

Responses to Questions on Notice

Received at the 14 March 2024
Planning Meeting of Council

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

Mark Arnold
General Manager

BYRON SHIRE COUNCIL

QUESTIONS WITH NOTICE

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QUESTIONS WITH NOTICE

**Question with Notice No.1 Opposition to development of
South Mullumbimby**

File No: I2024/420

At Council's Planning Meeting held on 14 March 2024, Nathanael Edwards asked the following question which was taken on notice:

What is required to prevent this proposed investigation?

Response Director Sustainable Environment and Economy:

At the 14 March 2024 meeting, Council resolved to approve the Residential Strategy 2041, with amendments to the identified investigation areas including the removal of Area 8, and submit it to the Dept Planning, Housing & Infrastructure for their endorsement.

[Residential Strategy - Byron Shire Council \(nsw.gov.au\)](https://www.nsw.gov.au/land-use-planning/building-and-councils/residential-strategy)

**Question with Notice No.2 Item 13.3 Residential Strategy
2041**

File No: I2024/422

At Council's Planning Meeting held on 14 March 2024, Dale Emmerson asked the following questions which were taken on notice:

- Why has The North Coast Regional Plan 2041 and specifically Strategy 5.3 "updating flood studies and flood risk management plans after a major flood event incorporating new data and lessons learnt" not been adhered to when identifying feasibility areas within the Byron Shire Residential Strategy 2041?
- Should not a precautionary approach demand that floodplain areas should be excluded prior to the North Byron Floodplain Risk Management Study (FRMS) review being made available?
- 50 Prince St (Flood Pod Site) is a no fill zone and has not been assessed for cumulative filling in the 2020 North Byron Flood Study. There have been no post flood surveys in this vicinity. Why was it included in the residential strategy 2041?
- Do councillors and staff consider that areas 1, 5, 8, 9 and 10 identified in the Byron Shire Residential Strategy 2041 are part of the floodplain and should be removed from the strategy?
- Why is the council supporting Area 5, 8 and 10 and other flood prone areas included in the residential strategy?
- 1897 Coolamon scenic drive (Area 9) is not assessed for the impact of cumulative filling in the north Byron Flood study 2020 –why was it included in the residential strategy 2041?
- Do you agree that we must consider and respect the identity and character of our towns which already have well documented poor infrastructure and are struggling to cope with our current population?

Response: Director Sustainable Environment and Economy

At the 14 March 2024 meeting, Council resolved to approve the Residential Strategy 2041, with amendments, and submit it to the Department of Planning, Housing & Infrastructure for their endorsement.

[Residential Strategy - Byron Shire Council \(nsw.gov.au\)](https://www.nsw.gov.au/residential-strategy-byron-shire-council)

Responses to these questions were provided on the day through the debate, in the staff report, and in the contents of the Residential Strategy.

**Question with Notice No.3 Resolution 23-120 concerning the
Lavertys Gap water supply for
Mullumbimby**

File No: I2024/423

At Council's Ordinary Meeting held on 14 March 2024, Kathryn McConnochie asked the following question which was taken on notice:

Is Council planning to create additional off-stream storage capacity for Laverty's Gap in order to meet the increased housing projected for Mullumbimby in the Residential strategy, and if not, what resilient supply solutions are planned to meet the created demand?

Response Director Infrastructure Services:

An off-stream storage is one of four options under consideration by Council. At Council's Ordinary Meeting on 24 August 2023, it was resolved to "...consult and inform the community in a meaningful way before making a decision".

Drafting of the Mullumbimby Water Supply Strategy has extended well over three years with iterations and updates as requested by the Water and Sewer Advisory Committee.

Engaged consultants and staff have addressed all the committees' requests to date including the environmental assessment of the options.