

# Minutes Ordinary (Planning) Meeting Thursday, 10 April 2025



## DISCLAIMER

**These minutes are DRAFT minutes and will remain unconfirmed until they are confirmed as a correct record at a subsequent meeting.**



**BYRON  
SHIRE  
COUNCIL**



# BYRON SHIRE COUNCIL

Ordinary (Planning) Meeting Minutes  
10 April 2025

---

## INDEX OF ITEMS DISCUSSED

*The following items are listed in the order in which they were dealt with.*

Report No. 13.5	PLANNING - Report of the Planning Review Committee held 11 March 2025 .....	8
Report No. 13.7	PLANNING - DA 10.2024.490.1 - Dual Occupancy (Detached) Comprising an Existing Dwelling, a New Dwelling, a Carport / Workshop and Removal of 6 Trees - 7 Tinderbox Road, Talofa .....	8
Report No. 13.8	General Managers Delegation to Award Tenders .....	9
Report No. 14.1	Report of the Local Traffic Committee Meeting held on 18 March 2025 .....	9
Report No. 13.2	PLANNING - DA 10.2024.474.1- Removal of existing dwelling and construction of two 2 storey dwelling houses with swimming pools 7 Leslie Street Bangalow .....	13
Report No. 13.3	Business, Industry and Visitor Economy (BIVE) Strategy - Post Exhibition Report.....	14
Mayoral Minute No. 10.1	Bayside Pods .....	15
No. 10.2	Compliance Action at Upper Main Arm .....	16
Report No. 13.1	PLANNING - DA 10.2024.290.1 - Change of Use from Motel to Serviced Apartments Including Ancillary Restaurant/Bar and Alterations and Additions, 3 Shirley Street, BYRON BAY .....	17
Report No. 13.4	Events Strategy - Post Exhibition Report .....	18
Report No. 13.6	Status report on Development Applications (DAs) with bodies like the Northern Regional Planning Panel (NRPP).....	18

# BYRON SHIRE COUNCIL

ORDINARY (PLANNING) MEETING MINUTES

10 April 2025

**MINUTES OF THE BYRON SHIRE COUNCIL ORDINARY (PLANNING) MEETING HELD ON THURSDAY, 10 APRIL 2025 COMMENCING AT 3.12PM AND CONCLUDING AT 6.18PM.**

I2025/442

**PRESENT:** Cr S Ndiaye (Mayor), Cr J Dods, Cr E Hauge, Cr D Kay, Cr M Lowe, Cr M Lyon, Cr A Pugh, Cr D Warth

Staff: Mark Arnold (General Manager)  
Esmeralda Davis (Director Corporate and Community Services)  
Chris Soulsby (A/Director Infrastructure Services)  
Shannon Burt (Director Sustainable Environment and Economy)  
Matt Meir (Legal Counsel)  
Heather Sills (Manager Corporate Services)  
Storm Townsend (Minute Taker)

*The Mayor opened the meeting and acknowledged that the meeting is being held on Arakwal Country and that we pay our respects to the elders past and present and extend our respect to the Bundjalung clans whose lands and waters are part of the Shire.*

## PUBLIC ACCESS

Prior to dealing with the circulated reports and associated information, a Public Access Session was held and Council was addressed on the following:

### Public Access

Report No and Title	For/ Against	Name	Representing Organisation	Submission Received in form of	
13.2	PLANNING - DA 10.2024.474.1- Removal of existing dwelling and construction of two 2 storey dwelling houses with swimming pools 7 Leslie Street Bangalow	For	Ian Holmes	Bangalow Community Assoc	In Person
		Against	Carrie Christensen	Self	In Person
13.3	Business, Industry and Visitor Economy (BIVE) Strategy - Post Exhibition Report	For	Wendy Bithell	Destination Byron	Read by Staff
			Matthew Williamson	Byron Bay Chamber of Commerce	In Person

# BYRON SHIRE COUNCIL

ORDINARY (PLANNING) MEETING MINUTES

10 April 2025

## Submissions

Subject	Name	Representing Organisation	Submission Received in form of
Illegal 'exempt' Byron Shire STRA rorting	David Wallace	Victims of Holiday Letting (VOHL)	In Person
Floodplain Management Grant by May 2025	Duncan Dey	Self	In Person

### Question No. 1 – Floodplain Management Grant by May 2025

Duncan Dey asked the following question:

*Would you please get the Application for the Grant to produce a Floodplain Plan and Study ready for lodging before the closing date in May so that we don't wait another 12 months for only the beginning of the process that will take 5 years?*

The General Manager provided the following response:

*Council has included the Grant in next years budget and the Application for the study is currently being finalised and it is my understanding it will be submitted on Monday once I sign off on it.*

### Question No. 2 - Illegal exempt STRA rort

David Wallace, on behalf of Victims of Holiday Letting (VOHL), asked the following question:

*There is a housing crisis in Byron Shire and Australia. One of the main aims of the 60-day cap is to return STRA to the permanent rental market. About 507 STRA in Byron Shire, illegally self-identified as exempt from DPHI registration and are advertising on Airbnb. What communication has Council had with the Departments of Fair Trading and Planning to stop this blatant rort? What does the Council intend to do in the future?*

The Mayor took the question on notice.

### Question No. 3 – Clifford Street Intersection

Joti Jaffray asked the following question (as read by staff):

*Could you please provide an update on the possible future or current grants suitable for the Clifford Street intersection roundabout upgrade.*

Chris Soulsby, A/Director Infrastructure Services took the question on notice.

# BYRON SHIRE COUNCIL

ORDINARY (PLANNING) MEETING MINUTES

10 April 2025

## Question No. 4 - Clifford St/Broken Head Rd Intersection

Liz Levy asked the following question:

*In the interests of transparency and accountability, will the supplementary Metis material that was provided to Councillors for the Council meeting of 27 February 2025 be made available on Council's website, and if so, when?*

Chris Soulsby, A/Director Infrastructure Services responded:

*We can put that into motion, up on the website. It is my understanding the Infrastructure Planning Coordinator provided a copy to Ms Levy and we can publish that to our website.*

## Question No. 5 – Project Update and Community Communication

Dean Prosser, on behalf of Keep The Flow in Suffo, asked the following question (as read by staff):

*It has been 4 weeks since the BSC passed the resolution to cease work on the Traffic Light project at the corner of Broken Head Road & Clifford St. Could you please provide updates of all points included on this resolution.*

*And please comment on BSC efforts towards part 5 of this resolution regarding community communication & engagement towards actioning the previously planned safety measures to the immediate area & secondly towards the installation of a roundabout at this intersection.*

Chris Soulsby, A/Director Infrastructure Services took the question on notice.

*The meeting adjourned at 4.03pm for a recess break and reconvened at 4.26pm.*

---

## APOLOGIES

### PROCEDURAL MOTION

- 25-110 Resolved** that the apology from Cr Swain be accepted in accordance with her prior leave of absence (Resolution **25-082**). (Ndiaye/Warth)

*The motion was put to the vote and carried unanimously.*

---

## APPLICATIONS TO ATTEND BY AUDIO-VISUAL LINK

There were no applications to attend the meeting via audio-visual link.

**REQUESTS FOR LEAVE OF ABSENCE**

There were no requests for leave of absence

---

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

Cr Dods declared a non-pecuniary interest in Report 13.1. The nature of the interest being that Cr Dods has a periodic, minor business relationship with Planners North (PN), who he has worked as the planner for this DA. His relationship with PN is infrequent and not particularly close as defined by Clause 5.9 (b) of the Code of Conduct for Councillors Policy. Cr Dods elected to remain in the Chamber and will participate in discussion and the vote.

Cr Dods declared a non-pecuniary interest in Report 13.2. The nature of the interest being that Cr Dods has a past minor business relationship with Matt Walker Town Planning, who has worked as the planner for this DA. Cr Dods relationship with them is infrequent and not particularly close as defined by Clause 5.9 (b) of the Code of Conduct for Councillors Policy. Cr Dods elected to remain in the Chamber and will participate in discussion and the vote.

Cr Dods declared a non-pecuniary interest in Report 13.6. The nature of the interest being that Part of this Status Report gives an update on the assessment of DA 2023.454.1 - Community Title Subdivision at 53 McAuleys Ln Myocum. Cr Dods was engaged during the DA preparation for this application and considers the interest in this particular item to be not significant because: a) It is a public status report; b) It only requires Councillors to note the report; c) The relevant DA is being determined by the NRPP (not Council), and; d) The nature of this item relates to the Status Report, not the respective DA. Cr Dods elected to remain in the Chamber and will not participate in the debate on this item and will retain the option to vote on the item, as Cr Dods anticipates the likelihood of it being included in an en-bloc vote.

---

**TABLING OF PECUNIARY INTEREST RETURNS**

There were no Pecuniary Interest Returns tabled.

---

**ADOPTION OF MINUTES FROM PREVIOUS MEETINGS**

**25-111 Resolved** that the minutes of the Ordinary (Planning) Meeting held 13 March 2025 be confirmed. (Dods/Ndiaye)

*The motion was put to the vote and carried unanimously.*

---

**RESERVATION OF ITEMS FOR DEBATE AND ORDER OF BUSINESS**

The Mayor suspended standing orders to allow for items to be reserved for debate, being:

**STAFF REPORTS**

**Sustainable Environment and Economy**

- Report No. 13.1 PLANNING - DA 10.2024.290.1 - Change of Use from Motel to Serviced Apartments Including Ancillary Restaurant/Bar and Alterations and Additions, 3 Shirley Street, BYRON BAY
- Report No. 13.2 PLANNING - DA 10.2024.474.1- Removal of existing dwelling and construction of two 2 storey dwelling houses with swimming pools 7 Leslie Street Bangalow
- Report No. 13.3 Business, Industry and Visitor Economy (BIVE) Strategy - Post Exhibition Report
- Report No. 13.4 Events Strategy - Post Exhibition Report
- Report No. 13.6 Status report on Development Applications (DAs) with bodies like the Northern Regional Planning Panel (NRPP)

The remaining Recommendations and Committee Recommendation were adopted as a whole, being moved by Cr Hauge and seconded by Cr Lowe. Each recommendation is recorded with a separate resolution number commencing at Resolution No. **25-112** and concluding with Resolution No. **25-121**.

---

**STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY**

- Report No. 13.5 PLANNING - Report of the Planning Review Committee held 11 March 2025**  
**File No:** I2025/309

**25-112 Resolved:** that Council endorses the outcomes of the Planning Review Committee meeting held on 11 March 2025. (Hauge/Lowe)

- Report No. 13.7 PLANNING - DA 10.2024.490.1 - Dual Occupancy (Detached) Comprising an Existing Dwelling, a New Dwelling, a Carport / Workshop and Removal of 6 Trees - 7 Tinderbox Road, Talofa**  
**File No:** I2025/368

**25-113 Resolved** that pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2024.490.1 for Dual Occupancy (Detached) Comprising an Existing Dwelling, a New Dwelling, a Carport / Workshop and Removal of 6 Trees, be granted consent subject to the conditions in Attachment 1 #E2025/28396. (Hauge/Lowe)



# BYRON SHIRE COUNCIL

ORDINARY (PLANNING) MEETING MINUTES

10 April 2025

---

## STAFF REPORTS - INFRASTRUCTURE SERVICES

**Report No. 13.8**      **General Managers Delegation to Award Tenders**  
**File No:**              I2025/372

**25-114 Resolved** that Council, pursuant to s377(1) of the Local Government Act 1993 updates the delegation to the General Manager with respect to accepting or rejecting tenders subject to the limitation in s377(1)(i) of the Local Government Act 1993 as follows:

1. Acceptance or decline of tenders other than to provide services currently provided by members of staff of the council (s377(1)i of LGA). Acceptance or decline of tenders is limited to:
  - a) Capital works specifically itemised in a budget approved by Council (as long as the tendered amount falls within the approved budget); or
  - b) Disaster Recovery works (where the tendered amount falls within the approved value of the works defined in the executed Essential Public Asset Restoration funding agreement); or
  - c) Renewal of existing contracts; or
  - d) Tenders less than \$500,000 (ex GST) in value; and
  - e) Compliance with Local Government (General) Regulation. (Hauge/Lowe)

---

## REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES

**Report No. 14.1**      **Report of the Local Traffic Committee Meeting held on 18**  
**March 2025**  
**File No:**              I2025/363

**25-115 Resolved** that Council notes the minutes of the Local Traffic Committee Meeting held on 18 March 2025. (Hauge/Lowe)

**25-116 Resolved** that Council adopts the following Committee Recommendation:

**Report No. 6.1 Proposed new LTC meeting dates**  
File No: I2025/282

**Committee Recommendation 6.1.1**

That Council supports the new proposed LTC meeting dates for the remainder of 2025. (Hauge/Lowe)

# BYRON SHIRE COUNCIL

ORDINARY (PLANNING) MEETING MINUTES

10 April 2025

**25-117 Resolved** that Council adopts the following Committee Recommendation:

**Report No. 6.2 Upgrade of Intersection on Bangalow Road (linemarking to be undertaken at night)**

File No: I2025/292

**Committee Recommendation 6.2.1**

That Council endorses the proposed intersection plan as nominated in attachment 1 (E2025/25523). (Hauge/Lowe)

**25-118 Resolved** that Council adopts the following Committee Recommendations:

**Report No. 7.1 Event - Byron Bay Triathlon - 27 April 2025**

File No: I2025/196

**Committee Recommendation 7.1.1**

That:

1. Council supports the Byron Bay Triathlon to be held on Sunday 27 April 2025
2. Council support in Part 1 is subject to:
  - a) separate approvals by NSW Police and TfNSW being obtained;
  - b) the event organiser provide council with an updated Traffic Management Plan and Traffic Guidance Scheme/s for the 2025 event.
  - c) development and implementation of a Traffic Management Plan and Traffic Guidance Scheme/s by those with appropriate TfNSW accreditation and the holding of current and appropriate levels of insurance and liability cover;
  - d) the impact of the event be advertised, and charged at cost to the organisers, via a notice in the local weekly paper and Variable Message Signage (VMS) 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;
  - e) the event be notified on Council's web page with the event organiser supplying Council with the relevant information;
  - f) Access from main beach car park to Fletcher St is to be unrestricted at all times.
  - g) Access to Lawson St between Fletcher St and Middleton St to be permitted at all times.
3. The event organiser to:
  - a) inform the community and businesses that are directly impacted (e.g.

# BYRON SHIRE COUNCIL

ORDINARY (PLANNING) MEETING MINUTES

10 April 2025

within road closure zones) 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) arranging for private property access and egress affected by the event;
  - c) liaising with bus, taxi and waste operators and ensuring arrangements are made for provision of services during conduct of the event;
  - d) consulting with emergency services and any identified issues be addressed;
  - e) holding \$20m public liability insurance cover which is valid for the event;
  - f) paying Council's Road Event Application Fee prior to the event.
- (Hauge/Lowe)

**25-119 Resolved** that Council adopts the following Committee Recommendation:

**Report No. 7.2 Electric vehicle line marking and signage**

File No: I2025/227

**Committee Recommendation 7.2.1**

That Council supports the installation of electric vehicle signage and line marking:

- 1. Location 1 – Lawson St North Carpark, Byron Bay
  - 2. Location 2 – Mullumbimby Administration Building.
- (Hauge/Lowe)

**25-120 Resolved** that Council adopts the following Committee Recommendation:

**Report No. 7.3 Car share service expansion**

File No: I2025/228

**Committee Recommendation 7.3.1**

That Council supports the expansion of car share and installation of associated signage and line marking for one space at the following locations:

- 1. Location 1: Beech Dr, Suffolk Park
  - 2. Location 2. Deacon St, Bangalow
  - 3. Location 3. Tweed St, Brunswick Heads
- (Hauge/Lowe)

# BYRON SHIRE COUNCIL

ORDINARY (PLANNING) MEETING MINUTES

10 April 2025

**25-121 Resolved** that Council adopts the following Committee Recommendation:

**Report No. 7.4 Essential Energy - Pole Mounted Electric Vehicle Charger Trial  
- Signage and Line Marking**

File No: I2025/234

**Committee Recommendation 7.4.1**

That Council supports the installation of designated electric vehicle signage and line markings for the Essential Energy trial at:

1. 26 Station Street, Bangalow (2 car spaces);
2. 55 Stuart Street, Mullumbimby (1 car space); and
3. 34 Fingal Street, Brunswick Heads (1 car space). (Hauge/Lowe)

*The motions (Res 25-112 to 25-121) were put to the vote and carried unanimously. Crs Lyon, Ndiaye, Pugh, Dods, Lowe, Kay, Warth and Hauge voted in favour of the motions.*

*Nil voted against the motions.*

**PROCEDURAL MOTION**

**25-122 Resolved** that Council change the order of business to deal with Reports 13.2 and 13.3 next on the Agenda. (Dods/Kay)

*The motion was put to the vote and carried unanimously.*

---

**STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY**

**Report No. 13.2      PLANNING - DA 10.2024.474.1- Removal of existing dwelling and construction of two 2 storey dwelling houses with swimming pools 7 Leslie Street Bangalow**  
**File No:                      I2025/221**

**25-123      Resolved that Council:**

1. Pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2024.474.1 for Removal of existing dwelling and construction of two 2 storey dwelling houses with swimming pools be refused for the following reasons:
  - a) Pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with Clause 5.10 of Byron Local Environmental Plan. The proposal does not conserve the heritage significance of the Bangalow Heritage Conservation area, including associated fabric, settings and views.
  - b) Pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with Clause 4.4 Floor Space Ratio of Byron Local Environmental Plan.
  - c) Pursuant to Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with Chapter C1 of Byron Development Control Plan 2014:
    - i. The proposed application and provided Heritage Impact Statement lacks justification as to why the removal of the contributory item is required and does not demonstrate whether other options which may have less impact have been considered and why they were considered less viable.
    - ii. The proposal conflicts with Chapter C1.6.1(3) which states that development in all areas must remain single storey. The proposed two x two storey dwellings with larger building footprints and paved areas will alter the historic and aesthetic significance of the Heritage Conservation Area.
  - d) Pursuant to Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the objectives and performance criteria of Section E2.4 Development within the Bangalow Heritage Conservation Area, Chapter E2 of Byron Development Control Plan 2014. The proposed development does not reinforce the existing low rise historical village feel of Bangalow.
  - e) Pursuant to Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with Chapter D1 of Byron DCP 2014 in terms of the Building Height Plane.
  - f) Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 the proposed development will have an unacceptable

# BYRON SHIRE COUNCIL

ORDINARY (PLANNING) MEETING MINUTES

10 April 2025

impact on the built environment in the Bangalow Heritage Conservation Area.

- g) Pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, the proposal has not demonstrated that the site is suitable for the proposed development.
  - h) Pursuant to Section 4. 15(1)(e) of the Environmental Planning and Assessment Act 1979 the proposal is contrary to the public interest and would create an undesirable precedent.
2. Proceeds with a LEP amendment to include the property 7 Leslie Street Bangalow in Schedule 5 of LEP 2014, as per Resolution 24-381 (4) and listing details in Attachment 4. (Lyon/Pugh)

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

*Crs Lyon, Ndiaye, Pugh, Dods, Warth and Hauge voted in favour of the motion.*

*Crs Kay and Lowe voted against the motion.*

---

**Report No. 13.3 Business, Industry and Visitor Economy (BIVE) Strategy -  
Post Exhibition Report**

**File No:** I2025/188

**25-124 Resolved** that Council:

1. Acknowledges the lengthy process to reach this project stage.
2. Thanks individuals, organisations and agencies who provided a written submission during the exhibition of the draft BIVE Strategy and to those who gave their time throughout its development.
3. Recognises the need to adjust our approach to supporting and advocating for economic vibrancy and supports transitioning the BIVE Strategy into a Vibrant Economy Strategy serving as an overarching economic development strategy for Byron Shire.
4. Notes the Vibrant Economy Strategy will be supported by multiple sub-plans including the Events Action Plan (refer to the separate report on this agenda).
5. Supports the finalisation of the Vibrant Economy Strategy as outlined in this report.
6. Receives a report on the final Vibrant Economy Strategy. (Kay/Pugh)

*The motion was put to the vote and carried unanimously.*

---

MAYORAL MINUTE

**Mayoral Minute No. 10.1 Bayside Pods**

**File No:** I2025/471

**25-125 Resolved** that Council:

1. Advocates for the retention emergency housing pods located at the Brunswick Pod Village on Torakina St, Bayside, Brunswick.
2. Seeks to retain the 9 structures on Council-owned land, ensuring that they remain in place to provide ongoing emergency accommodation for displaced and flood-affected residents including:
  - a) Working with NSW Reconstruction Authority to resolve parking, access, and other constraints.
3. Takes steps to secure an alternative site within the Byron Shire to relocate any remaining emergency housing pods currently located on private land to continue providing emergency housing for those in need.
4. Urges the relevant authorities, including the Federal Government, to provide ongoing funding for temporary housing solutions such as these pods and certainty for residents, recognising the critical role of temporary solutions in addressing the region's housing crisis.
5. Writes to the NSW Reconstruction Authority to seek their advocacy in writing to the Government for additional funding for the extension of the ongoing housing for the displaced flood affected residents.
6. Writes to the Federal Government to seek additional funding to extend the provision of emergency housing at Brunswick Pod Village on Torakina St, Bayside, Brunswick.
7. Acknowledges that there has been no significant increase in housing supply in the region since the floods, and stresses that asking residents to vacate their emergency accommodation with no clear alternative in place is an unrealistic and flawed approach to the ongoing housing crisis.
8. Acknowledges the recent data showing a 9.1% increase in rental prices across regional NSW, with a 10% surge in the Byron Shire, and the significant ongoing shortage of affordable housing in the region. This reinforces the urgency of retaining and repurposing existing housing solutions to meet immediate community needs. (Ndiaye)

# BYRON SHIRE COUNCIL

ORDINARY (PLANNING) MEETING MINUTES

10 April 2025

## PROCEDURAL MOTION

- 25-126 Resolved** that Cr Ndiaye be granted a two minute extension to her speech.  
(Ndiaye/Dods)  
*The motion was put to the vote and carried unanimously.*

## PROCEDURAL MOTION

- 25-127 Resolved** that Cr Ndiaye be granted a one minute extension to her speech.  
(Ndiaye/Hauge)  
*The motion was put to the vote and carried unanimously.*

*The motion (Res 25-125) was put to the vote and carried unanimously*

---

## **Mayoral Minute No. 10.2 Compliance Action at Upper Main Arm**

- 25-128 Resolved** that Council:
1. Receives a report at the next available Council meeting on the current compliance action at Upper Main Arm, including a clear, chronological overview of events, as well as an outline of the legal framework and any relevant advice on enforcement provisions.
  2. Notes that the report will be prepared in accordance with relevant guidelines for councillor involvement in enforcement matters, while giving due consideration to legal, privacy, and regulatory requirements. (Ndiaye)

*The motion was put to the vote and declared carried.  
Crs Ndiaye, Warth, Kay, Hauge and Lowe voted in favour of the motion.  
Crs Lyon, Pugh and Dods voted against the motion.*

---

## **PETITIONS**

There were no Petitions tabled at the meeting.

---

## **DELEGATES' REPORTS**

Cr Dods presented a Delegates Report on his attendance on the Mayors behalf at the Mullumbimby High School to announce the SRA Captains.

Cr Ndiaye presented Delegates Reports on her attendance at the Raptor enclosure at the Byron Bay Raptor Recovery Centre and her attendance at the Banyula property at Clunes.



---

**STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY**

**Report No. 13.1**      **PLANNING - DA 10.2024.290.1 - Change of Use from Motel to Serviced Apartments Including Ancillary Restaurant/Bar and Alterations and Additions, 3 Shirley Street, BYRON BAY**  
**File No:**                I2024/1718

**25-129**    **Resolved** that pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, Development Application No. 10.2024.290.1 for change of use from motel to serviced apartments including ancillary restaurant/bar and alterations and additions, be granted consent subject to the conditions in Attachment 1 (E2025/26660) and the following amendment:

Condition 23 be amended to read:

**23 Landscaping Plan**

The application for a Construction Certificate is to include an amended landscaping plan for approval incorporating adequate detail to demonstrate compliance with the provisions of Chapter B9 of Development Control Plan 2014 with at least 90% of species selected to be natives endemic to North Coast of NSW and as identified in the Native Species Planting Guide – Byron Shire ([Native Plant Guides - Byron Shire Council](#) – see pages 16-19 in the guide). The landscaping plan to include the following:

- a) proposed location for planted shrubs and trees
- b) botanical name of shrubs and trees to be planted
- 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) The plan is to be prepared by a suitably qualified landscape architect / architect / ecologist who has appropriate experience and competence in landscaping.

Such plans and specifications must be approved as part of the Construction Certificate.

Note: Landscaping to the site is to comply with the principles of Planning for Bushfire Protection 2019. (Lowe/Ndiaye)

*The motion was put to the vote and carried unanimously.*

*Crs Lyon, Ndiaye, Pugh, Dods, Warth, Kay, Hauge and Lowe voted in favour of the motion.*

*Nil voted against the motion.*

# BYRON SHIRE COUNCIL

ORDINARY (PLANNING) MEETING MINUTES

10 April 2025

---

**Report No. 13.4**      **Events Strategy - Post Exhibition Report**  
**File No:**              I2025/60

**25-130**    **Resolved** that Council:

1. Acknowledges the lengthy process to reach this project stage.
2. Thanks individuals, organisations and agencies who provided a written submission during the exhibition of the draft Events Strategy and to those who gave their time throughout its development.
3. Recognises the need to adjust our approach to supporting and advocating for events and supports transitioning the draft Events Strategy into an Events Action Plan.
4. Notes the Events Action Plan will be integrated as a sub-plan within the new Vibrant Economy Strategy, which will replace the draft Business, Industry, and Visitor Economy (BIVE) Strategy (refer to the separate report on this agenda).
5. Supports the finalisation of the Events Action Plan as outlined in the report.
6. Receives a report on the final Events Action Plan. (Ndiaye/Hauge)

*The motion was put to the vote and carried unanimously.*

---

**Report No. 13.6**      **Status report on Development Applications (DAs) with bodies like the Northern Regional Planning Panel (NRPP)**  
**File No:**              I2025/311

*Cr Dods left the Chambers at 6:13pm in accordance with his Conflict of Interest Declaration and did not return.*

**25-131**    **Resolved** that Council notes the status report on Development Applications (DAs) with bodies like the Northern Regional Planning Panel (NRPP). (Ndiaye/Pugh)

*Cr Kay left the Chambers at 6.17pm and did not return.*

*The motion (Res 25-131) was put to the vote and carried unanimously.  
Crs Dods and Kay were not present for the vote*

---

*There being no further business the meeting concluded at 6.18pm.*

---

I hereby certify that these are the true and correct Minutes of this Meeting as confirmed at Council's Ordinary Meeting on 8 May 2025.

.....  
Mayor Sarah Ndiaye