

Responses to Questions on Notice

Received at the 24 August 2023
Ordinary Meeting of Council

A handwritten signature in black ink, appearing to read 'Mark Arnold'.

Mark Arnold
General Manager

QUESTIONS WITH NOTICE

1	Agenda item 13.28 Staff Response	3
2	Connection of Rous Water	4
3	Code of Conduct and the Federal Village Masterplan Steering Group	5

QUESTIONS WITH NOTICE

Question with Notice No. 1.0 Agenda item 13.28 Staff Response

File No: I2023/1275

At Council's Ordinary Meeting held on 24 August 2023, Mark Tidswell asked the following question which was taken on notice:

Why this required 'detailed environmental monitoring plan (EMP) has never been implemented? And what is the expected EMP implementation date?

Response Director Infrastructure Services:

The Environmental Management Plan (EMP) is an Operations Environmental Management Plan. It sets out how Utilities will manage Byron STP Environmental operations. It gives a framework against environmental operations and how Council will meet environmental commitments such as EPA License, conditions of consent, weed management, biodiversity and general environmental maintenance system management. i.e. wetlands.

The EMP is currenting being implemented.

Governance and compliance of the EMP implementation and performance is conducted periodically. This includes monthly checklists and annual audit to ensure compliance of implementation with an ongoing improvement plan being implemented to ensure continual improvement.

Question with Notice No. 2.0 Connection of Rous Water

File No:

I2023/1314

At Council's Ordinary Meeting held on 24 August 2023, Dale Emmerson asked the following question which was taken on notice:

Does the Council staff suggestion to "permanently connect" to Rous mean that "only" water from RCC would be used for Mullumbimby once this "permanent" connection is made? or would Lavery gap water supply be able to be used and RCC water used in the event that Lavery's gap water did not meet demand?

Response Manager Utilities

Council has resolved to install a new supply water line to Azalea Street Reservoir.

The design was intended to be sized to meet the whole of Mullumbimby water supply requirements.

Byron Shire Council have had numerous discussions and workshops with Rous County Council (RCC).

RCC has numerous water supplies under their revised future water strategy to ensure they meet demand for Mullumbimby.

The project is currently in the design stage. This will ensure all of Mullumbimby has sufficient water supply available in the event the water treatment plant, race or weir fails as the treatment plant and subsequent infrastructure condition is within its last 5 years of life.

The current safe and secure yield assessment and engineering options analysis investigation report recommends that only water from RCC would be used for Mullumbimby on a permanent basis. However, if Council would like to keep the Mullumbimby water supply at Lavery's gap. Then Council staff could investigate Lavery's gap as a potential emergency supply. This would keep a water licence for Lavery's gap. This would also potentially allow for environmental flows in support of better environmental outcomes. As currently there is no environmental flow requirement under the current Licence.

Question with Notice No. 3.0 Code of Conduct and the Federal Village Masterplan Steering Group

File No:

I2023/1314

At Council's Ordinary Meeting held on 24 August 2023, George Palmer asked the following question which was taken on notice:

Has Byron Shire Council imposed "pedestrian permeability" access rights over private properties anywhere else in the Shire? Has Byron Shire Council adequately considered the risks to its credibility and reputation should it continue to endorse this Group?

Response Director Sustainable Environment and Economy:

This question relates to Action 5d from the Federal Village Masterplan below:

5d

Undertake a process to collaborate with the owner of Lot 1 DP 1003205 to update Development Control Plan provisions in relation to this Lot, which seeks to ensure that any future development on the site allows for pedestrian permeability through the lot to reinforce the link between Jasper Corner and Federal Park. The desired update recognises the key location of this significant site while not intending to constrain or limit existing development capacity.

This Action should not be read in isolation from any other reference to pedestrian access or permeability that occurs throughout the Masterplan. Pedestrian permeability by common definition is about enabling and supporting pedestrian movement in and around places and spaces. The Masterplan as adopted does not provide any further detail on this item. Nor does it imply an intention by Council to require pedestrian access over private land. No action has been taken to address this item at this point in time.

Action 5d with others will need to be worked through in a DCP amendment process. Landowners will be further engaged at that time.

Further information about the weight of the masterplan document can be found via the Council report linked below, specifically attachment 6:

https://byron.infocouncil.biz/Open/2022/12/PLAN_08122022_AGN_1490.htm#PDF2_ReportName_10493

BYRON SHIRE COUNCIL