

BYRON SHIRE COUNCIL

ORDINARY (PLANNING) MEETING MINUTES

10 June 2021

Report No. 13.1 PLANNING - Housekeeping planning proposal exhibition outcomes 26.2020.6.1

File No: I2021/471

21-180 Resolved that Council:

1. Forwards the planning proposal to amend Byron LEP 2014, as revised in Attachment 1 (E2021/65655) to include the changes recommended in this report to NSW Parliamentary Counsel's Office (PCO) requesting that a draft LEP instrument be prepared;
2. Pending receipt of PCO opinion that the plan can be made, forward the plan to the NSW Department of Planning, Industry and Environment for notification on the NSW Government legislation website.
3. Holds a Strategic Planning Workshop to consider and clarify issues around ambiguity in some of the uses on rural properties including;
 - a) the definition of small scale industry;
 - b) function centres;
 - c) artisan food and drink premises;
 - d) roadside food stalls in R5 (Large Lot Residential Zones); and
 - e) any others that require clarification. (Coorey/Ndiaye)

The motion was put to the vote and declared carried.

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

Nil voted against the motion.

Cr Spooner was not present for the vote.

Cr Spooner returned to the meeting at 11:25am.

Report No. 13.4 PLANNING - 26.2021.1.1 Planning Proposal to permit Community Title & R5 Large Lot Residential Development - 53 McAuleys Lane, Myocum

File No: I2021/474

21-181 Resolved that Council:

1. Accept the applicant's letter of offer to enter into a Voluntary Planning Agreement (VPA) (Attachment 6 E2021/69988) with Council as part of this planning proposal subject to the letter of offer being amended to include:
 - a) Safety upgrades to accommodate pedestrian and cycle links from the development site to Mullumbimby Road.
 - b) Integration of pedestrian and cycle links with the proposed McAuleys Lane / Mullumbimby Road intersection upgrade.
 - c) provision of a slip lane for turning into Saddle Road from Mullumbimby Road that provides better safety and access for cyclists, pedestrians, and all road users.

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2. Require that a draft VPA be prepared in accordance with the amended letter of offer.
3. Amend the Planning Proposal (Attachment 1 E2021/72620) to reflect the recommendations contained in this report and as shown below:
 - a) Reposition the northern boundary of the proposed R5 zone to ensure no encroachment within the required ecological setback areas for the riparian zone and freshwater wetland in the north of the site (i.e. 20m from the top of the stream bank or wetland edge); and
 - b) Make consequential amendments to the minimum lot size map and subdivision concept plan.
4. Forward the amended planning proposal to the NSW Department of Planning, Industry and Environment for a Gateway determination.
5. Prior to public exhibition, update the stormwater and onsite waste management assessment reports to reflect maximum development that assumes dual occupancy dwellings on proposed lots.
6. Undertake public exhibition of the planning proposal in accordance with the Gateway determination requirements.
7. Consider a submissions report post-exhibition that includes any recommended changes to the planning proposal for final adoption. (Cameron/Coorey)

The motion was put to the vote and declared carried.

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

Nil voted against the motion.