

# 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, 21 September 2023
Time	11.30am

Shannon Burt  
Director Sustainable Environment and Economy

I2023/1411  
Distributed 14/09/23



**BYRON**  
SHIRE  
COUNCIL

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## 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](#).**

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## 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.

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## 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 ..... 6

### 4. STAFF REPORTS

#### **Sustainable Environment and Economy**

- 4.1 Presentation on Housing Options Paper by Locale Consulting ..... 13  
4.2 Housing Initiatives and Project Updates Report..... 16  
4.3 Future Discussion Items for Housing and Affordability Advisory Committee .... 20

**ADOPTION OF MINUTES FROM PREVIOUS MEETINGS**

**Report No. 3.1 Adoption of Minutes from Housing and Affordability Advisory Committee**

5 **Directorate:** Sustainable Environment and Economy  
**Report Author:** Michelle Wilde, Project Support Officer  
**File No:** I2023/812



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**RECOMMENDATION:**

**That the minutes of the Housing and Affordability Advisory Committee Meeting held on 18 May 2023 be confirmed.**

15 **Attachments:**

1 Minutes 18/05/2023 Housing and Affordability Advisory Committee, I2023/743 , page 8  

# 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 18 May 2023 .

### **Report to Council**

- 5 The minutes will be reported to Council on 28 September 2023.

**Minutes of Meeting**  
**Housing and Affordability Advisory**  
**Committee Meeting**

<b>Venue</b>	<b>Conference Room, Station Street, Mullumbimby</b>
<b>Date</b>	<b>Thursday, 18 May 2023</b>
<b>Time</b>	<b>9.00am</b>





**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 18  
MAY 2023

### **Minutes of the Housing and Affordability Advisory Committee Meeting held on Thursday, 18 May 2023**

**File No:** I2023/743

**PRESENT:** Cr Sama Balson, Cr Duncan Dey, Cr Sarah Ndiaye

Staff: Sharyn French (Manager Environmental and Economic Planning)

Chris Larkin (Manager Sustainable Development)

Kristie Hughes (Project Planner)

Michelle Wilde (Minute Taker)

Community Representatives: David Brown, Jack Dods, Joe Vescio,  
Stephanie Smith, Sue Franklin

Invited Guests: Sarah McQuillen (Director at Echelon Planning), Kate Field  
(Echelon Planning)

Cr Sama Balson (*Chair*) opened the meeting at 9:06am and acknowledged that the meeting was being held on Bundjalung Country.

#### **ATTENDANCE VIA AUDIO-VISUAL LINK:**

Cr Duncan Dey, Joe Vescio, Stephanie Smith, Sarah McQuillen (Echelon Planning), Kate Field (Echelon Planning)

#### **APOLOGIES:**

Shannon Burt (Director Sustainable Environment & Economy), Craig Brennan, Phil Hoffman, John McKenna

#### **DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY**

There were no declarations of interest.

**BYRON SHIRE COUNCIL**

HOUSING AND AFFORDABILITY ADVISORY COMMITTEE MEETING MINUTES 18  
MAY 2023

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**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**  
**File No: I2023/608**

**Committee Recommendation:**

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

(Ndiaye/Dods)

*The recommendation was put to the vote and declared carried.*

*Note: The minutes of the meeting held on 16 March were noted, and the Committee  
Recommendations adopted by Council, at the Ordinary Meeting held on 27 April  
2023.*

**BUSINESS ARISING FROM PREVIOUS MINUTES**

There was no business arising from previous minutes.

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**STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY**

**Report No. 4.1 Future Discussion Items for Housing and Affordability Advisory  
Committee**  
**File No: I2023/730**

**Committee Recommendation:**

- 1. That we have an agenda item in a future meeting exploring ways that the  
Housing and Affordability Advisory Committee can be more proactive and  
interactive.**
- 2. That an item for the list be the re-use of existing buildings for affordable  
housing purposes be investigated.**
- 3. That an item for the exploration of lot sizes and purpose be investigated.**
- 4. That the Housing and Affordability Advisory Committee notes the report.**

(Ndiaye/Brown)

*The recommendation was put to the vote and declared carried.*

**BYRON SHIRE COUNCIL**

HOUSING AND AFFORDABILITY ADVISORY COMMITTEE MEETING MINUTES 18  
MAY 2023

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**Report No. 4.2**      **Presentation on Alternative Housing Models Research Paper by Echelon**  
**File No:**            I2023/606

**Committee 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 on the Byron Shire Residential Strategy refresh this year.**
- 3. Discuss the presentation on alternative Housing Models in the next meeting.**

(Brown/Smith)

*The recommendation was put to the vote and declared carried.*

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**Report No. 4.3**      **Housing Initiative and Project Updates**  
**File No:**            I2023/607

**Committee Recommendation:**

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

(Dods/Franklin)

*The recommendation was put to the vote and declared carried.*

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*There being no further business the meeting concluded at 11:05am.*



**Report**

5 Council adopted a Residential Strategy in December 2020. It was the result of three years of planning, research and community consultation. It identifies that we need a diverse supply of housing for a range of incomes, lifestyle choices, household types and life stages to maintain community diversity and social cohesion.

The Strategy was not endorsed by the NSW Department of Planning and Environment (DPE). Endorsement is required so that proposals for new land release and some infill opportunities may be progressed.

10 A peer review provided options to move forward, with the preferred option recommending a refresh of the Strategy to include staging & sequencing, monitoring & review and the introduction of an implementation plan.

Since then, many significant events have occurred, changes have been made to State and local policies, and critical decisions have been made that inform and affect housing options in the Byron Shire.

15 This Options Paper has the primary purpose of documenting what has changed since 2020 and guiding targeted community engagement about ways we can deliver housing to meet the needs of our community. The feedback will ultimately inform the refresh of the Residential Strategy.

20 A full report on the Housing Options Paper and Residential Strategy Refresh is on the Agenda for the 28 September 2023 Ordinary meeting of Council.

**Strategic Considerations**

**Community Strategic Plan and Operational Plan**

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
4: Ethical Growth	4.1: Manage responsible development through effective place and space planning	4.1.2: Growth Management Strategies - Implement Local Growth Management Strategies	4.1.2.5	Revise and update Residential Strategy

**Recent Resolutions**

- 22-247 Residential Strategy and Lot 22 update.
- 25 • 23-315 Deputy Secretary Requirements ...in relation to Housing Supply.

[Late Items Agenda of Ordinary \(Planning\) Meeting - Thursday, 10 August 2023 \(infocouncil.biz\)](#)

**Legal/Statutory/Policy Considerations**

As discussed in the presentation.

**5 Financial Considerations**

Funded within existing operational budget.

**Consultation and Engagement**

As discussed in the presentation.

**Report No. 4.2      Housing Initiatives and Project Updates Report**

**Directorate:**                      Sustainable Environment and Economy

**Report Author:**                Shannon Burt, Director Sustainable Environment and Economy

5    **File No:**                        I2023/1352

**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.

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**RECOMMENDATION:**

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



## Report

### Mullumbimby Hospital Site

5 We have submitted the Planning Proposal to the state government for their feedback. Once a gateway is received it will be exhibited for community feedback.

An Enquiry by Design process will progress alongside the Planning Proposal process. This will engage stakeholders to develop detailed Concept Plans. A Development Feasibility Assessment will then evaluate the preferred option.

10 Once the preferred Concept Plan is endorsed by Council, it will form the foundation for a Development Control Plan chapter.

[Mullumbimby Hospital redevelopment - Byron Shire Council \(nsw.gov.au\)](https://www.nsw.gov.au/mullumbimby-hospital-redevelopment)

### Residential Strategy Refresh and Action 21 Rural Land Use Strategy

15 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.

Housing Options Paper discussed in a separate report on this agenda.

### Short Term Rental Accommodation Planning Proposal

20 Council awaits a decision from the Minister for Planning on its Short-Term Rental Accommodation Planning Proposal.

The most recent report on this to Council was: 17.1 Deputy Secretary NSW Planning requirements of Byron Shire Council to address Independent Planning Commission Advice Report on Byron Shire Short Term Rental Accommodation in relation to Housing Supply 26.2020.1.1 .7 [Late Items Agenda of Ordinary \(Planning\) Meeting - Thursday, 10 August 2023 \(infocouncil.biz\)](#)

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### NRRC Resilient Lands Program

Council awaits a further update from the NRRC on its consideration of submissions and Council's Resolution:

#### **No. 1 Matter of Urgency - Resilient Lands Strategy**

**23-303 Resolved** that Council:

1. Notes the Northern Rivers Reconstruction Corporation released its draft Resilient Lands Strategy on Thursday 8 June 2023 with submissions on the strategy closing on 30 June 2023.

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

2. Notes the total lack of detail contained within the strategy, making it very difficult for stakeholders and the community to understand its benefits and impacts.
3. Reaffirms the importance of consulting with, and bringing the community along, in the development and implementation of housing strategy.
4. Makes a submission to the draft strategy that includes the following:
  - a) Requests a master plan process that includes community consultation structures, for Site B2 in Byron Shire before any upzoning is undertaken
  - b) Identifies how transport including public transport issues will be addressed
  - c) Requests that Council's full 20% Affordable housing contribution scheme will be implemented
  - d) Notes the lack of detail about the makeup of the rest of the proposed release areas – how many flood impacted people will be housed?
  - e) Requests that significant portions of the sites in Byron Shire be used for food security, such as market gardens, and environmental rehabilitation
  - f) Notes the lack of any detail on the identification of required new or improved infrastructure and the likelihood that the identified \$100 million will not be enough for the whole strategy

(Pugh)

It is understood that a Submissions Report and Updated Strategy are to be published soon.

## Strategic Considerations

### Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action
4: Ethical Growth	4.1: Manage responsible development through effective place and space planning	4.1.2: Growth Management Strategies - Implement Local Growth Management Strategies
4: Ethical Growth	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

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

		model for the Shire
4: Ethical Growth	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
4: Ethical Growth	4.1: Manage responsible development through effective place and space planning	4.1.4: LEP & DCP - Review and update the Local Environmental Plan and Development Control Plans

### 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.

**Report No. 4.3      Future Discussion Items for Housing and  
Affordability Advisory Committee**

**Directorate:** Sustainable Environment and Economy

5 **Report Author:** Michelle Wilde, Project Support Officer  
Shannon Burt, Director Sustainable Environment and Economy

**File No:** I2023/1400

**Summary:**

This report summarises reports and information requested by the Housing and Affordability Advisory Committee.

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**RECOMMENDATION:**

15 **That the Housing and Affordability Advisory Committee notes the report.**

**Report**

Requests for future items can be raised prior to and 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.

<b>Information requested</b>	<b>Resourcing</b>	<b>Delivery Program, Operational Plan &amp; other Council Strategies</b>
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# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

<p>Exploring ways that the Housing and Affordability Advisory Committee (HAAC) can be more proactive and interactive.</p> <p><b>Requested: HAAC meeting 18 May 2023</b></p>	<p>The scope of the Housing and Affordability Advisory Committee is:</p> <ul style="list-style-type: none"> <li>• Monitor and promote the implementation of <a href="#">Council's Affordable Housing Policy</a> and other relevant policies and plans related to affordable housing for very low-, low- and moderate-income households, including essential workers, boarding house residents, homeless people and others experiencing housing stress.</li> <li>• Serve as a resource for Council in relation to the housing market, trends and community impacts, including supporting access to and opportunities for affordable, sustainable and accessible housing options where relevant.</li> <li>• Suggestions on improving the development of housing options that support the retention of a diverse and inclusive community and an accessible and sustainable place to live.</li> <li>• Assist in the development of programs and initiatives to highlight the importance of housing to the well-being and dynamism of the community.</li> </ul> <p>Not specifically resourced.</p>	<p>4: Ethical Growth</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> <p>4: Ethical Growth</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>No Operational Plan Activity.</p>
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# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

<p>Re-use of existing buildings for affordable housing purposes be investigated.</p> <p><b>Requested: HAAC meeting 18 May 2023</b></p>	<p>Not specifically resourced.</p>	<p>4: Ethical Growth</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> <p>No Operational Plan Activity.</p>
<p>Exploration of lot sizes and purpose be investigated.</p> <p><b>Requested: HAAC meeting 18 May 2023</b></p>	<p>Part of the Residential Strategy Refresh.</p>	<p>4: Ethical Growth</p> <p>4.1: Manage responsible development through effective place and space planning</p> <p>4.1.2: Growth Management Strategies - Implement Local Growth Management Strategies</p> <p>4.1.2.5 Revise and update Residential Strategy</p>

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

<p>Resolution 23-236 Homelessness Crisis in Byron Shire.</p> <p>Requests information about what options exist for Council to provide for temporary accommodation to support those experiencing displacement and homelessness that fall outside of the current state funded programs.</p> <p><a href="#">Minutes of Ordinary (Planning) Meeting - Thursday, 8 June 2023 (infocouncil.biz)</a></p> <p><b>Requested: Mayor Michael Lyon</b></p>	<p>Not specifically resourced.</p>	<p>4: Ethical Growth</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> <p>No Operational Plan Activity.</p>
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## Strategic Considerations

### Community Strategic Plan and Operational Plan

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

## Recent Resolutions

N/A

## 5 Legal/Statutory/Policy Considerations

N/A

## Financial Considerations



No detailed costings for requested items provided at this stage.

**Consultation and Engagement**

N/A