, Melitta			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 3.2 Review Constitution of Arts and Creative Industries Advisory Committee			
File No: I2022/581			
<u>Committee Recommendation:</u>			
That the Arts and Creative Industries Advisory Committee recommends to Council to adopt the Constitution at Attachment 1 E2021/150507.			
Mover: Sarah Ndiaye		Seconder: Sama Balson	
Comments: 1. The Constitution of the Arts and Creative Industries Committee was reviewed and confirmed at the 30 June meeting 2022.			

Res No	Report Title	Meeting Date	Completed Date
22-429	Draft Federal Village Masterplan Report: I2022/905	25/08/2022	19/09/2022
Directorate: Sustainable Environment and Economy Officer: Hawton, Isabelle			
Resolved:			
1. That Council endorses the Draft Federal Village Masterplan for public exhibition as outlined in the report.			
2. That Council receives a further submissions report at the close of the extended exhibition period.			
3. That Council through its legal counsel will clarify the legal status and enforceability of the Masterplan as a planning instrument by the end of the exhibition period'			
Mover: Mark Swivel		Seconder: Sama Balson	
Comments: Completed by Hawton, Isabelle (action officer) on 19 September 2022 at 1:26:39 PM - Draft plan on exhibition 1 September until 30 September. Legal counsel preparing response to part 3 of resolution.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-434	2022 Local Government NSW Conference Motions Report: I2022/998	25/08/2022	8/09/2022
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved that Council submits the following Motion to the Local Government NSW Conference 2022: That LG NSW calls on the NSW Government to reverse the cost shift onto Local Government for liability for Native Title Compensation by deleting 'Division 8.4 – Compensation responsibilities' from the Crown Lands Management Act 2016.			
Mover: Michael Lyon		Seconder:	
Comments: Completed by Sills, Heather (action officer) on 08 September 2022 at 3:43:49 PM - Motion submitted to LGNSW on 29 August.			

Res No	Report Title	Meeting Date	Completed Date
22-437	Topics for Councillor Workshops Report: I2022/1006	25/08/2022	8/09/2022
Directorate: Corporate and Community Services Officer: Sills, Heather			
Resolved that Council add to the Agenda of each monthly Councillor Workshop an item with a rolling list of topics anticipated for future Workshops, so that Councillors can be consulted on what topics are presented at subsequent Workshops and when.			
Mover: Duncan Dey		Seconder: Asren Pugh	
Comments: Completed by Sills, Heather (action officer) on 08 September 2022 at 3:46:25 PM - Councillor Workshops will begin at 9.15am with a 15 minute standing item for briefing on future items.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-439	General Manager Delegation - Procurement Report: I2022/918	25/08/2022	13/09/2022
Directorate: Corporate and Community Services Officer: Keen, Alexandra			
Resolved that Council:			
1. pursuant to s377(1) of the <i>Local Government Act 1993</i> increases the delegation to the General Manager with respect to accepting or rejecting tenders to \$500,000 (excluding GST), and \$2 million (excluding GST) for contracts relating to flood response and recovery, subject to the limitation in s377(1)(i) of the <i>Local Government Act 1993</i>			
2. pursuant to s55(3)(i) of the <i>Local Government Act 1993</i> endorses for the reasons set out below, due to extenuating circumstances arising from the 2022 Flood Event and current market conditions, that, up until 22 February 2023, the requirements for tendering do not apply to contracts with an expected value of up to \$1 million (excluding GST) which are primarily for the purpose of flood response and recovery:			
a) There are still significant recovery works underway, including works associated with hinterland access and remediation, associated with the February 2022 natural disaster event, which require specialist expertise or would benefit from the continued work of current contractors in order for works to be completed in a timely manner.			
b) The negative impact on the local community that the loss of access to infrastructure is having including impacts to food, housing, social connection/activities, education, work, and medical access.			
c) The local market conditions where there is a high demand for contractors and materials/goods in light of neighbouring shires in the Northern Rivers and Southern Queensland also being extensively impacted by the February 2022 flood event.			
3. That any exercise of delegations in accordance with part 2 be reported to Councillors via Memo.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments: Completed by Keen, Alexandra (action officer) on 13 September 2022 at 3:10:47 PM - The General Manager's delegation has been updated to reflect the resolution.			

Res No	Report Title	Meeting Date	Completed Date
22-441	Insurance Update regarding Council Assets - February 2022 Flood Event Report: I2022/917	25/08/2022	13/09/2022
Directorate: Corporate and Community Services Officer: Keen, Alexandra			
Resolved that Council			
1. Notes the contents of this report.			
2. Authorises the General Manager, Byron Shire Council, to approve the repair works to the Byron Community College and associated buildings at 8 Burringbar Street, Mullumbimby as a priority pursuant to a claim under Council's property insurance policy (flood).			
3. Supports Option 3 contained in the report with respect to progressing the repairs required to the Council owned/maintained buildings damaged in the February 2022 flood event.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments: Completed by Keen, Alexandra (action officer) on 13 September 2022 at 3:11:13 PM - No action required.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-443	PLANNING - 10.2021.458.1 Demolition of Existing Dwelling House, Removal of Seven (7) Native Trees, Erection of a New Dwelling House and Ancillary Infrastructure at 99 Alcorn Street Suffolk Park Report: I2022/894	08/09/2022	14/09/2022
Directorate: Sustainable Environment and Economy Officer: Wall, Lachlan			
Resolved that pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2021.458.1 for demolition of existing dwelling house, removal of seven (7) native trees, erection of a new dwelling house and ancillary infrastructure, be granted consent subject to the conditions in Attachment 2.			
Mover: Michael Lyon		Secunder: Alan Hunter	
Comments: Completed by Wall, Lachlan (action officer) on 14 September 2022 at 11:38:41 AM - Determination documents signed and sent to development support team for issuing via planning portal			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-444	PLANNING - Section 8.2 Review of Determination 10.2021.693.1 Use of Alterations and Additions to Shed and Decks at 2 Hamiltons Lane Byron Bay Report: I2022/906	08/09/2022	12/09/2022
Directorate: Sustainable Environment and Economy Officer: Docherty, Patricia			
Resolved that pursuant to Section 8.4 of the Environmental Planning & Assessment Act 1979, that Council, being the consent authority uphold the refusal of DA 10.2021.693.1, with the reasons for refusal amended as follows:			
<p>a) The application is not satisfactory pursuant to Section 4.15 (b) of the Environmental Planning and Assessment Act 1979 and Sections 1.3, 6.4, 7.1 and 7.7 of the Biodiversity Conservation Act 2016 because vegetation clearing was undertaken to facilitate its construction without approval and the application fails to provide a Biodiversity Development Assessment Report to demonstrate that the development took adequate steps to avoid or minimise biodiversity impacts on land within the Biodiversity Values Map.</p> <p>b) The application is not satisfactory pursuant to Section 4.1 (a)(i) and (b) of the Environmental Planning and Assessment Act 1979 and Section 12.2.2 and 13.2 of the Byron Coast Comprehensive Koala Plan of Management (CKPoM), as enforced under State Environmental Planning Policy (Koala Habitat Protection) 2021, because the application fails to provide a Koala Habitat Assessment Report and a Koala Habitat Restoration Plan for unauthorised development and clearing of vegetation on land identified as Core Koala Habitat.</p> <p>c) The application is not satisfactory pursuant to Section 4.15 (1) (a) (i) and (c) of the Environmental Planning and Assessment Act 1979 and Appendix 3 of the Byron Coast Comprehensive Koala Plan of Management (CKPoM), because it is considered that there would be insufficient space outside of the development footprint to achieve the amount of compensation required as a result of the unauthorised development and clearing of vegetation.</p> <p>d) The application is not satisfactory having regard to Section 4.15(1)(a) (i) of the Environmental Planning and Assessment Act 1979 because it does not provide sufficient information to demonstrate the building height has been accurately measured from existing ground level and fails to demonstrate compliance with the limit of 9 metres pursuant to Clause 40 Height of the Byron Local Environmental Plan 1988 and Clause 4.3 Height of Buildings of the Byron Local Environmental Plan 2014.</p> <p>e) The application is not satisfactory pursuant to Section 4.15 (1) (a) (iii) of the Environmental Planning and Assessment Act 1979 and Chapter B1 Section 1.2 of Byron Shire Development Control Plan 2014 because ecologically significant areas (red flags) and their setbacks were not identified or considered prior to designing the development; the remaining space outside of the development footprint is insufficient to achieve adequate compensation for unauthorised vegetation removal, failing to demonstrate 'No net loss of biodiversity'; and cannot demonstrate sufficient steps were taken to avoid and minimise biodiversity impacts</p> <p>f) The development is not satisfactory having regard to subsection 4.15(1) (c) of the Environmental Planning and Assessment Act 1979 as the site is not suitable for the development as the development does not comply with the applicable development standards in the Byron Local Environmental Plan 1988 and Byron Local Environmental Plan 2014.</p> <p>g) The development is not satisfactory pursuant to Section 4.15 (1)(d) because matters raised in submissions of objection are not addressed in the application.</p> <p>h) The development is not satisfactory in relation to the Public Interest under subsection 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 having regards to the unapproved shed, which is not ancillary and subservient to the principal dwelling on the site, impacts on biodiversity due to non-compliance with Biodiversity Conservation Act 2016, and State Environmental Planning Policy (Koala Habitat Protection) 2021 Byron Coast Comprehensive Koala Plan of Management (CKPoM) and failure to address compliance with the applicable height controls under Byron LEP 1988 and Byron LEP 2014.</p>			
Mover: Michael Lyon		Seconded: Alan Hunter	
Comments: Completed by Docherty, Patricia (action officer) on 12 September 2022 at 10:14:36 AM - Action memo sent to Development Support Officer for Notice of Determination to be prepared.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-445	PLANNING - Section 4.55 Modification 10.2014.743.4 to require Stage 4 to be carried out before Stage 3, modification to the design of the Stage 4 residential development and completion of the Stage 5 driveway as part of Stage 4 Report: I2022/962	08/09/2022	16/09/2022
Directorate: Sustainable Environment and Economy Officer: Smith, Greg			
Resolved that pursuant to Section 4.55 of the Environmental Planning & Assessment Act 1979, that Application No. 10.2014.743.4, for S4.55 Modification to require Stage 4 to be carried out before Stage 3, modification to the design of the Stage 4 residential development and completion of the Stage 5 driveway as part of Stage 4, be approved by modifying Development consent number 10.2014.743.1 in accordance with the recommended Modifications to Consent in Attachment 1.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Smith, Greg (action officer) on 16 September 2022 at 11:32:22 AM - Notice of determination for approval issued on 16/9/2022.			

Res No	Report Title	Meeting Date	Completed Date
22-446	PLANNING - Section 4.56 Modification of Court approval to expand area of ground floor hotel restaurant and delete one shop tenancy in an approved mixed use development 4 Marvell Street Byron Bay Report: I2022/1080	08/09/2022	12/09/2022
Directorate: Sustainable Environment and Economy Officer: Docherty, Patricia			
Resolved that pursuant to Section 4.56 of the Environmental Planning & Assessment Act 1979, that Application No. 10.2017.588.2, for Section 4.56 Modification of Court approval to expand area of ground floor hotel restaurant and delete one shop tenancy in an approved mixed-use development, be refused for the reasons :			
1. Pursuant to section 4.15 (1) (iii), the application is not satisfactory with consideration for Byron DCP 2014 Chapter B4 of the Byron Shire Councils DCP 2014, Parking Supply and Design, and Bicycle Parking Supply and Design			
2. Pursuant to section 4.15 (1)(b)(c) &(e), the application is not satisfactory with consideration for the likely impacts of the development arising from the shortfall in on-site parking for cars and bicycles required to meet additional demand. As a result, the site is not suitable for the proposed development and approval of the proposed s4.56 modification to the development would not be in the public interest.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Docherty, Patricia (action officer) on 12 September 2022 at 10:15:54 AM - Action memo sent to Development Support Officer for Notice of Determination to be prepared.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-447	Update - Resolution 22-374 - PLANNING - 10.2021.114.1 - 'Fed Sheds' Light Industry Excluding Artisan Food & Drink Premises at 467 Federal Drive, Federal Report: I2022/1101	08/09/2022	30/09/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council:			
1. Notes that points 1 and 3 of Resolution 22-374 are being progressed.			
2. Notes a report as per points 2 and 3 of Resolution 22-374 will be presented to Council at the next available meeting following their completion.			
Mover: Michael Lyon		Seconded: Alan Hunter	
Comments: Completed by Sills, Heather on behalf of Burt, Shannon (action officer) on 30 September 2022 at 7:32:32 PM - 1. Noted. 2. Noted.			

Res No	Report Title	Meeting Date	Completed Date
22-448	Report of the Local Traffic Committee Meeting held on 12 August 2022 Report: I2022/1045	08/09/2022	13/09/2022
Directorate: Infrastructure Services Officer: Flower, Shelley			
Resolved that Council notes the minutes of the Local Traffic Committee Meeting held on 12 August 2022.			
Mover: Michael Lyon		Seconded: Alan Hunter	
Comments: Completed by Flower, Shelley (action officer) on 13 September 2022 at 9:44:55 AM - Noted. No further action required.			

Res No	Report Title	Meeting Date	Completed Date
22-449	Report No. 6.1 Proposed Accessible Parking Bay - Jonson St, Byron Bay Report: I2022/916	08/09/2022	28/09/2022
Directorate: Infrastructure Services Officer: Cornwall, Judd			
Resolved that Council adopts the following Committee Recommendation:			
Report No. 6.1 Proposed Accessible Parking Bay - Jonson St, Byron Bay File No: I2022/916			
<u>Committee Recommendation:</u>			
That the Local Traffic Committee endorses the installation of an accessible parking space adjacent 103 Jonson Street, Byron Bay as per Attachment 1.			
Mover: Michael Lyon		Seconded: Alan Hunter	
Comments: Completed by Cornwall, Judd (action officer) on 28 September 2022 at 11:44:10 AM - Report was approved, arrangements are currently being made to install the bay			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-450	Report No. 6.2 Byron Writers Festival 2022 - TMP Report: I2022/984	08/09/2022	29/09/2022
Directorate: Sustainable Environment and Economy Officer: Blunden, Gray			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.2 Byron Writers Festival 2022 - TMP File No: I2022/984			
<u>Committee Recommendation:</u>			
1. That Council endorses the submitted Traffic Management Plan and considers the Traffic Guidance Scheme to be fit for purpose for the Byron Bay Writers Festival on 26-28 August 2022.			
2. That the approval is subject to: a) Separate approvals by NSW Police and Transport for NSW being obtained. b) The Traffic Guidance Scheme is to operate Thursday 25th August to Sunday 28 th August. c) The Traffic Guidance Scheme be amended to include west bound event traffic arriving from Byron Town Centre is to be directed down Sunrise Blvd, as a contingency, if east bound traffic on Ewingsdale Rd is queued back to the Hospital Roundabout. d) The Traffic Management Plan be amended to document, the persons who are authorised to change the TGS on the day for unforeseen circumstances. e) The Traffic Guidance Scheme to be implemented by those with relevant and current Transport for NSW training and accreditation. f) That the speed limit be amended from 10kph to 40kph from north of the car park entry to the end of Bayshore Drive.			
3. That the event organiser must: a) Advertise the impact of the event via a notice in the local weekly paper a minimum of one week prior to the operational impacts taking effect. The notification must include the event name, specifics of any traffic impacts or road closures and times, alternative route arrangements, event organiser, a personal contact name and a telephone number for all event related enquiries or complaints, b) Notify the public of event details on Council's webpage. Details to be supplied to Council by the event organisers, c) Undertake consultation with community and affected businesses including adequate response/action to any concerns raised, d) Undertake consultation with emergency services and any identified issues addressed including emergency vehicle access, e) Hold \$20m public liability insurance cover which is valid for the event.			
4. That the signs and devices necessary to affect the traffic management changes (including all regulatory signage) also be approved.			
<u>Management Comment:</u> This item has been approved by Council's General Manager under his Council delegated authority (refer Attachment 2).			
Mover: Michael Lyon		Seconded: Alan Hunter	
Comments: Completed by Burt, Shannon on behalf of Blunden, Gray (action officer) on 29 September 2022 at 9:42:22 AM - recommendation implemented as part of the relevant development consent			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-451	Report No. 6.3DA10.2021.827.1 - Byron Bay Markets (Proposed Road Closures for Monthly Sunday Market) Report: I2022/1020	08/09/2022	27/09/2022
Directorate: Sustainable Environment and Economy Officer: Solatan, Renan			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 6.3 DA10.2021.827.1 - Byron Bay Markets (Proposed Road Closures for Monthly Sunday Market) File No: I2022/1020			
<u>Committee Recommendation:</u>			
That the Local Traffic Committee recommend that Council support:			
1. The temporary road closure in principle to facilitate the Byron Community Markets and to allow the Development Application to be considered.			
2. Further reporting to the Local Traffic Committee prior to first event and annually thereafter			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Burt, Shannon on behalf of Solatan, Renan (action officer) on 27 September 2022 at 2:22:28 PM - Item complete			

Res No	Report Title	Meeting Date	Completed Date
22-458	PLANNING - 10.2021.470.1 Alterations & Additions to Mullumbimby Ex Services Club at Dalley Street Mullumbimby Report: I2022/895	08/09/2022	15/09/2022
Directorate: Sustainable Environment and Economy Officer: Docherty, Patricia			
Resolved that Development Application No. 10.2021.470.1 for Alterations and Additions to the Mullumbimby Ex-Services Club Ltd, be deferred, and the applicant requested to enter into a Planning Agreement with Council for a financial contribution towards the on-site car parking shortfall instead of providing these car spaces on street (Tincogan Street) as a street upgrade.			
Mover: Duncan Dey		Seconder: Alan Hunter	
Comments: Completed by Docherty, Patricia (action officer) on 15 September 2022 at 10:57:10 AM - Letter prepared 14/9/2022 and sent to Mullumbimby RSL by email c/- applicant on 15/9/2022. Correspondence saved in Doc #E2022/90394			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-461	Outcome of NSW Flood Inquiries Report: I2022/1109	08/09/2022	21/09/2022
Directorate: Corporate and Community Services Officer: Davis, Esmeralda			
Resolved:			
1. That Council 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 puts this Report 13.1 on the agenda for its Floodplain Advisory Committee, at its meeting scheduled for 29 September.			
Mover: Duncan Dey		Second: Sarah Ndiaye	
Comments: Completed by Davis, Esmeralda (action officer) on 21 September 2022 at 12:05:34 PM - Council noted recommendation and report has been included in the agenda for the next Floodplain Advisory Committee meeting.			

Res No	Report Title	Meeting Date	Completed Date
22-463	13.7 PLANNING - 10.2020.568.1 - Use of the site for the operation of a Landscaping Material Supplies business including an amenities building and use of shed - 320 McAuleys Lane MYOCUM Report:	08/09/2022	20/09/2022
Directorate: Sustainable Environment and Economy Officer: Holland, Ivan			
Resolved:			
1. That, pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2020.568.1 for use of land and existing shed for landscaping material supplies, be granted consent subject to the recommended conditions of approval in Attachment 2 #E2022/78130 subject to the following amendments: Impose a 12 month period to comply with the five deferred commencement consent conditions with the following wording to be inserted after deferred condition 5: <i>Evidence of compliance with the above condition(s), sufficient to satisfy the Council as to those matters, must be provided within 12 months of this notice. If satisfactory evidence is produced in accordance with this requirement, the Council will give notice to the applicant of the date from which the consent operates.</i> <i>If 12 months has passed since the issue of this Deferred Commencement Consent and the deferred commencement conditions have not been complied with, the Consent lapses.</i> Amend Condition 2 to read 2. <i>Use of the site – landscaping material supplies only</i> <i>The development is to be carried out strictly as a 'defined landscape material supplies' business only. Sales are limited to Sand, Gravel, Cobble, Road base, Soil, Cracker-Dust, Blue metal, Rock and Stone. Any other materials than those listed above are not permitted for sale, or storage onsite.</i>			
Mover: Duncan Dey		Second: Sarah Ndiaye	
Comments: Completed by Smith, Greg on behalf of Holland, Ivan (action officer) on 20 September 2022 at 9:39:31 AM - The Notice of Determination was issued on 20/9/2022.			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-467	Place Planning Collective Expression of Interest Candidate Selection Report: I2022/872	08/09/2022	30/09/2022
Directorate: Sustainable Environment and Economy Officer: Hughes , Kristie			
Resolved:			
1.	That Council appoints nine Place Planning Collective members from the following: Attachment 1 (E2022/65420 CONFIDENTIAL Place Planning Collective applicant summary 2022), Attachment 2 (E2022/63168 CONFIDENTIAL Place Planning Collective Eol submission forms).		
2.	That selected members are distributed as follows: Four members representing Mullumbimby are: David Brown, Madeleine Faught, Elle Davidson, and Dale Emerson. Three members representing Bangalow are: Meredith Wray, Jenny Bird, and Joanne Millar Three members representing Byron Arts & Industry Estate are: Jack Dods, Brooke Crowle, and Pippa Noble		
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Burt, Shannon on behalf of Hughes, Kristie (action officer) on 30 September 2022 at 5:24:29 PM - Action complete			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-471	13.10 PLANNING - Use of zipline ancillary to a primitive camping ground Report:	08/09/2022	16/09/2022
	Directorate: Sustainable Environment and Economy Officer: Holland, Ivan		
	Resolved:		
	That Pursuant to Section 4.16 of the Environmental Planning & Assessment Act 20 1979, Development Application No. 10.2021.683.1 for Use of Zipline Ancillary to a Primitive Camping Ground, be granted as a deferred commencement consent subject to the conditions in Attachment 3 subject to the following amendments.		
	Amend Condition 5 to read		
	5. Pre-use certification of zipline		
	A detailed report and certification from a suitably qualified and experienced professional engineer must be provided the confirms and demonstrates that the zipline and all associated structures, platforms, anchors, nets and the like are constructed in accordance with relevant Australian Standards and guidelines including, but not limited to:		
	a) AS 2316.2.1- 2016 – Flying foxes and challenge ropes courses- Construction and safety requirements (EN 15567-1:2007, MOD)		
	b) AS 2316.2.2- 2016 – Flying foxes and challenge ropes courses- Operation requirements (EN 15567-2:2007, MOD)		
	c) NSW Government Code of Practice Safe design of Structures August 2019		
	d) The safety of campers and the camp sites underneath the zipline.		
	Amend Condition 8 to read		
	8. Annual certification of zipline and structures		
	The zipline and all associated structures, platforms, anchors, nets and the like must be inspected annually by a suitably qualified and experienced professional engineer and certified as being constructed and maintained in accordance with relevant Australian Standards and guidelines including, but not limited to:		
	a) AS 2316.2.1- 2016 – Flying foxes and challenge ropes courses- Construction and safety requirements (EN 15567-1:2007, MOD)		
	b) AS 2316.2.2- 2016 – Flying foxes and challenge ropes courses- Operation requirements (EN 15567-2:2007, MOD)		
	c) NSW Government Code of Practice Safe design of Structures August 2019		
	d) The safety of campers and the camp sites underneath the zipline.		
	Records of inspections must be kept and provided to Council on request.		
	Mover: Michael Lyon	Second: Alan Hunter	
	Comments:		
	Completed by Smith, Greg on behalf of Holland, Ivan (action officer) on 16 September 2022 at 10:32:43 AM - Action completed by Greg Smith as Ivan Holland is on leave.		

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-472	PLANNING - Quarter 2 SEPP Variations April to June 2022 Report: I2022/903	08/09/2022	27/09/2022
Directorate: Sustainable Environment and Economy Officer: Larkin, Chris			
Resolved that Council adopts the report on exceptions to development standards for the period April to June 2022.			
Mover: Duncan Dey		Seconder: Michael Lyon	
Comments: Completed by Burt, Shannon on behalf of Larkin, Chris (action officer) on 27 September 2022 at 2:13:30 PM - Action completed			

Res No	Report Title	Meeting Date	Completed Date
22-491	Report of the Housing and Affordability Advisory Committee Meeting held on 18 August 2022 Report: I2022/1187	29/09/2022	30/09/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council notes the minutes of the Housing and Affordability Advisory Committee Meeting held on 18 August 2022.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Burt, Shannon (action officer) on 30 September 2022 at 5:40:55 PM - Action complete			

Res No	Report Title	Meeting Date	Completed Date
22-493	Report No. 3.2 Presentation by Mike Myers Report: I2022/915	29/09/2022	30/09/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council adopts the Committee Recommendation as follows:			
Report No. 3.2 Presentation by Mike Myers File No: I2022/915			
<u>Committee Recommendation 3.2.1</u>			
That the Housing and Affordability Advisory Committee notes the report and presentation provided by Mike Myers.			
Mover: Michael Lyon		Seconder: Alan Hunter	
Comments: Completed by Burt, Shannon (action officer) on 30 September 2022 at 5:41:17 PM - Action complete			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-494	Report No. 3.3 Byron Shire Housing Forum Report: I2022/944	29/09/2022	30/09/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council adopts the Committee Recommendations as follows:			
Report No. 3.3 Byron Shire Housing Forum File No: I2022/944			
<u>Committee Recommendation 3.3.1</u>			
That the Housing and Affordability Advisory Committee notes:			
1. The key findings and outcomes of the Byron Housing Summit as summarised in this report and as below:			
a) The community to articulate what it wants and how to get there, with importance of self-defined measures of success.			
b) A desire to build on existing social capital as we adapt and respond.			
c) A preference to nurture a housing industry that embraces alternative tenure and living options with a cooperative focus.			
d) A promotion of the mosaic of communities as places which are to be respected, with room to dabble and explore.			
e) Participants warmed to the idea of a demonstration village exemplifying diverse & affordable housing that is Byron friendly.			
f) The underpinning of a respect of Bundjalung Country and First Nation Peoples and therefore Aboriginal housing to be prioritised.			
2. That staff will consider the key findings and outcomes of the Byron Housing Summit in future strategy, plan, policy and project work.			
3. There are numerous housing initiatives and projects currently being progressed by staff in response to multiple resolutions of Council about local housing need and the housing crisis as actions adopted in the current Delivery Program 2022-2026 and Operational Plan 2022-2023			
Mover: Michael Lyon		Second: Alan Hunter	
Comments: Completed by Burt, Shannon (action officer) on 30 September 2022 at 5:39:48 PM - Actions complete			

Res No	Report Title	Meeting Date	Completed Date
22-495	Report No. 3.4 Delivery Program - Workshop Session Report: I2022/937	29/09/2022	30/09/2022
Directorate: Sustainable Environment and Economy Officer: Burt, Shannon			
Resolved that Council adopts the Committee Recommendation as follows:			
Report No. 3.4 Delivery Program - Workshop Session File No: I2022/937			
<u>Committee Recommendation 3.4.1</u>			
That the Housing and Affordability Advisory Committee notes the presentation on the Delivery Program 2022-26.			
Mover: Michael Lyon		Second: Alan Hunter	
Comments: Completed by Burt, Shannon (action officer) on 30 September 2022 at 5:42:05 PM - Action complete			

COMPLETED RESOLUTIONS REPORT

From: 1 July to 30 September 2022

Res No	Report Title	Meeting Date	Completed Date
22-496	Report of the Water and Sewer Advisory Committee Meeting held on 18 August 2022 Report: I2022/1095	29/09/2022	30/09/2022
Directorate: Infrastructure Services Officer: Barnden, Rachel			
Resolved that Council notes the minutes of the Water and Sewer Advisory Committee Meeting held on 18 August 2022. Mover: Michael Lyon Seconder: Alan Hunter			
Comments: Completed by Barnden, Rachel (action officer) on 30 September 2022 at 4:52:01 PM - noted, complete			

Res No	Report Title	Meeting Date	Completed Date
22-497	Committee Constitution Report: I2022/957	29/09/2022	30/09/2022
Directorate: Infrastructure Services Officer: Barnden, Rachel			
Resolved that Council adopts the following Committee Recommendations:			
Report No. 4.1 Committee Constitution File No: I2022/957			
<u>Committee Recommendation 4.1.1</u>			
That Council adopt the constitution E2021/148692 with the following amendments			
Section 2 Purpose:			
The purpose of the Committee is to:			
a) develop policies and programs that address the water and sewer needs and aspirations of the Shire's populations in a resilient and ecologically sustainable way.			
b) develop strategies and advise on projects that minimise the environmental impacts (i) of extracting water, (ii) of returning sewage to receiving environments, and (iii) of treatment and processing for these purposes.			
c) recommend strategies and plans to manage water and sewerage assets.			
In Section 5 Membership:			
Council appoints Advisory Committee members, thus conferring their responsibilities and rights as set out in this document.			
In Section 11 Majority Decision:			
A decision of the Committee is by majority of the voting members present at the time of the vote, including on-line presence.			
In Section 16 Absence from Committee Meetings:			
a) Has been absent from two consecutive meetings of the Committee without having given acceptable reasons for the member's absence			
Mover: Michael Lyon Seconder: Alan Hunter			
Comments: Completed by Barnden, Rachel (action officer) on 30 September 2022 at 4:51:53 PM - noted, complete			