



Byron Shire Council



Minutes **Ordinary (Planning) Meeting** Thursday, 4 November 2021

BYRON SHIRE COUNCIL

Ordinary (Planning) Meeting Minutes
4 November 2021

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MINUTES OF THE BYRON SHIRE COUNCIL ORDINARY (PLANNING) MEETING HELD ON THURSDAY, 4 NOVEMBER 2021 COMMENCING AT 9.08AM AND CONCLUDING AT 5.49PM

I2021/1712

PRESENT: Cr M Lyon (Mayor), Cr B Cameron, Cr C Coorey, Cr J Hackett, Cr A Hunter, Cr J Martin, Cr S Ndiaye (arrived at 9.20am) and Cr P Spooner

Staff: Mark Arnold (General Manager)
Vanessa Adams (Director Corporate and Community Services)
Phil Holloway (Director Infrastructure Services)
Shannon Burt (Director Sustainable Environment and Economy)
Chris Larkin (Manager Sustainable Development)
Ralph James (Legal Counsel)
Sharyn French (Manager Environmental and Economic Planning) James Flockton (Infrastructure Planning Coordinator) (Report 13.6)
Alex Caras (Land Use Planning Coordinator) (Report 13.16)
Josh Winter (Capital Works Engineer) (Report 13.17)
Mila Jones (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
13.1	PLANNING - Report of the 7 October 2021 Planning Review Committee	For	Terrence Fitton		Zoom
13.2	PLANNING - 10.2021.16.1 - Change of Use to General Store and Restaurant at 10 Huonbrook Road, Upper Wilsons Creek	For	Nicole Yazdi		In person
			Robyn Herklots		Phone in
13.2		Against	Doris Weizenmueller		Read by staff
13.3	PLANNING - Development Application	For	Michael Grassi (Kate Singleton / Ingrid Richards)		In person

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Report No and Title		For/ Against	Name	Representing Organisation	Submission Received in form of
	10.2021.291.1 Mixed Use Development - Shops and Serviced Apartments - 116-118 Jonson Street Byron Bay				
13.5	24.2020.27.1 - Bangalow Development Control Plan Changes Submissions Report	For	Ian Holmes	Bangalow Progress Association	In person
13.6	PLANNING - 26.2019.10.1 Submissions Report - North Beach Byron Rezoning Planning Proposal	For	Jeremy Holmes/ (Kate Singleton / Rohan Hudson / Greg Britton)		In person + Zoom
		Against	Jan Barham		Phone in
13.9	Update Resolution 20-203 Linneaus Estate	For	Stan Ruch		In person
		Against	Jan Barham	Broken Head Protection Committee	Phone in
13.10	Update Resolution 21-273 Emergency Housing	Against	Sama Balson / Shane Sylvanspring	Womens Village Collective (WVC)	Zoom
13.11	Resolution 21-221 Multiple Occupancies and Rural Workers Cottages & Resolution 21-275 MOs and CTs - pathway for secondary dwellings and dual occupancies	For	Avital Sheffer	Northern Rivers Intentional Communities	In person

PROCEDURAL MOTION

21-475 Resolved that Public Access be extended to 11.30am.

(Lyon/Ndiaye)

The motion was put to the vote and declared carried.

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Public Access cont.

Report No and Title	For/ Against	Name	Representing Organisation	Submission Received in form of	Report No and Title
13.13	Update Resolution 21-180 (3) land use definitions as they apply to rural land	Against	Matthew O'Reilly		Zoom
13.16	PLANNING - 26.2020.7.1 - Planning Proposal Stage 3 Ezone Implementation Program Submissions report.	For	Matthew O'Reilly	CABS	Zoom
		Against	Craig Huff		In person
			Te Tseng		Pre-recorded video
			Shane Traynor		In person
			Mark Howard		In person

Submissions

Subject	Name	Representing Organisation	Submission Received in form of
Protection of Byron Shires historic wildlife corridors	Matthew O'Reilly	CABS	Zoom
Caretaker Mode	Duncan Dey		In person

Question No. 1 - Upzoning of land

Matthew O'Reilly, CABS, asked the following question:

Why for all other Planning Proposals that involved upzoning of land are detailed ecological, historical and other reports provided on each individual Lot of land proposed to be upzoned but in the current Stage 3 Ezone Planning Proposal no site specific ecological or historical use reports have been presented for each of the specific lots where part of the land is proposed to be up-zoned from 7a Wetlands, 7b Coastal Habitat, 7j Scientific or 7k Habitat to R2, RU1, RU2, or E3.

Surely the community and Councillors should at least be able to make an assessment of the land that staff are proposing to be up-zoned?

The Director Sustainable Environment and Economy took the question on notice.

Question No. 2 – Terrace LEC Case 2021

John Dunn had registered a question titled *Terrace LEC Case 2021*. The Mayor ruled the question out of order.

The meeting adjourned at 11.25am and reconvened at 12.03pm.

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APOLOGIES

There were no apologies.

REQUESTS FOR LEAVE OF ABSENCE

There were no requests for leave of absence.

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

TABLING OF PECUNIARY INTEREST RETURNS

There were no Pecuniary Interest Returns tabled.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

21-476 Resolved that the minutes of the Ordinary (Planning) Meeting held 14 October 2021 be confirmed. (Martin/Coorey)

The motion was put to the vote and declared carried.

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. 13.2 PLANNING - 10.2021.16.1 - Change of Use to General Store and Restaurant at 10 Huonbrook Road, Upper Wilsons Creek
- Report No. 13.3 PLANNING - Development Application 10.2021.291.1 Mixed Use Development - Shops and Serviced Apartments - 116-118 Jonson Street Byron Bay
- Report No. 13.6 PLANNING - 26.2019.10.1 Submissions Report - North Beach Byron Rezoning Planning Proposal
- Report No. 13.8 Biodiversity Projects and Operations Update
- Report No. 13.9 Update Resolution 20-203 Linneaus Estate
- Report No. 13.10 Update Resolution 21-273 Emergency Housing

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- Report No. 13.11 Resolution 21-221 Multiple Occupancies and Rural Workers Cottages & Resolution 21-275 MOs and CTs - pathway for secondary dwellings and dual occupancies
- Report No. 13.12 Update Resolution 20-727 Proposed Off Leash Dog Park at Mullumbimby Recreation Grounds
- Report No. 13.15 Update Resolution 21-244 Dogs in Public Spaces Strategy
- Report No. 13.16 PLANNING - 26.2020.7.1 - Planning Proposal Stage 3 E zone Implementation Program Submissions report

Infrastructure Services

Report No. 13.17 Tender 2021-1093 - Byron STP Biosolids Shed Roof Replacement

The remaining Recommendations were adopted as a whole, being moved by Cr Lyon and seconded by Cr Hunter. Each recommendation is recorded with a separate resolution number commencing at Resolution No. 21-477 and concluding with Resolution No. 21-482.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 13.1 PLANNING - Report of the 7 October 2021 Planning Review Committee

File No: I2021/1617

21-477 Resolved that Council endorses the outcomes of the Planning Review Committee meeting held on 7 October 2021. (Lyon/Hunter)

The motion was put to the vote and declared carried.

Crs Coorey, Martin, Lyon, Ndiaye, Cameron, Hackett, Spooner and Hunter voted in favour of the motion.

No Councillors voted against the motion.

Report No. 13.4 24.2020.39.1 - Centennial Circuit One-way Traffic Trial - Outcomes of the trial and next steps

File No: I2021/1566

21-478 Resolved that Council:

1. Extends the one-way traffic trial for an additional 12 months, or until such time as a permanent solution can be implemented.
2. Considers a quarterly budget review of \$17,900 to commission the design for permanent one-way traffic circulation and to fund the interim trial extension measures.
3. Continues to consider other opportunities for improving traffic circulation and flow within the Byron Arts and Industry Estate, including further linemarking and the possibility of other one-way streets. (Lyon/Hunter)

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Report No. 13.5 24.2020.27.1 - Bangalow Development Control Plan Changes Submissions Report

File No: I2021/1529

- 21-479 Resolved** that Council adopts the Development Control Plan Chapters E2 Bangalow, Attachment 1 (E2021/125364) and C1 Non-indigenous Heritage, Attachment 2 (E2021/125359) and alterations to Part A (Attachment 3 - E2021/125362) and publishes the relevant chapters on its website and notifies the public as required by the Environmental Planning and Assessment Act and Regulation. (Lyon/Hunter)

Report No. 13.7 Federal Movement and Place Draft Concept Design

File No: I2021/1424

- 21-480 Resolved** that the Federal Movement and Place Draft Concept Design (Attachment 2 – E2021/127271) be publicly exhibited for a period of not less than 28 days and in accordance with the Byron Shire Council Community Participation Plan. (Lyon/Hunter)

Report No. 13.13 Update Resolution 21-180 (3) land use definitions as they apply to rural land

File No: I2021/1649

- 21-481 Resolved** that Council notes the staff update on Resolution 21-180 part (3) land use definitions as they apply to rural land. (Lyon/Hunter)

Report No. 13.14 Byron Shire Local Heritage Grants Program 2021-22

File No: I2021/1650

21-482 Resolved:

1. That Council endorses the recommended funding allocations of the Byron Shire Local Places Heritage Grants Program 2020-21 being three (3) applications (Attachments 1-3 (E2021/128086, E2021/128090, E2021/128091) which will each receive a grant amount of \$3,500 to complete building repairs, enhancements, and maintenance to prominent local heritage items in main towns.
2. That the grant applicants be notified of Council's decision. (Lyon/Hunter)

PROCEDURAL MOTION

- 21-483 Resolved** that Council change the order of business to deal with Reports 13.2, 13.3, 13.6, 13.9, 13.10, 13.11 and 13.16 next on the Agenda. (Lyon/Cameron)

The motion was put to the vote and declared carried.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 13.2 PLANNING - 10.2021.16.1 - Change of Use to General Store and Restaurant at 10 Huonbrook Road, Upper Wilsons Creek
File No: I2021/1569

Moved: That pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2021.16.1 for change of use to general store and restaurant plus ancillary carparking, be granted consent subject to the conditions of approval shown at Attachment 1 (E2021/126746).

PROCEDURAL MOTION

21-484 Resolved that this matter rest on the table. (Lyon)

The motion was put to the vote and declared carried.

Report No. 13.3 PLANNING - Development Application 10.2021.291.1 Mixed Use Development - Shops and Serviced Apartments - 116-118 Jonson Street Byron Bay
File No: I2021/1324

21-485 Resolved that Council appoints the Director Sustainable Environment and Economy and Mr Rod Simpson (Wilson & Simpson) as the members of the Byron Design Excellence Panel for the purposes of development application assessment under Byron Local Environmental Plan 2014 - Clause 6.13 Design Excellence – Byron Bay Town Centre. (Lyon/Hunter)

The motion was put to the vote and declared carried.

Crs Coorey, Martin, Lyon, Ndiaye, Cameron, Hackett, Spooner and Hunter voted in favour of the motion.

No Councillors voted against the motion.

21-486 Resolved:

1. That Council approves the variation requested to clause 4.3 Height of Buildings in accordance with clause 4.6 'Exceptions to Development Standards' of the Byron Local Environmental Plan 2014; and
2. That Council grants deferred Commencement Consent pursuant to Section 4.16 (3) of the Environmental Planning and Assessment Act 1979, to Development Application 10.2021.291.1 Mixed Use Development - Shops and Serviced Apartments - 116-118 Jonson Street Byron Bay subject to the conditions in Attachment 2 (#E2021/131318) to the report. (Lyon/Cameron)

The motion was put to the vote and declared carried.

Crs Coorey, Martin, Lyon, Ndiaye, Cameron, Hackett, Spooner and Hunter voted in favour of the motion.

No Councillors voted against the motion.

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PROCEDURAL MOTION

21-487 Resolved that Report No. 13.2 be lifted from the table. (Lyon/Ndiaye)

The motion was put to the vote and declared carried.

Report No. 13.2 PLANNING - 10.2021.16.1 - Change of Use to General Store and Restaurant at 10 Huonbrook Road, Upper Wilsons Creek

File No: I2021/1569

Continued

21-488 Resolved that pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2021.16.1 for change of use to general store and restaurant plus ancillary carparking, be granted consent subject to the conditions of approval shown at Attachment 1 (E2021/126746) and including additions to condition No 8 by inserting the following additional points:

- d) Provide road widening for overflow parking in Huonbrook Road for a further 4 spaces as a minimum and one car space be limited to 15 minutes.
- e) Provide traffic advisory signage (Slow Down/Pedestrian) and traffic calming for the intersection and associated parking on either side of the 3 way intersection to TfNSW Standard (Hackett/Lyon)

The motion was put to the vote and declared carried.

Crs Coorey, Martin, Lyon, Ndiaye, Cameron, Hackett, Spooner and Hunter voted in favour of the motion.

No Councillors voted against the motion.

The meeting adjourned at 12.58pm and reconvened at 2.01pm.

Report No. 13.6 PLANNING - 26.2019.10.1 Submissions Report - North Beach Byron Rezoning Planning Proposal

File No: I2021/1415

Moved:

That Council not proceed with the planning proposal to amend the LEP to rezone land at North Beach Byron for the following reasons:

1. The site is heavily flood prone
2. Inconsistent with the Belongil Flood Plain Management Plan
3. The E4 zone will not guarantee the level of environmental protection required for that area
4. The rezoning is premature given that Council's Coastal Management Program is currently being developed

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5. The subject land is not part of any residential strategy for the site
6. The area is a critical habitat for some wildlife listed as endangered and any development of the area places impacts on this habitat that cannot be managed
(Ndiaye/Coorey)

PROCEDURAL MOTIONS

21-489 Resolved that Cr Ndiaye be granted a two minute extension to her speech.
(Lyon/Cameron)

The motion was put to the vote and declared carried.

21-490 Resolved that Cr Hackett be granted a two minute extension to her speech.
(Lyon/Cameron)

The motion was put to the vote and declared carried.

21-491 Resolved that Cr Coorey be granted a two minute extension to her speech.
(Lyon/Cameron)

The motion was put to the vote and declared carried.

21-492 Resolved that Cr Ndiaye be granted a two minute extension to her speech.
(Lyon/Coorey)

The motion was put to the vote and declared carried.

The motion (Ndiaye//Coorey) was put to the vote and declared lost.

Crs Coorey, Nidaye voted in favour of the motion.

Crs Martin, Lyon, Cameron, Hackett, Spooner and Hunter voted against the motion.

FORESHADOWED MOTION

21-493 Resolved that Council:

1. Forward the planning proposal, as contained in Attachment 1 (E2021/111179), along with updated Local Environmental Plan maps as detailed in this report, to the Department of Planning, Industry and Environment for finalisation.
2. Amend Byron Development Control Plan 2014 Chapter E5 - Certain Locations in Byron Bay and Ewingsdale by inserting Section E5.7A North Beach Byron E4 Land and include provisions for the subdivision of the land addressing the following matters:
 - i. the submission of a Vegetation Management Plan with any application for subdivision; and
 - ii. the provision of public beach access comprising a width of 10 metres increasing to a width of 20 metres at the boundary with Crown land.

(Lyon/Spooner)

The motion was put to the vote and declared carried.

Crs Martin, Lyon, Cameron, Hackett, Spooner and Hunter voted in favour of the motion.

Crs Coorey and Ndiaye voted against the motion.

The meeting adjourned at 3.10pm and reconvened at 3.19pm.

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Report No. 13.9 **Update Resolution 20-203 Linneaus Estate**
File No: I2021/1619

Moved:

That Council:

1. Notes the 'Town Planning Audit Report' prepared by Planning Ingenuity in relation to 951 Broken Head Road, Broken Head (known as Linnaeus Estate) is incomplete.
2. Notes that key issues that remain unaddressed must be addressed before any consideration of a planning proposal for zoning changes and/or a development application
3. Recommends that the remaining audit of the site should take into consideration the following:
 - a) The conditions applied to past approvals on the site and adherence, or not, to them
 - b) An understanding of the extent to which the previous requirements for substantial revegetation and regeneration of the site under a Biodiversity Conservation Management Plan have been met
 - c) The size of the structures on the site relevant to the original proscribed or amended approvals
 - d) more definitive information regarding any past approvals for wastewater management
4. Retain an open and transparent process for the finalisation of this process and the completion of resolution 20-203. (Coorey/Ndiaye)

PROCEDURAL MOTION

21-494 Resolved that Cr Coorey be granted a one/two minute extension to his/her speech. (Lyon/Ndiaye)
The motion was put to the vote and declared carried.

AMENDMENT

21-495 Resolved that Council:

1. Notes the staff update on Resolution 20-203 The Linneaus Estate - Options for proceeding with Community Title Subdivision.
2. In noting the site inspection findings (section 5 of the audit), understands that staff will do the follow up with the landowner (and do a site inspection if deemed necessary) to clarify the nature of the minor inconsistencies identified between some of the building forms on site as they appear in the various approval documentation on file. (Spooner/Hunter)

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*The amendment was put to the vote and declared carried.
Crs Coorey, Ndiaye, voted against the amendment.*

*The amendment upon becoming the substantive motion was put to the vote and declared carried.
Crs Coorey and Ndiaye voted against the motion.*

Report No. 13.10 Update Resolution 21-273 Emergency Housing
File No: I2021/1620

21-496 Resolved that Council:

1. Notes the staff update on Resolution 21-273 Emergency Housing.
2. Suspend the preparation of a development application for Transitional Supported Accommodation on part of Lot 22, but continue to attempt resolution of the access issues to the site including by contacting the landowner to the east of the site and TfNSW with respect to access across the rail line or down the rail corridor.
3. Continues to look for more appropriate, less constrained sites for this type of development.
4. Continues to work with the other member councils in the NRJO on potential housing solutions for our region.
5. Continues to work with relevant state government agencies, housing providers and local housing groups to deliver (on ground) safe, secure and location appropriate housing solutions for Byron Shire locals and key workers.
6. Continues to advocate and agitate for housing policy change and financial support from the state and commonwealth governments where opportunities arise.
(Lyon/Ndiaye)

AMENDMENT

Moved that Council:

1. Notes the staff update on Resolution 21-273 Emergency Housing.
2. Not proceed with the preparation of a development application for Transitional Supported Accommodation on part of Lot 22, and instead continues to look for more appropriate, less constrained sites for this type of development.
3. Continues to work with the other member councils in the NRJO on potential housing solutions for our region.
4. Continues to work with relevant state government agencies, housing providers and local housing groups to deliver (on ground) safe, secure and location appropriate housing solutions for Byron Shire locals and key workers.

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5. Continues to advocate and agitate for housing policy change and financial support from the state and commonwealth governments where opportunities arise.
(Spooner/Cameron)

The General Manager left the meeting at 3.57pm and the Director Corporate and Community Services took his chair.

PROCEDURAL MOTION

- 21-497 Resolved** that Cr Ndiaye be granted a one minute extension to her speech.
(Lyon/Coorey)

The motion was put to the vote and declared carried.

*The amendment (Spooner/Cameron) was put to the vote and declared tied.
Crs Coorey, Martin, Ndiaye and Lyon voted against the amendment.
The Mayor used his casting vote against the amendment and declared the amendment lost.*

The motion (Lyon/Ndiaye) was put to the vote and declared carried.

Report No. 13.11 Resolution 21-221 Multiple Occupancies and Rural Workers Cottages & Resolution 21-275 MOs and CTs - pathway for secondary dwellings and dual occupancies

File No: I2021/1621

- 21-498 Resolved** that Council:

1. Notes the staff update on Resolution 21-221 Multiple Occupancies and Rural Workers Cottages & Resolution 21-275 MOs and CTs - pathway for secondary dwellings and dual occupancies.
2. Requests staff to prepare and submit a planning proposal to the Department of Planning Industry and Environment for Gateway Determination to amend clauses 4.1B and 4.2B Byron Local Environmental Plan 2014 to:
 - i. remove the restriction of one dwelling per neighbourhood lot and make any other necessary changes to permit dual occupancy and secondary dwellings on existing Multiple Occupancy and rural Community Title development; and
 - ii. update where relevant the assessment criteria for Multiple Occupancy and rural Community Title development.
(Lyon/Ndiaye)

The motion was put to the vote and declared carried.

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**Report No. 13.16 PLANNING - 26.2020.7.1 - Planning Proposal Stage 3 E zone
Implementation Program Submissions report**

File No: I2021/1662

21-499 Resolved:

1. That Council in relation to Stage 3 E Zones planning proposal adopts:
 - a) the proposed LEP 2014 map changes for properties identified in Attachment 1; and
 - b) the proposed LEP 2014 zones (environmental and non-environmental) and consequential mapping for the 'not agreed' properties contained in Attachment 2
2. That Council requests that the NSW Department of Planning, Industry and Environment, as the plan-making authority in this instance, make the final LEP for notification on the NSW Government legislation website.
3. That Council notes, post consideration of the submissions and endorsement of the final planning proposal, landowners whose land will be subject to an E zone are to be notified in writing of Council's decision and advised that they have 28 days to notify the Department of Planning and Environment to request a review of the proposed zoning of their property. (Coorey/Lyon)

The motion was put to the vote and declared carried.

MAYORAL MINUTE

There was no mayoral minute.

PETITIONS

There were no petitions.

SUBMISSIONS AND GRANTS

There were no submissions or grants.

DELEGATES' REPORTS

1. Cape Byron Marine Park

Cr Cameron advised that he has been the Councillor representative on the Cape Byron Marine Park Committee, with alternate Cr Coorey. The Committee has been developing a new management plan which is about to go out on public exhibition until February 2022. He is taking this time to alert the Councillors and community that it's out there now, or in the very near future.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 13.8 Biodiversity Projects and Operations Update

File No: I2021/1615

21-500 Resolved that Council:

1. Notes that a draft wildlife corridor map has been prepared and that expert stakeholder consultation/peer review of this map will occur in late 2021, with a formal exhibition of the map to follow in early 2022, subject to a further report for council's consideration.
2. Requests staff to include on the wildlife corridor map in 1, a reference to the Shire wide rail corridor for expert stakeholder consultation/peer review for its consideration to form part of the wildlife corridor network.
3. Notes that the "Bow Wow Leash Me Now" project is a finalist in the LGNSW's Excellence in the Environment Awards in the Communication, Education and Empowerment category with the online award ceremony being held on the 16 November 2021. (Hunter/Ndiaye)

The motion was put to the vote and declared carried.

Cr Cameron voted against the motion.

Report No. 13.12 Update Resolution 20-727 Proposed Off Leash Dog Park at Mullumbimby Recreation Grounds

File No: I2021/1639

21-501 Resolved that Council:

1. Notes the staff update on Resolution 20-727 Opportunity for activation and increased passive surveillance at the Mullumbimby Skate Bowl and continues negotiations to further the pump track, upgrade the cricket pitch, the community centre project and the netball facilities upgrade.
2. Initiate discussions with The Bundjalung of Byron Bay Aboriginal Corporation (Arakwal) to gauge their potential support for these projects.
3. Not progress the concept plan prepared for activating the sports field adjacent to the Mullumbimby Skate Bowl with an Off Leash Dog Park at this time.
4. Look for an alternate site for an Off Leash Dog Park in Mullumbimby that is on Council owned or other land, failing that, include this in the discussions outlined in 2 above. (Martin/Lyon)

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PROCEDURAL MOTION

- 21-502 Resolved** that Cr Ndiaye be granted a two minute extension to her speech.
(Lyon/Coorey)

The motion was put to the vote and declared carried.

The motion (Martin/Lyon) was put to the vote and declared carried.

The meeting adjourned at 5.15pm and reconvened at 5.21pm.

The Mayor left the meeting at 5.15pm. The Deputy Mayor took the Chair for the remainder of the meeting.

The General Manager returned to the meeting at 5.21pm.

Report No. 13.15 Update Resolution 21-244 Dogs in Public Spaces Strategy
File No: I2021/1653

- 21-503 Resolved** that Council:
1. Notes the staff update on Resolution 21-244 as it relates to the Dogs in Public Spaces Strategy.
 2. Endorses the Community Engagement Plan activities which includes the formation of a Community Working Group by Locale Consulting and a staff project control group to help inform and guide the preparation of the Dogs in Public Spaces Strategy.
(Coorey/Ndiaye)

The motion was put to the vote and declared carried.

STAFF REPORTS - INFRASTRUCTURE SERVICES

Report No. 13.17 Tender 2021-1093 - Byron STP Biosolids Shed Roof Replacement
File No: I2021/1654

- 21-504 Resolved:**
1. That Council award Tender 2021-1093 to the tenderer recommended in the Tender Evaluation Report (Confidential Attachment 1 E2021/128262).
 2. That the project budget be increased by \$210,000 with funding provided from the Sewer Capital Works Reserve.
 3. That Council makes public its decision, including the name and amount of the successful tenderer, in accordance with Clause 179(b) of the Local Government (General) Regulation 2021.
(Cameron/Coorey)

The motion was put to the vote and declared carried.

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URGENCY MOTION

PROCEDURAL MOTION

- 21-505 Resolved** that the matter of the FUN SEPP be discussed as a matter of urgency, the urgency being that the exhibition ends on 22 November 2021. (Coorey)

The motion was put to the vote and declared carried.

The Deputy Mayor determined the matter to be of great urgency.

Urgency Motion No. 1 Matter of Urgency - FUN SEPP

- 21-506 Resolved** that Council writes to the DPIE to request an extension to 30 November 2021 for the exhibition of the FUN SEPP to enable sufficient time to review the changes proposed and impacts on our local community the result of the FUN SEPP.
(Coorey/Cameron)

PROCEDURAL MOTION

- 21-507 Resolved** that Cr Coorey be granted a two minute extension to her speech.
(Ndiaye/Hackett)

The motion was put to the vote and declared carried.

The motion (Coorey/Cameron) was put to the vote and declared carried.

There being no further business the meeting concluded at 5.49pm.

I hereby certify that these are the true and correct Minutes of this Meeting
as confirmed at Council's Ordinary Meeting on 24 February 2022.



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Mayor Michael Lyon