

Notice of Meeting

Housing and Affordability Advisory Committee Meeting

A Housing and Affordability Advisory Committee Meeting of
Byron Shire Council will be held as follows:

Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 18 May 2023
Time	9.00am

Shannon Burt
Director Sustainable Environment and Economy

I2023/741
Distributed 11/05/23



BYRON
SHIRE
COUNCIL

CONFLICT OF INTERESTS

What is a “Conflict of Interests” - A conflict of interests can be of two types:

Pecuniary - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

Non-pecuniary – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Code of Conduct for Councillors (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

Remoteness – a person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in the Code of Conduct for Councillors.

Who has a Pecuniary Interest? - a person has a pecuniary interest in a matter if the pecuniary interest is the interest of the person, or another person with whom the person is associated (see below).

Relatives, Partners - a person is taken to have a pecuniary interest in a matter if:

- The person’s spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter.

N.B. “Relative”, in relation to a person means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person’s spouse;
- (b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

No Interest in the Matter - however, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company or other body, or
- Just because the person is a member of, or is employed by, the Council.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or

- (b) at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - a person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Non-pecuniary Interests - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as of the provisions in the Code of Conduct (particularly if you have a significant non-pecuniary interest)

Committee members are reminded that they should declare and manage all conflicts of interest in respect of any matter on this Agenda, in accordance with the [Code of Conduct](#).

RECORDING OF VOTING ON PLANNING MATTERS

Clause 375A of the Local Government Act 1993 – Recording of voting on planning matters

- (1) In this section, **planning decision** means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979:
- (a) including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but
- (b) not including the making of an order under that Act.
- (2) The general manager is required to keep a register containing, for each planning decision made at a meeting of the council or a council committee, the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- (3) For the purpose of maintaining the register, a division is required to be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- (4) Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document and is to include the information required by the regulations.
- (5) This section extends to a meeting that is closed to the public.

OATH AND AFFIRMATION FOR COUNCILLORS

Councillors are reminded of the oath of office or affirmation of office made at or before their first meeting of the council in accordance with Clause 233A of the Local Government Act 1993. This includes undertaking the duties of the office of councillor in the best interests of the people of Byron Shire and the Byron Shire Council and faithfully and impartially carrying out the functions, powers, authorities and discretions vested under the Act or any other Act to the best of one's ability and judgment.

BYRON SHIRE COUNCIL

BUSINESS OF MEETING

1. APOLOGIES

2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

- 3.1 Adoption of minutes from Housing and Affordability Advisory Committee meeting held on 16 March 2023 6

4. STAFF REPORTS

Sustainable Environment and Economy

- 4.1 Future Discussion Items for Housing and Affordability Advisory Committee 12
4.2 Presentation on Alternative Housing Models Research Paper by Echelon..... 14
4.3 Housing Initiative and Project Updates 17

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 Adoption of minutes from Housing and Affordability Advisory Committee meeting held on 16 March 2023

5

Directorate: Sustainable Environment and Economy

Report Author: Michelle Wilde, Project Support Officer

File No: I2023/608

10

RECOMMENDATION:

That the minutes of the Housing and Affordability Advisory Committee Meeting held on 16 March 2023 be confirmed.

15

Attachments:

1 Minutes 16/03/2023 Housing and Affordability Advisory Committee, I2023/363 , page 8 [↓](#) 

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BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1

Report

The attachment to this report provides the minutes of the Housing and Affordability Advisory Committee Meeting of 16 March 2023 .

Report to Council

- 5 The minutes were reported to Council on 27 April 2023 **Comments**

In accordance with the Committee Recommendations, Council resolved the following:

Council endorsed all the Committee's recommendations at Resolution 23-116.

Minutes of Meeting
Housing and Affordability Advisory
Committee Meeting

Venue	Conference Room, Station Street, Mullumbimby
Date	Thursday, 16 March 2023
Time	11.30am



BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

HOUSING AND AFFORDABILITY ADVISORY COMMITTEE MEETING MINUTES 16
MARCH 2023

Minutes of the Housing and Affordability Advisory Committee Meeting held on Thursday, 16 March 2023

File No: I2023/363

PRESENT: Cr Sama Balson, Cr Duncan Dey, Cr Sarah Ndiaye, Cr Michael Lyon (Mayor)

Staff: Shannon Burt (Director Sustainable Environment and Economy)
Sharyn French (Manager Environmental and Economic Planning)
Natalie Hancock (Senior Planner)
Noreen Scott (Minute Taker)

Community Representatives: Jack Dods, Sue Franklin, Phil Hoffman, Joe Vescio

Cr Balson (Chair) opened the meeting at 11.35am and acknowledged that the meeting was being held on Bundjalung Country.

ATTENDANCE VIA AUDIO-VISUAL LINK:

Nil

APOLOGIES:

Stephanie Smith, David Brown, John McKenna, Craig Brennan (North Coast Community Housing)

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 Adoption of the Minutes Housing and Affordability Advisory Committee Meeting held on 17 November 2022

File No: I2023/379

Committee Recommendation:

That the minutes of the Housing and Affordability Advisory Committee Meeting held on 17 November 2022 be confirmed.

(Balson/Franklin)

The recommendation was put to the vote and declared carried.

HAAAC Housing and Affordability Advisory Committee Meeting

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BYRON SHIRE COUNCIL

HOUSING AND AFFORDABILITY ADVISORY COMMITTEE MEETING MINUTES 16
MARCH 2023

Note: The minutes of the meeting held on 17 November 2022 were noted, and the Committee Recommendations adopted by Council, at the Ordinary Meeting held on 15 December 2022.

BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 4.1 Housing Initiative and Project Updates
File No: I2023/286

Committee Recommendation:

That the Housing and Affordability Advisory Committee notes the update on current initiatives and projects being progressed by Council staff.

(Vescio/Hoffman)

The recommendation was put to the vote and declared carried.

Report No. 4.2 Housing SEPP amendments update
File No: I2023/290

Committee Recommendation:

That the Housing and Affordability Advisory Committee notes the report.

(Vescio/Ndiaye)

The recommendation was put to the vote and declared carried.

There being no further business the meeting concluded at 1.16pm.

Report

There were no requests for reports or information received from the Housing and Affordability Advisory Committee members for this meeting.

Requests for future items can be raised at this meeting.

- 5 These requests, resourcing and alignment with Council’s Operational Plan will be tabled for discussion by the committee at the next meeting, to resolve whether they are taken to Council for consideration for inclusion in a future Council OP and budget.

Key issues

Nil

10 Strategic Considerations

Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
1: Effective Leadership We have effective decision making and community leadership that is open and informed	1.2: Engage and involve community in decision making	1.2.4: Advisory Committees - Coordinate advisory committees to inform decision making on their areas of expertise	1.2.4.1	Coordinate and support Advisory Committees to assist with effective Council decision making

Recent Resolutions

Nil

Legal/Statutory/Policy Considerations

- 15 Nil

Financial Considerations

No detailed costings for requested items provided at this stage.

Consultation and Engagement

Nil

- 20

**Report No. 4.2 Presentation on Alternative Housing Models
Research Paper by Echelon**

Directorate: Sustainable Environment and Economy

5 **Report Author:** Sharyn French, Manager Environmental and Economic
Planning
Kristie Hughes, Natural Disaster Policy Planner

File No: I2023/606

Summary:

10 Echelon Planning was engaged by Council to prepare an Alternative Housing Models
Addendum Research Paper in response to [Resolution 22-246](#) from [Council report - Rural
Land Use Strategy Action Audit](#)

This Addendum report to the [Alternative Housing Report 2019](#) has been prepared to
provide further information and an appraisal of alternative housing models, with a
particular focus on ecovillages.

15 The Addendum report outlines the specific characteristics and forms of ecovillages
considering different settings, scales, and financial structures and the role they might play
in delivering diverse and quality housing.

20 The purpose of this Addendum report is not to specifically evaluate the suitability of the
models for particular locations within the Byron Shire, but rather to understand the
ecovillage models in terms of their characteristics and ability to respond to Council policy
objectives in planning for adequate housing supply and affordability, social connectivity
and environmental resilience.

A working draft of this Addendum report is progressing. It will inform the wider review of
the Byron Shire Residential Strategy refresh.

25 Sarah McQuillen from Echelon Planning has been invited to present to the Committee on
the Addendum report findings. A presentation will be provided to the Committee at the
meeting.

30 **RECOMMENDATION:**

That the Housing and Affordability Advisory Committee:

1. **Thanks Sarah McQuillen from Echelon Planning for the presentation on the
Housing Models Addendum Research Paper for Byron Shire Council**
2. **Notes this Addendum report will inform further work being progressed by staff
35 on the Byron Shire Residential Strategy refresh this year.**

Strategic Considerations

Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
4: Ethical Growth We manage growth and change responsibly	4.2: Enable housing diversity and support people experiencing housing insecurity	4.2.2: Partnerships and pilots to address housing needs - Investigate partnerships and pilots that deliver an innovative and affordable housing model for the Shire		
4: Ethical Growth We manage growth and change responsibly	4.2: Enable housing diversity and support people experiencing housing insecurity	4.2.3: Legislation changes - Establish planning mechanisms and advocate for changes to legislation to support housing that meets the needs of our community		

Legal/Statutory/Policy Considerations

- 5 As discussed in the presentation.

Financial Considerations

Funded within existing operational budget.

Consultation and Engagement

Not relevant to this report.

Report No. 4.3 Housing Initiative and Project Updates

Directorate: Sustainable Environment and Economy

Report Author: Sharyn French, Manager Environmental and Economic Planning
Shannon Burt, Director Sustainable Environment and Economy

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File No: I2023/607

Summary:

Relevant staff will provide verbal updates to the Housing and Affordability Advisory Committee on current housing initiatives and projects being progressed by Council.

10 The projects in this report are ongoing, so this report is a standing item to ensure regular information and updates are provided on projects as relevant and timely.



15 **RECOMMENDATION:**

That the Housing and Affordability Advisory Committee notes the update on current initiatives and projects being progressed by Council staff.

Report

Mullumbimby Hospital Site

[Mullumbimby Hospital redevelopment - Byron Shire Council \(nsw.gov.au\)](#)

5 Work continues on a site-specific planning proposal that aligns with Resolution [22-737](#) to be presented to Council at a Council meeting in June.

Residential Strategy Refresh and Action 21 Rural Land Use Strategy

10 Work continues on Resolutions [22-246](#), [22-247](#), [22-685](#) and [22-739](#) to update and prepare new background documents to support the refresh of the Residential Strategy and the Rural Land Use Strategy. Reports to be provided to the Committee and Council meetings second half of 2023.

Short Term Rental Accommodation Planning Proposal and IPC hearing

[Independent Planning Commission - Byron Shire Short Term Rental Accommodation Planning Proposal \(nsw.gov.au\)](#)

15 On the 14 December 2022, the NSW Independent Planning Commission (IPC) received a request from the then Planning Minister to provide advice on Council's Planning Proposal (PP2021-3351) having regard to short term rental accommodation and related housing and rental affordability and availability issues in Byron Shire.

20 The IPC conducted a two-day public hearing and received and considered more than 500 written submissions, as well as holding multiple meetings and briefings with stakeholders, experts, organisations, and other jurisdictions.

The IPC has finalised their [advice report](#) on Council's Planning Proposal for the Minister's consideration.

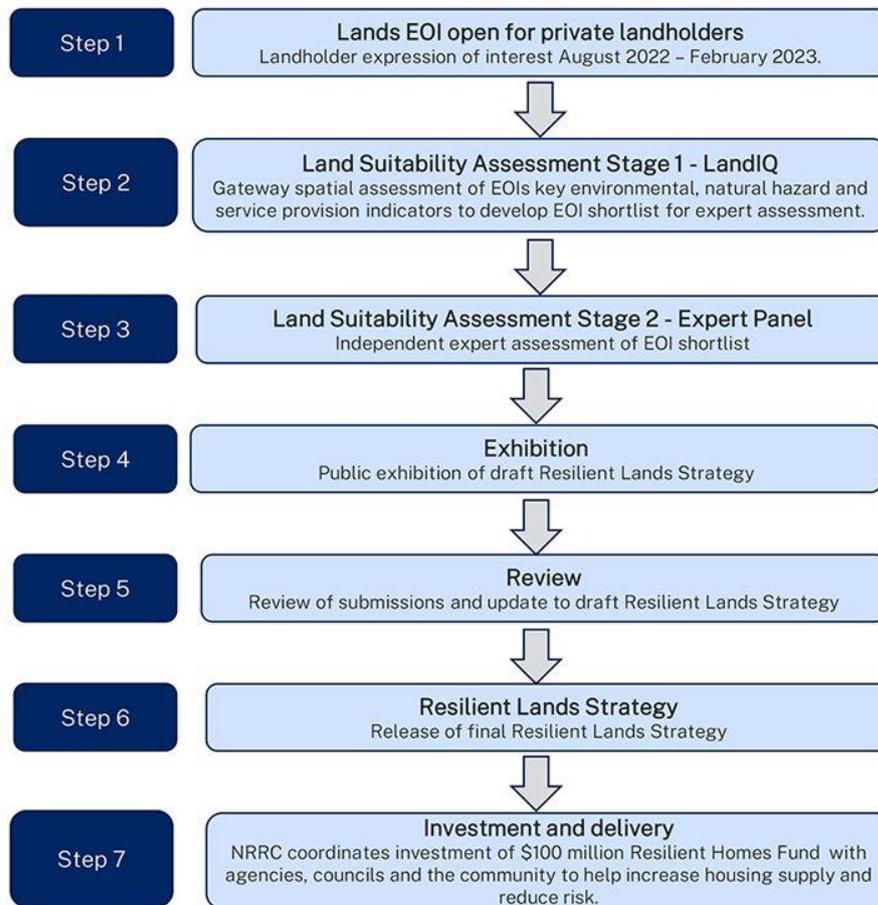
IPC's findings include 12 recommendations.

25 Staff are now liaising with the Department of Planning to progress the current Planning Proposal process recommendation 2 as a matter of priority. The other recommendations will be responded to also in time.

NRRRC Resilient Lands Program

[Resilient Land Program | NSW Government](#)

30 The Resilient Lands Program is being delivered through a seven-step Resilient Lands Roadmap (the Roadmap). The Roadmap began with the opening of the Resilient Lands Expression of Interest and will lead to investment of the \$100 million Resilient Lands Fund to deliver a range of options in the Northern Rivers for flood impacted residents and the Northern Rivers community.



The Landholder Expressions of Interest was the first step of the Resilient Lands Program and will allow the NSW Government to work with the community to understand land availability options in the Northern Rivers.

5 Step 1 and Step 2 of the Roadmap are now complete.

Step 3 – Land Suitability Assessment Stage 2 – Expert Panel has commenced. It is anticipated that this step is nearing completion with public notifications imminent.

This will enable the NRRC to identify a sustainable pipeline of residential development that delivers a range of options for flood impacted residents in the Northern Rivers.

10 It is understood that this this process sits outside the of Council’s normal strategic and statutory processes as per legislation. Further discussions are to occur with the NRRC as to what this means and how best to align their work and land identification for future housing needs with Council’s work.

Strategic Considerations

Community Strategic Plan and Operational Plan

<p>4: Ethical Growth We manage growth and change responsibly</p>	<p>4.2: Enable housing diversity and support people experiencing housing insecurity</p>	<p>4.2.3: Legislation changes - Establish planning mechanisms and advocate for changes to legislation to support housing that meets the needs of our community</p>
<p>4: Ethical Growth We manage growth and change responsibly</p>	<p>4.2: Enable housing diversity and support people experiencing housing insecurity</p>	<p>4.2.2: Partnerships and pilots to address housing needs - Investigate partnerships and pilots that deliver an innovative and affordable housing model for the Shire</p>

Recent Resolutions

- Multiple

5 Legal/Statutory/Policy Considerations

Specific to initiative and project.

Financial Considerations

Specific to initiative and project.

Consultation and Engagement

10 Specific to initiative and project.