



# Byron Shire Council



## Supplementary Agenda

Ordinary Meeting

Thursday, 17 December 2020

held at Council Chambers, Station Street, Mullumbimby  
commencing at 9.00am

*Public Access* relating to items on this Agenda can be made between 9.00am and 10.30am on the day of the Meeting. Requests for public access should be made to the General Manager or Mayor no later than 12.00 midday on the day prior to the Meeting.

Mark Arnold  
General Manager

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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)

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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.

# BYRON SHIRE COUNCIL

## ORDINARY MEETING

### **BUSINESS OF ORDINARY MEETING**

#### **1. LATE REPORTS**

17.1	Local Traffic Committee Recommendations .....	4
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***Councillors are encouraged to ask questions regarding any item on the business paper to the appropriate Director prior to the meeting. Any suggested amendments to the recommendations should be provided to Councillor Support prior to the meeting to allow the changes to be typed and presented on the overhead projector at the meeting.***

## LATE REPORTS

**Report No. 17.1 Local Traffic Committee Recommendations****Directorate:** Infrastructure Services**Report Author:** Andrew Pearce, Traffic Engineer**File No:** I2020/1984**Summary:**

At their meeting on 26 November 2020 Council resolved:

*That Council approve the General Manager using Delegated Authority in consultation with the Director of Infrastructure Service to act on recommendations arising from extraordinary Local Traffic Committee meetings in November and December 2020 for matters where the Local Traffic Committee members are unanimous in their decision. (Res 20-632)*

The General Manager cannot use this delegation in relation to the extraordinary LTC meeting held electronically (i.e. via email exchange) between Monday 7 December to Tuesday 15 December 2020, because voting was not unanimous as a consequence of voting not being received from all members.

The agenda presented to LTC is provided in Attachment 1.

The voting is as follows at the conclusion of them meeting stood as follows:

Item No.	Title	Vote			
		For	Against	Abstained	No Comment
6.1	Yellow Line - Lighthouse Rd, Wategos	3r	0	0	1
6.2	Tincogan Street Intersection Priorities	3	0	0	1
6.3	Burringbar St - Talking Street	3	0	0	1
6.4	On-Road Cycleway Connection - Bangalow / Browning / Tennyson Roundabout	3	0	0	1
7.1	Mixed Use Development - Jonson St / Browning St	2	0	1	1



The recommendations voted on were as follows:

Item No.	Title	Agenda Recommendation	Amended Recommendation
6.1	<b>Yellow Line - Lighthouse Rd, Wategos</b>	That Council endorse the installation of yellow lines along Lighthouse Road from the Brooke Drive intersection extending through to the start of Palm Valley Drive.	That Council 1. Endorse the installation of yellow lines along Lighthouse Road from the Brooke Drive intersection extending through to the start of Palm Valley Drive. 2. Change "No Parking" signs to "No Stopping" in conjunction with the provision of yellow line marking in Lighthouse Road, Byron Bay.
6.2	<b>Tincogan Street Intersection Priorities</b>	That Council implement the priority changes to give way signs on Tincogan Street at the intersections of the Dalley Street and Stuart Street, Mullumbimby in order to provide priority to east-west traffic movements in Tincogan Street.	That Council implement the priority changes to the intersections of Dalley and Stuart Streets with Tincogan St, Mullumbimby and that pedestrian paths and refuges be located such as to provide a minimum of one vehicle storage between hold lines and the pedestrian path and refuge alignment.
6.3	<b>Burringbar St - Talking Street</b>	That Council endorse the regulatory signs, lines and devices presented in attachment 1 (E2020/95475).	No Amendments
6.4	<b>On-Road Cycleway Connection - Bangalow / Browning / Tennyson Roundabout</b>	That Council endorse the attached plans for the On-Road Cycleway Connection at Bangalow / Browning / Tennyson Roundabout pavement marking and signage to be installed (#E2020/97761).	No Amendments
7.1	<b>Mixed Use Development - Jonson St / Browning St</b>	That Council approve the regulatory signage shown in Attachment 1 (E2020/95011) which is associated with development application 10.2019.616.1 and Roads Act application 51.2019.616.2.	No Amendments

Draft Minutes are provided in Attachment 2 (I2020/1995).


5

It is recommended that Council adopts the following recommendation.

#### RECOMMENDATION:

**That Council approve the recommendations, as amended, from the Local Traffic Committee extraordinary electronic meeting held on 15 December 2020.**

**Attachments:**

- 1 Extraordinary Dec LTC Agenda, E2020/101067 , page 8 [↓](#) 
- 2 Minutes 08/12/2020 Local Traffic Committee Extraordinary, I2020/1955 , page 36 [↓](#) 

5

**REPORT**

Refer to Summary above.

**5 STRATEGIC CONSIDERATIONS*****Community Strategic Plan and Operational Plan***

<b>CSP Objective</b>	<b>L2</b>	<b>CSP Strategy</b>	<b>L3</b>	<b>DP Action</b>	<b>L4</b>	<b>OP Activity</b>
<b>Community Objective 1: We have infrastructure, transport and services which meet our expectations</b>	1.6	Manage traffic and parking in an efficient manner	1.6.4	Improve effectiveness of Local Traffic Committee	1.6.4.1	Report regulatory traffic matters for recommendation to Council and items requiring comment through the Local Traffic Committee

**10 *Legal/Statutory/Policy Considerations***

N/A

***Financial Considerations***

15

N/A

***Consultation and Engagement***

20 N/A

**NOTICE OF MEETING****EXTRAORDINARY LOCAL TRAFFIC  
COMMITTEE MEETING**

An Extraordinary Local Traffic Committee Meeting of Byron Shire Council will be held as follows:

Venue	<b>Electronic Meeting</b>
Date	<b>Tuesday, 8 December 2020</b>
Time	<b>10:30am</b>
Committee Members	<b>Ian Shanahan – Transport for NSW Snr Constable Chris Davis – Police Cr Basil Cameron Tamara Smith MP</b>

Phillip Holloway  
Director Infrastructure Services

I2020/1954  
Distributed 01/12/20

# BYRON SHIRE COUNCIL

LATE REPORTS

17.1 - ATTACHMENT 1

## BYRON SHIRE COUNCIL EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING

### BUSINESS OF MEETING

1. APOLOGIES
2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY
3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS
  - 3.1 Local Traffic Committee Meeting held on 3 November 2020
4. MATTERS ARISING
5. OUTSTANDING ISSUES/RESOLUTIONS
6. REGULATORY MATTERS
  - 6.1 Yellow Line - Lighthouse Rd, Wategos ..... 3
  - 6.2 Tincogan Street Intersection Priorities ..... 5
  - 6.3 Burringbar St - Talking Street ..... 11
  - 6.4 On-Road Cycleway Connection - Bangalow/Browning/Tennyson Roundabout ..... 22
7. DEVELOPMENT APPLICATIONS
  - 7.1 Mixed Use Development - Jonson St / Browning St ..... 24



## BYRON SHIRE COUNCIL

## LOCAL TRAFFIC COMMITTEE MEETING

6.1

## REGULATORY MATTERS

**Report No. 6.1**      **Yellow Line - Lighthouse Rd, Wategos**  
**File No:**            I2020/1825

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Staff are seeking Council resolution to install yellow lines along Lighthouse Road between Brooke Drive and Marine Parade, Wategos, see figure 1 below for the location.



10 Figure 1 – location of requested yellow lines.

Figure 2 below shows the typical cross section of the road at two locations along its length. As seen in these figures below there are narrow gravel shoulders used as informal pedestrian access to Wategos and the Lighthouse. The frequent conflict is that cars often park across these gravel shoulders where people then walk to the Lighthouse. This creates a hazard for pedestrians using the path and that cars end up partially on the path and partially on the road.

15

Council proposes to install a yellow line in the location shown in figure 1 to eliminate this unsafe parking location. Where the eastern extent of the proposed yellow line ends there is already existing yellow lines through to Marine Parade.

20

## BYRON SHIRE COUNCIL

### LOCAL TRAFFIC COMMITTEE MEETING

6.1



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#### RECOMMENDATION:

That Council endorse the installation of yellow lines along Lighthouse Road from the Brooke Drive intersection extending through to the start of Palm Valley Drive.

10



## BYRON SHIRE COUNCIL

## LOCAL TRAFFIC COMMITTEE MEETING

6.2

**Report No. 6.2**      **Tincogan Street Intersection Priorities**  
**File No:**            I2020/1826

- 5 This report seeks LTC support for the reprioritisation of give way signs on Tincogan Street at the Dalley Street and Stuart Street Intersections in order to provide East-West traffic priority in Tincogan Street.

Currently traffic on Tincogan Street must give way to traffic on Dalley Street and Stuart Street as seen in Figure 1 below.

- 10 *Figure 1: Tincogan St / Dalley St Intersection*



Figure 2 below shows the typical traffic paths through Mullumbimby. Refer to blue line for vehicles travelling east / west and yellow for vehicles traveling south / west.

- 15 *Figure 2: Plan view of Mullumbimby and travel paths*



## BYRON SHIRE COUNCIL

## LOCAL TRAFFIC COMMITTEE MEETING

6.2

**Previous Reports**

This matter was brought to LTC previously in 2014 and 2019. In 2014 LTC recommended the following:

**Committee Recommendation**

1. *That Council receive a report via the LTC as to the benefits and issues associated with changing the traffic route priority along the length of Tincogan Street from Station Street to Brunswick Terrace.*
2. *That Council seek comments from the community in regards to this proposal with any submissions received forming part of the discussion in the above mentioned report.*
3. *That Council note that at the intersection at Station Street, the Give Way orientation may be changed.*

Council resolved to adopt the above LTC resolution at the 7 August 2014 Council meeting. No additional Council comments were provided.

This matter was also brought to LTC in September 2019 where the benefits and issues associated with the priority change were discussed. LTC made the following recommendations:

**Committee Recommendation**

1. *That Council note the Committee's comments on possible changes to Give Way signs at Tincogan Street / Dalley Streets intersection and the Tincogan Street / Stuart Street intersection.*
2. *That Council note the correspondence from the Mullumbimby Residents Association to the Director Infrastructure Services dated 6<sup>th</sup> September 2019, (E2019/67997) and consult with residents of Mullumbimby.*
3. *That Council investigate Active Transport Funding FY20/21 for pedestrian protection in this area.*

Council resolved (19-485) to adopt the above LTC resolution, with the exception of item 3, at the 26 September 2019 Council meeting.

Through the above reporting, Council has shown clear support for the changes in intersection priority at the time of reporting.

**Mullumbimby Masterplan/Community Consultation**

In December 2019, Council adopted the Mullumbimby Masterplan which supports the reprioritisation of give way signs on Tincogan Street to facilitate east-west traffic priority as well as to realign the intersections at the Stuart and Dalley Streets to improve safety and traffic flow.

**Proposed Design**

The preliminary design has been appended to this report. Note, details related to kerb buildouts, drainage, parking, landscaping is subject to change and are not regulatory devices requiring LTC review. Only proposed regulatory signs and lines require LTC consideration.

**Construction Scheduling**

## BYRON SHIRE COUNCIL

## LOCAL TRAFFIC COMMITTEE MEETING

6.2

Council aims to commence works to coincide with the Burringbar Talking Street Project. The purpose of this project is to reduce the amount of through traffic along Burringbar Street by diverting traffic along alternate routes such as Tincogan Street via Station Street in order to circumnavigate the Mullumbimby commercial area.

5

The works associated with the intersection changes are proposed to occur in the following stages due to budget and resource requirements::

- Stage 1: Linemarking and signage – December 2020  
 10 Stage 2: Installation of pedestrian refuges, some landscaping and kerb buildouts – early to mid 2021  
 Stage 3: Connectivity between Dalley and Stuart Streets including parking – longer term

**Staged Construction Considerations**

15

Pedestrian Safety

As seen in the proposed design, improved traffic control and pedestrian safety will be addressed through kerb extensions and pedestrian refuges. The goal of these is to narrow the intersection, aid in managing speed and provide improved pedestrian safety at the Dalley and Stuart Street intersections with Tincogan Street.

20

The period between Stage 1 (line marking and signage) and Stage 2 (kerb buildouts) works may represent a risk to pedestrians in this regard. An interim solution to help address this risk may be to line mark chevrons where future kerb extensions are proposed, potentially in combination with guide posts or temporary reflective pavement markers. These items are not regulatory devices but are mentioned to highlight Council's steps to improve pedestrian safety.

25

Shops

Along Tincogan St, between Dalley St and Stuart St is a strip of popular shops, cafes, auto repairs, dance studio, bike shop and motor cycle repair. This strip of Tincogan St currently has high parking demand with high turnover. Parking is 90° angle parking with cars required to reverse out to exit.

30

The proposed design will reduce the amount of parking in this area due in part to the kerb extensions. This area will need to be monitored to address any potential conflicts arising from the proposed intersection works. Undertaking stage 1 works first will help identify matters that could be addressed as part of stage 2 and 3.

35

**Funding**

Stage 1 and 2 works to change the priority at Dalley and Stuart Streets are specifically referenced and scoped tasks under the funding agreement for Council's Election Commitment Grant which is aimed to address the Impacts of Tourism on infrastructure evidenced in Byron Shire.

40

**RECOMMENDATION:**

**That Council implement the priority changes to give way signs on Tincogan Street at the intersections of the Dalley Street and Stuart Street, Mullumbimby in order to provide priority to east-west traffic movements in Tincogan Street.**

45

**Attachments:**



# BYRON SHIRE COUNCIL

LATE REPORTS

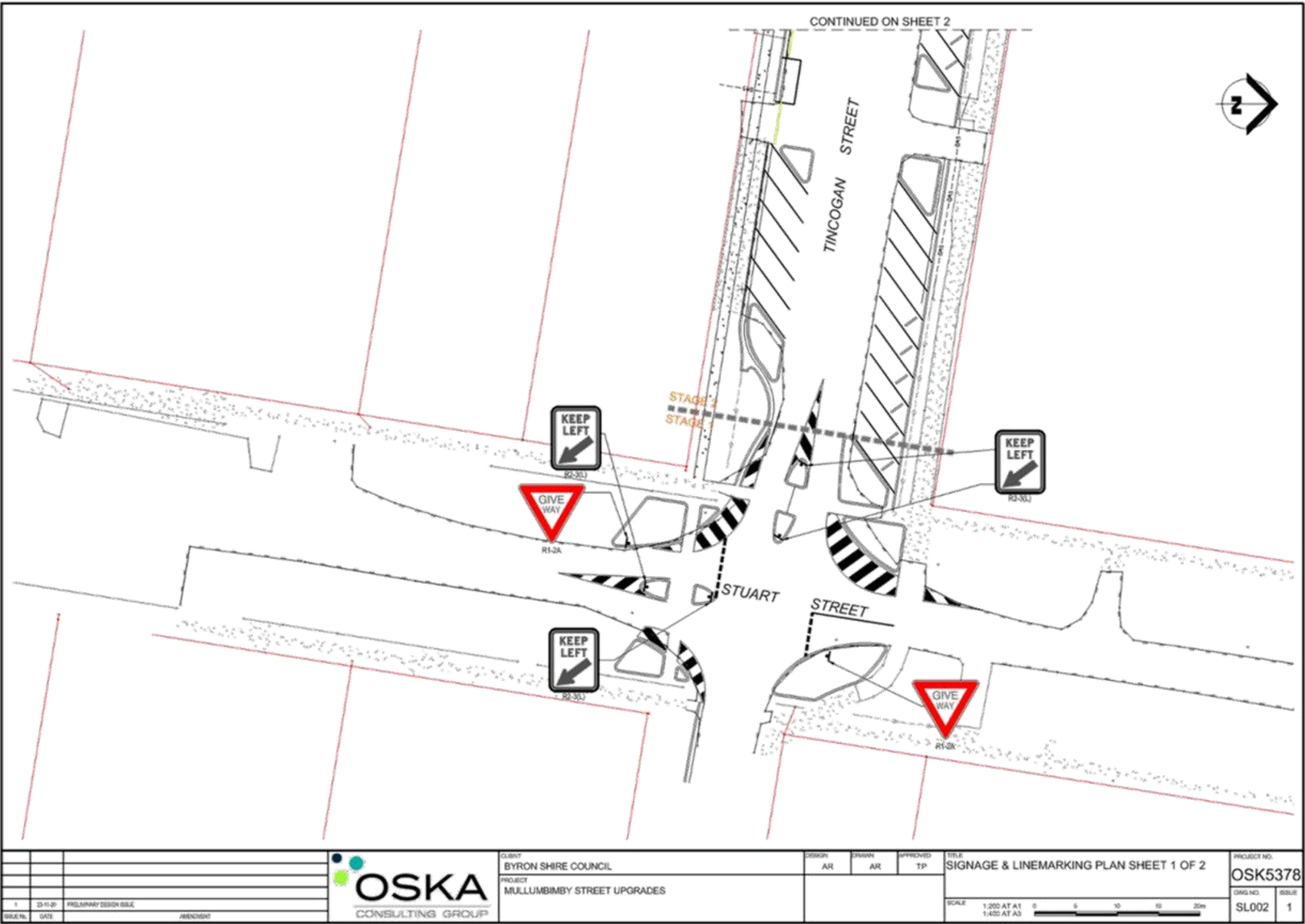
17.1 - ATTACHMENT 1

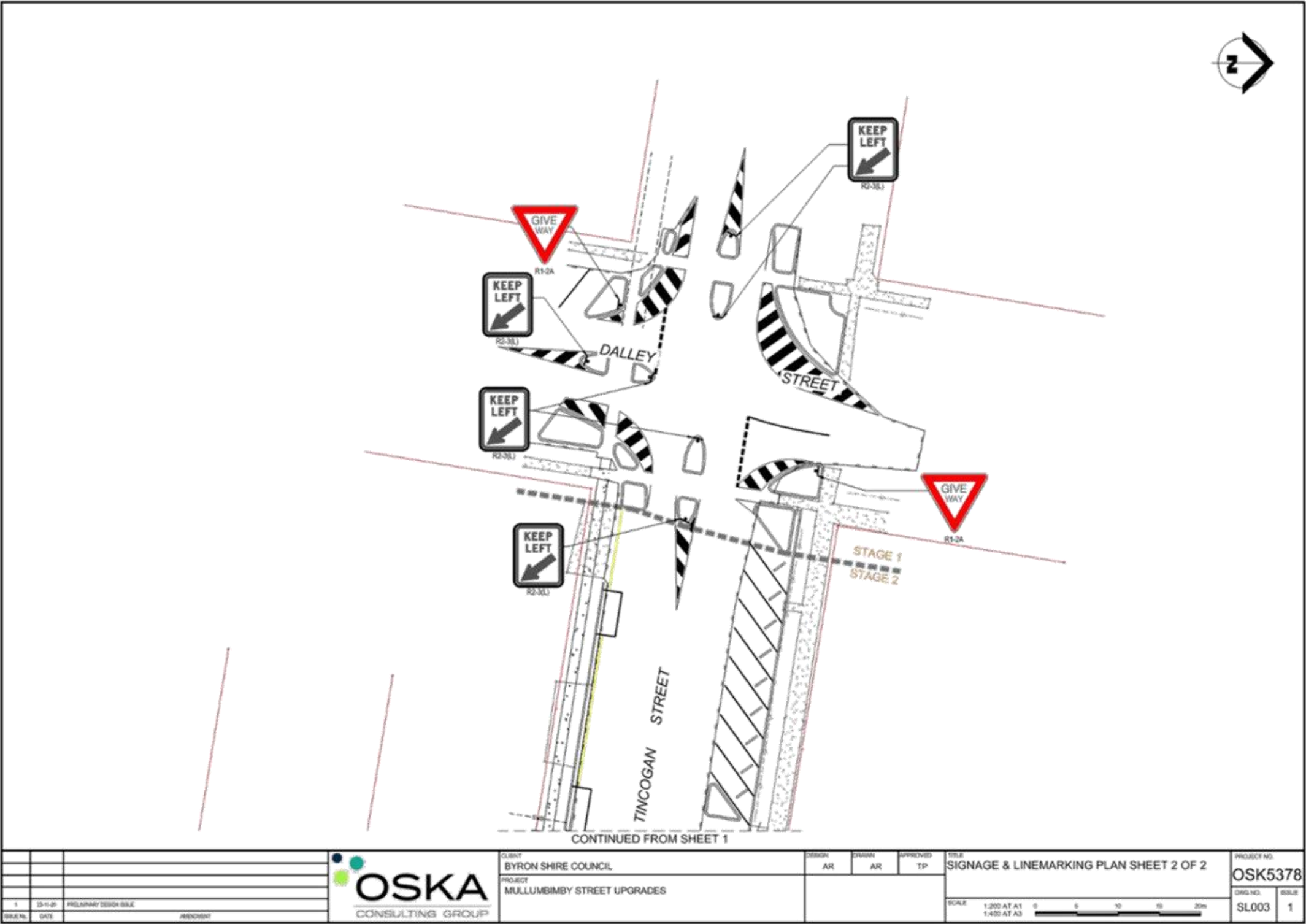
## BYRON SHIRE COUNCIL

LOCAL TRAFFIC COMMITTEE MEETING

6.2

- 1 24.2020.19.1 - Tincogan Intersections Preliminary Design - LTC, E2020/94815 , page 9 [U](#)





## BYRON SHIRE COUNCIL

## LOCAL TRAFFIC COMMITTEE MEETING

6.3

**Report No. 6.3**      **Burringbar St - Talking Street**  
**File No:**              I2020/1863

- 5 Council has been awarded funding from the NSW State Government to trial temporary treatments including speed reductions and parklets in Burringbar Street, Mullumbimby. The purpose of this trial is to reduce vehicle movements through and on Burringbar Street within the town centre, provide a safer space for cyclists and pedestrians as well as promote social interaction through “activating” areas of the street. The trial also aligns with the Council endorsed Mullumbimby Masterplan.
- 10 A similar report was submitted to the November 2020 LTC meeting. However, a number of design features have been amended. As a result it was considered prudent to resubmit the design to LTC for support.
- 15 The following regulatory signs, lines and devices require LTC endorsement:
1. Speed reduction from 50km/h to 10km/h covering the intersection of Burringbar Street and Stuart Street and extending approximately 10m out from the intersection in all directions (refer attached plans).
  - 20 2. Speed zone reduction for the remainder of Burringbar Street and Stuart Street commercial areas from 50km/h to 30km/h (refer attached plans).
  - 25 3. Amendments to the existing delineation along the length of Burringbar Street to incorporate features such as the following in accordance with the attached plans.
    - a. Removal of cycle lane to trial mixed traffic (vehicle and cycle) lanes as per the Byron Shire Bike Plan
    - 30 b. Widen centre lines in some locations
    - c. Install wheel stops to prevent cars encroaching onto footpath and in some places push car back 1-2m from gutter to enhance pedestrian activation of footpath areas.
  - 35 4. At the November LTC report additional crossings were proposed at the Stuart St Burringbar St intersection. Due to the proposed 10k/h shared zone these crossings are no longer needed. The cost of street lighting at these crossings was also prohibitively expensive. These crossings have been removed from the attached plans.
  - 40 5. Note that the intersection priority change previously discussed at Station and Burringbar Street will not form part of the first stage of works. A new pedestrian crossing is still planned on Burringbar Street near the Station Street intersection (refer attached plans).
  6. Regulatory linemarking and signage associated with the above.
  - 45 Other items are proposed as part of the Burringbar Street Talking Street grant which are not regulatory items. These include
    1. Painted stencils (to be designed by a local artist) are to be painted onto road surfaces at key locations as noted on the attached plans.
    - 50 2. Several temporary parklets and public spaces along Burringbar Street and Stuart Street.
    3. Temporary painted thresholds, median areas and intersection treatments
    - 55 4. Temporary separation kerb and guide posts at Station Street / Fern Street intersection.

BYRON SHIRE COUNCIL

LOCAL TRAFFIC COMMITTEE MEETING

6.3

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**RECOMMENDATION:**

**That Council endorse the regulatory signs, lines and devices presented in attachment 1 (E2020/95475).**

**Attachments:**

10    1    Burringbar St - Talking Streets Activation, E2020/95475 , page 13 [1](#)

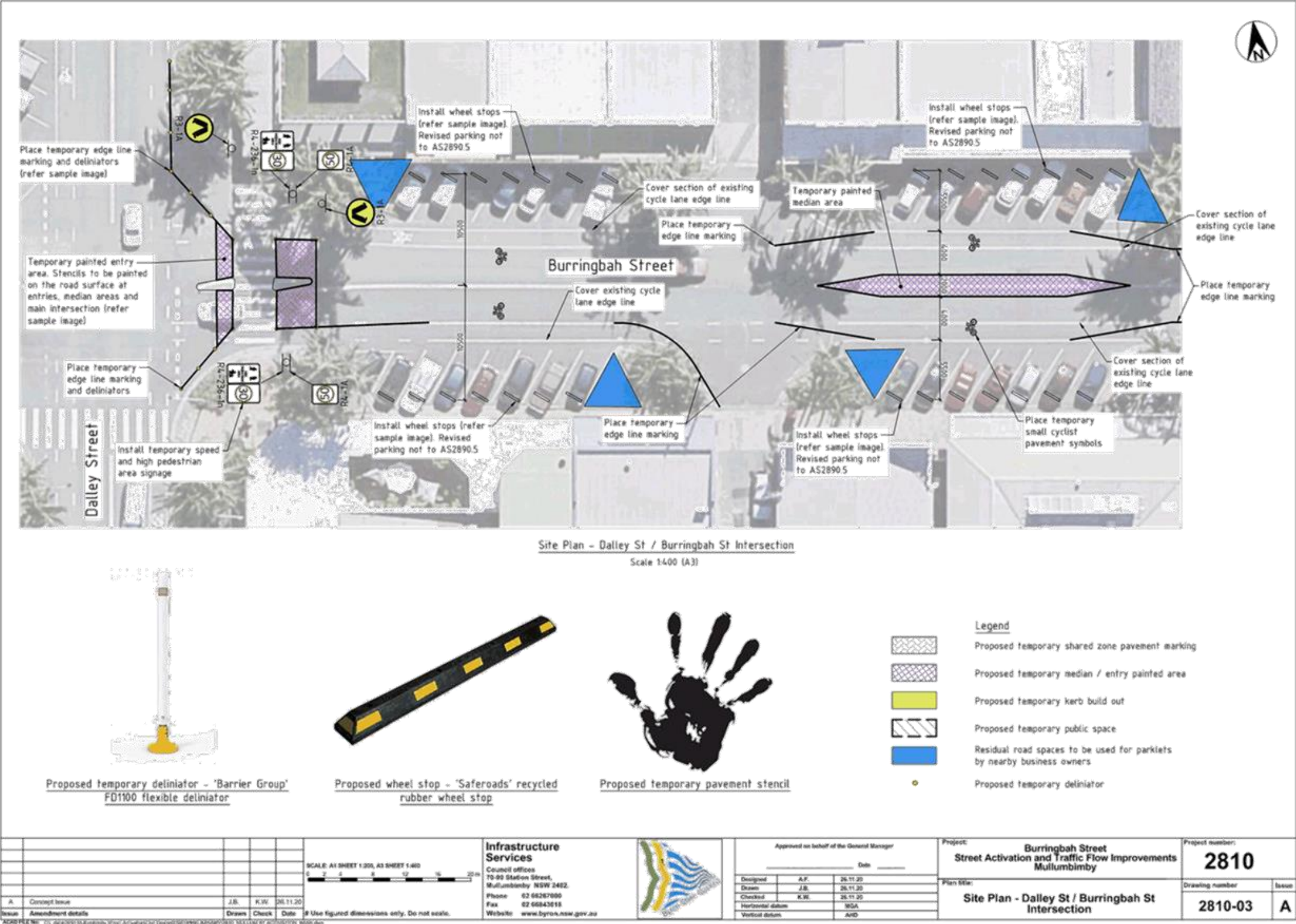




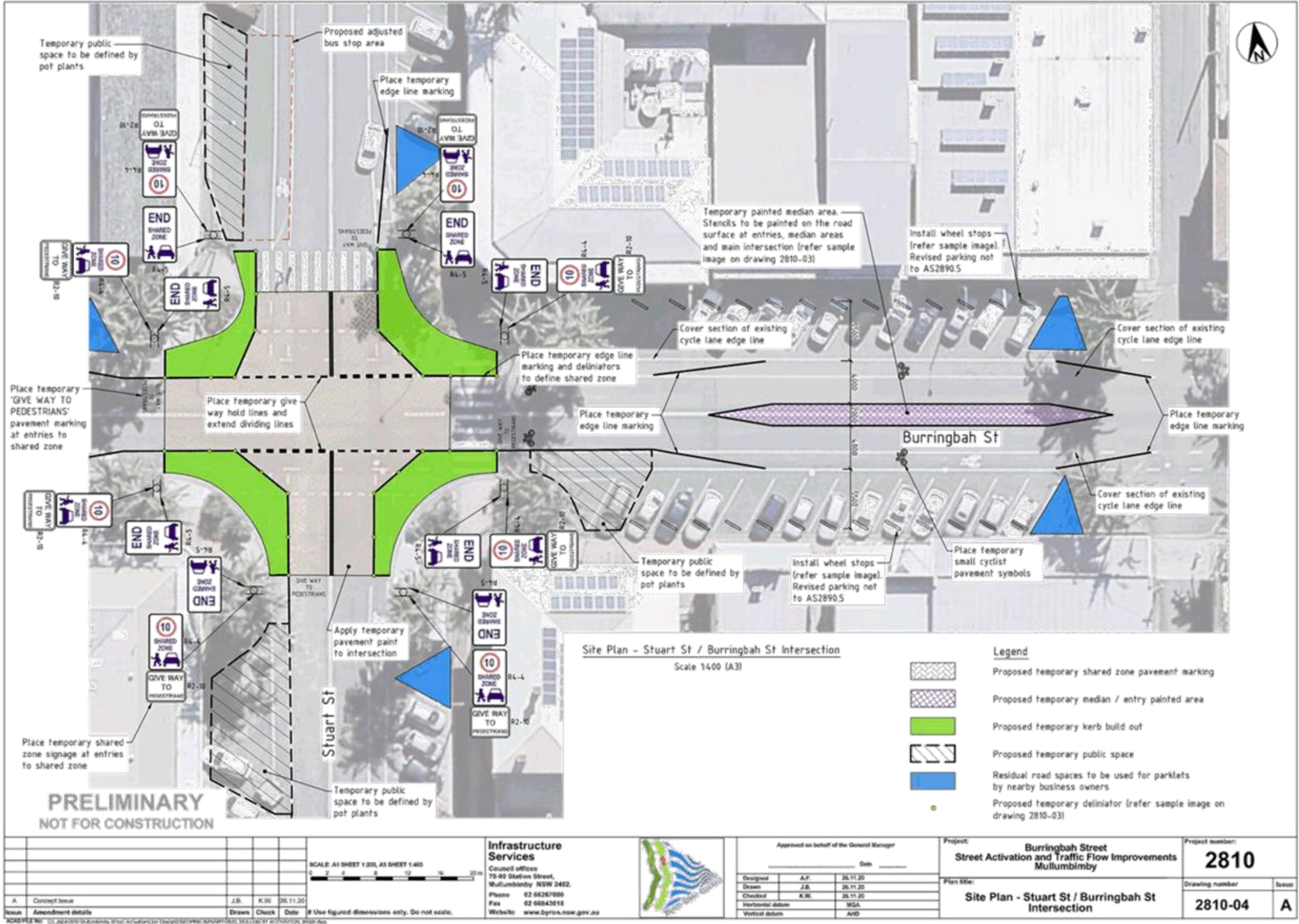




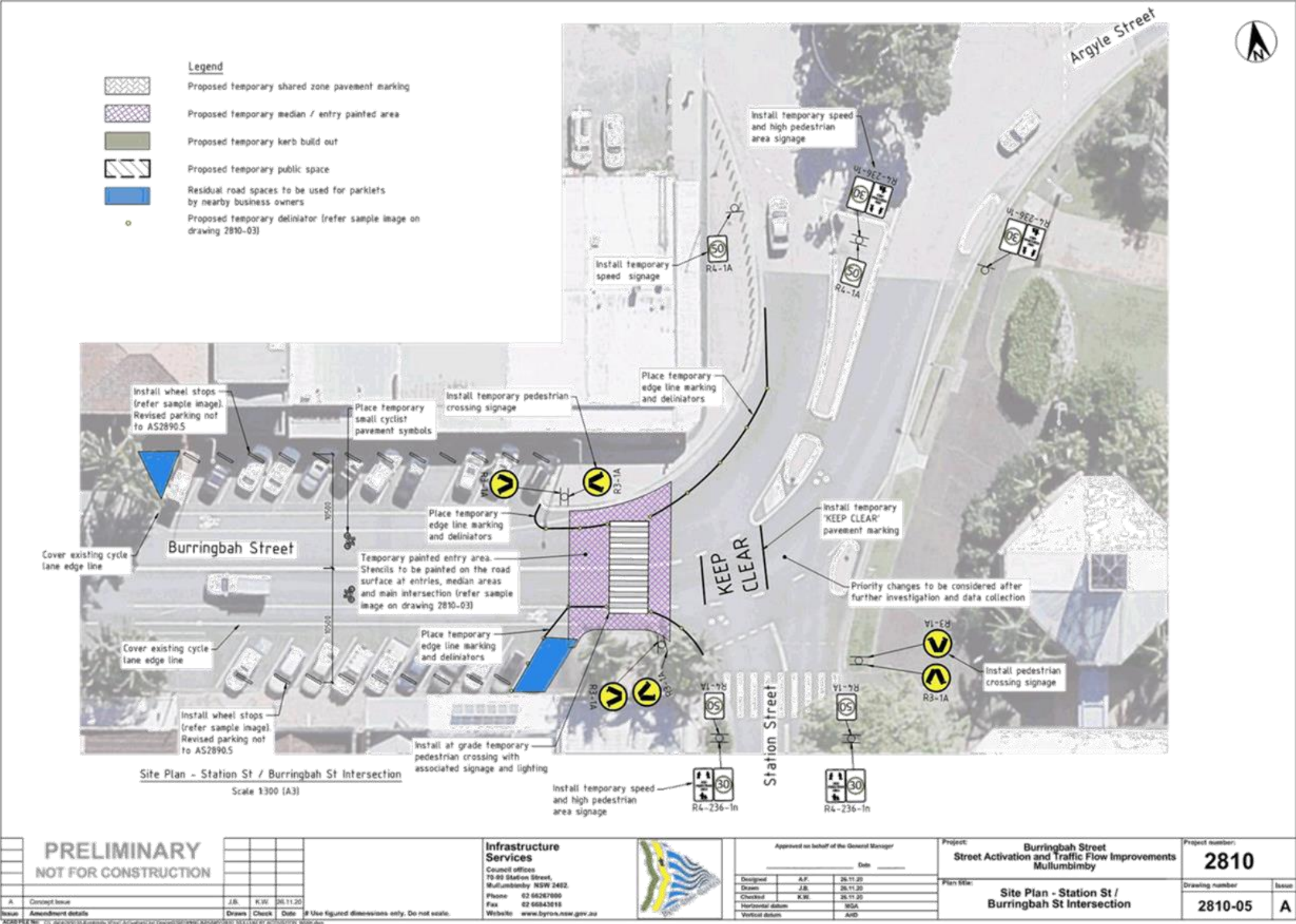








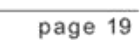




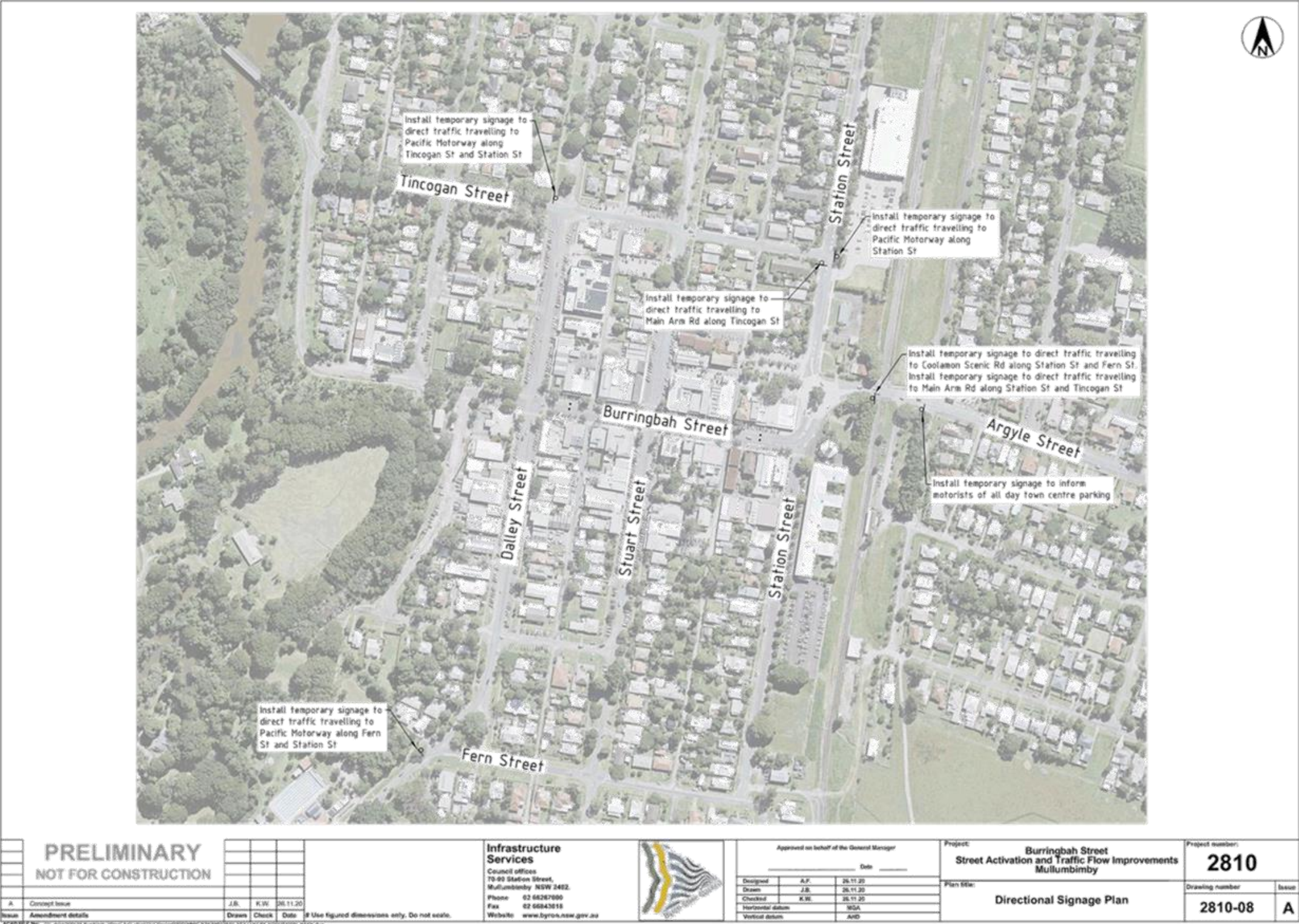




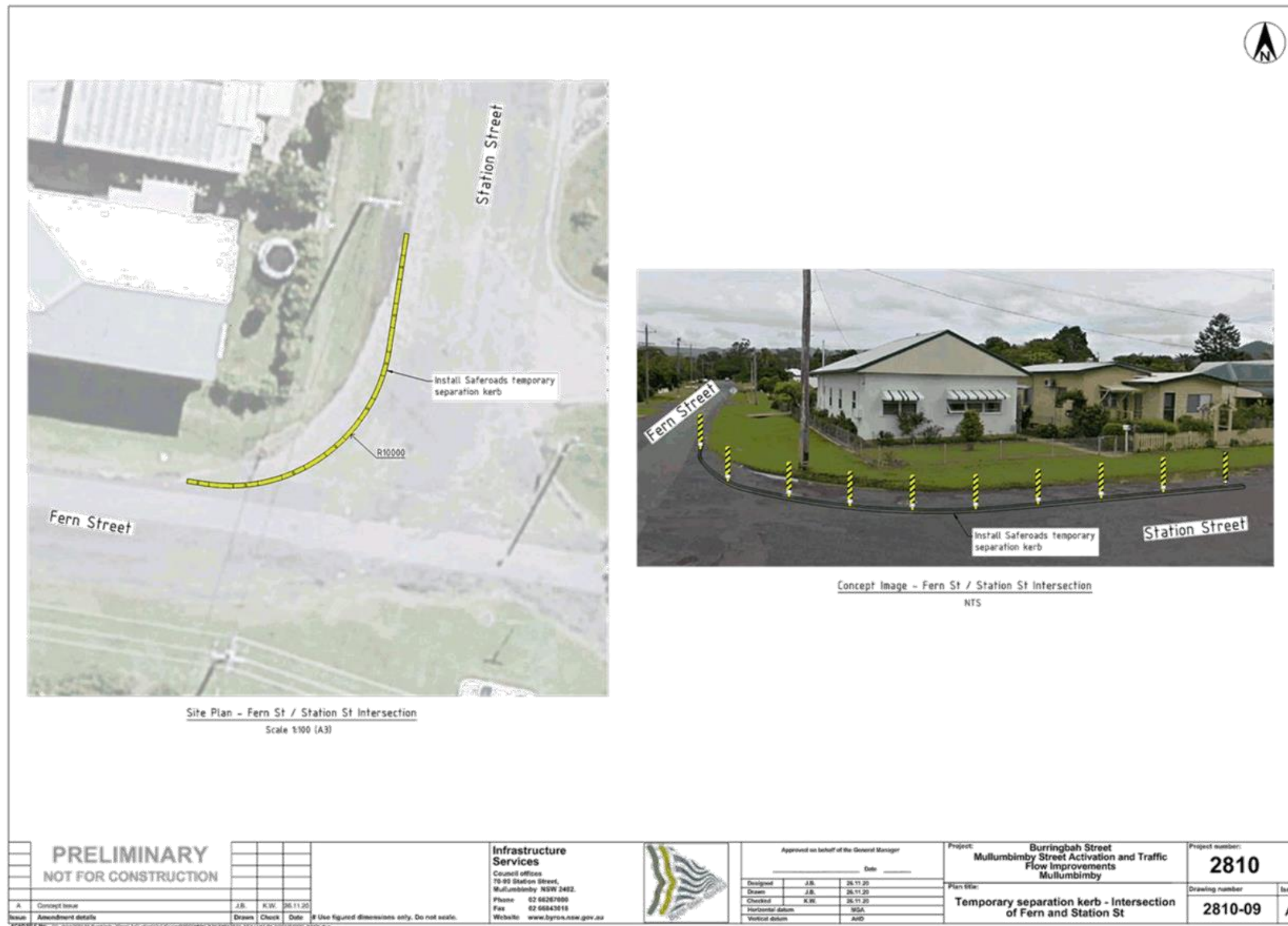
### 6.3 - ATTACHMENT 1











## BYRON SHIRE COUNCIL

## LOCAL TRAFFIC COMMITTEE MEETING

6.4

**Report No. 6.4**      **On-Road Cycleway Connection - Bangalow/Browning/Tennyson Roundabout**  
**File No:**              I2020/1952

- 5    There are currently two separate on-road cycleway projects running concurrently, being the Byron Bay Bypass and the Byron to Suffolk cycleway projects.

Upon review of both projects, it has been identified that neither project included markings on the Bangalow/Browning/Tennyson roundabout to provide connectivity between the two.

- 10    Therefore, this has been designed and is presented for endorsement and will be installed within the month of December 2020 in conjunction with the other two projects.

- 15    This will provide connectivity for an on-road cycleway from Suffolk Park to just south of the Shirley/Butler/Lawson roundabout on the Byron Bay Bypass project.

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**RECOMMENDATION:**

**That Council endorse the attached plans for the On-Road Cycleway Connection at Bangalow/Browning/Tennyson Roundabout pavement marking and signage to be installed (#E2020/97761).**

20    **Attachments:**

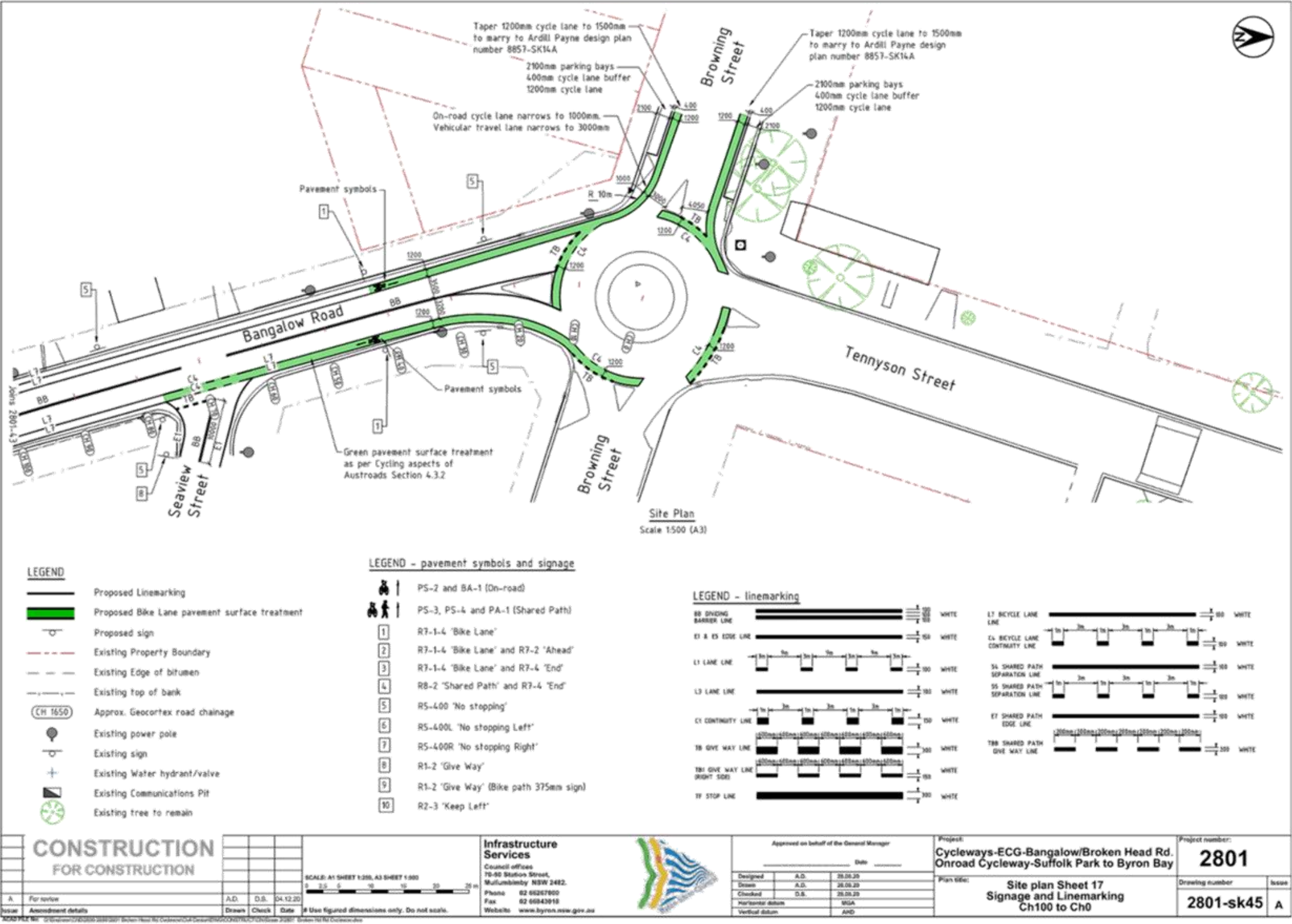
- 1      24.2017.86.1 - 2801-SK45 - Byron to Suffolk Cycleway - Browning St Roundabout Bypass Connection, E2020/97761 , page 23 [↓](#)

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BYRON SHIRE COUNCIL

REGULATORY MATTERS

6.4 - ATTACHMENT 1





## BYRON SHIRE COUNCIL

## LOCAL TRAFFIC COMMITTEE MEETING

7.1

## DEVELOPMENT APPLICATIONS

**Report No. 7.1**      **Mixed Use Development - Jonson St / Browning St**  
**File No:**              I2020/1858

Council has received a Roads Act application associated with a mixed use development on the corner of Jonson St and Browning St, Byron Bay. The development was previously reported to May 2020 LTC meeting and was not supported. This development application was subsequently granted approval through the Land and Environment Court.

Refer to the image below for its location circled in blue.



It is noted that both Jonson St and Browning St are regional roads requiring TfNSW concurrence for the works on Browning St and Jonson St. Council's Development Engineer Gray Blunden has confirmed TfNSW have given concurrence for the installation of a median strip on Browning Street at the Marvel Lane / Browning St intersection. Refer to attachment 2 for the letter confirming this concurrence and attachment 1 for its location.

Below are the conditions of consent imposed on the DA approval:

## BYRON SHIRE COUNCIL

## LOCAL TRAFFIC COMMITTEE MEETING

7.1

Condition 24 (part of):

- Intersection with Browning St in accordance with Planit drawing J170-1300 Rev C dated 9/3/20, except for the following:
    - "No Right Turn" signage is to comply with the relevant standards of Transport for NSW;
    - 5 - a "No Right Turn" sign is to be located on the eastern side of Ruskin Lane opposite the basement access ramp, so as to be clearly visible to southbound vehicles within the lane;
    - a "No Right Turn" sign is to be located on the southern side of Browning Street opposite the Ruskin Lane intersection;
    - 10 - a "Left Turn Only" sign is to be located either on the central median in Browning Street, or at junction of Ruskin Lane and Browning Street, to be clearly visible to vehicles exiting the lane;
    - the left arrow and words "no right turn" proposed to be painted on the Ruskin Lane pavement are not approved;
    - 15 -
- Driveway (commercial areas):
- A driveway in accordance with Council's standard "Northern Rivers Local Government Development Design & Construction Manuals and Standard Drawings". The footpath crossing must be designed to provide a cross fall of 1 % or 1:100 (maximum 2.5% or 1 in 40) for a width of at least 2.4 metres to provide for pedestrians with access disabilities.
- 20 • Provision must be made to prevent the ingress of flood waters into the basement carpark. Driveway ramps that allow for the ingress of rainwater are to be predominantly covered, with a maximum area of 60m<sup>2</sup> only that is exposed to direct rainfall.
  - 25 • Provision must be made to prevent vehicles from turning left into Ruskin Ln using raised island and line marking; and

It is confirmed Attachment 1 has incorporated the above conditions into the design.

- 30 The purpose of this LTC report is to gain Council support for the proposed regulatory signage shown in attachment 1. Note, the General Manager does not intend to use delegated authority to adopt the LTC recommendations. Any LTC recommendation for this report will proceed to the next 2021 Council meeting.

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**RECOMMENDATION:**

**That Council approve the regulatory signage shown in Attachment 1 (E2020/95011) which is associated with development application 10.2019.616.1 and Roads Act application 51.2019.616.2.**

35

**Attachments:**

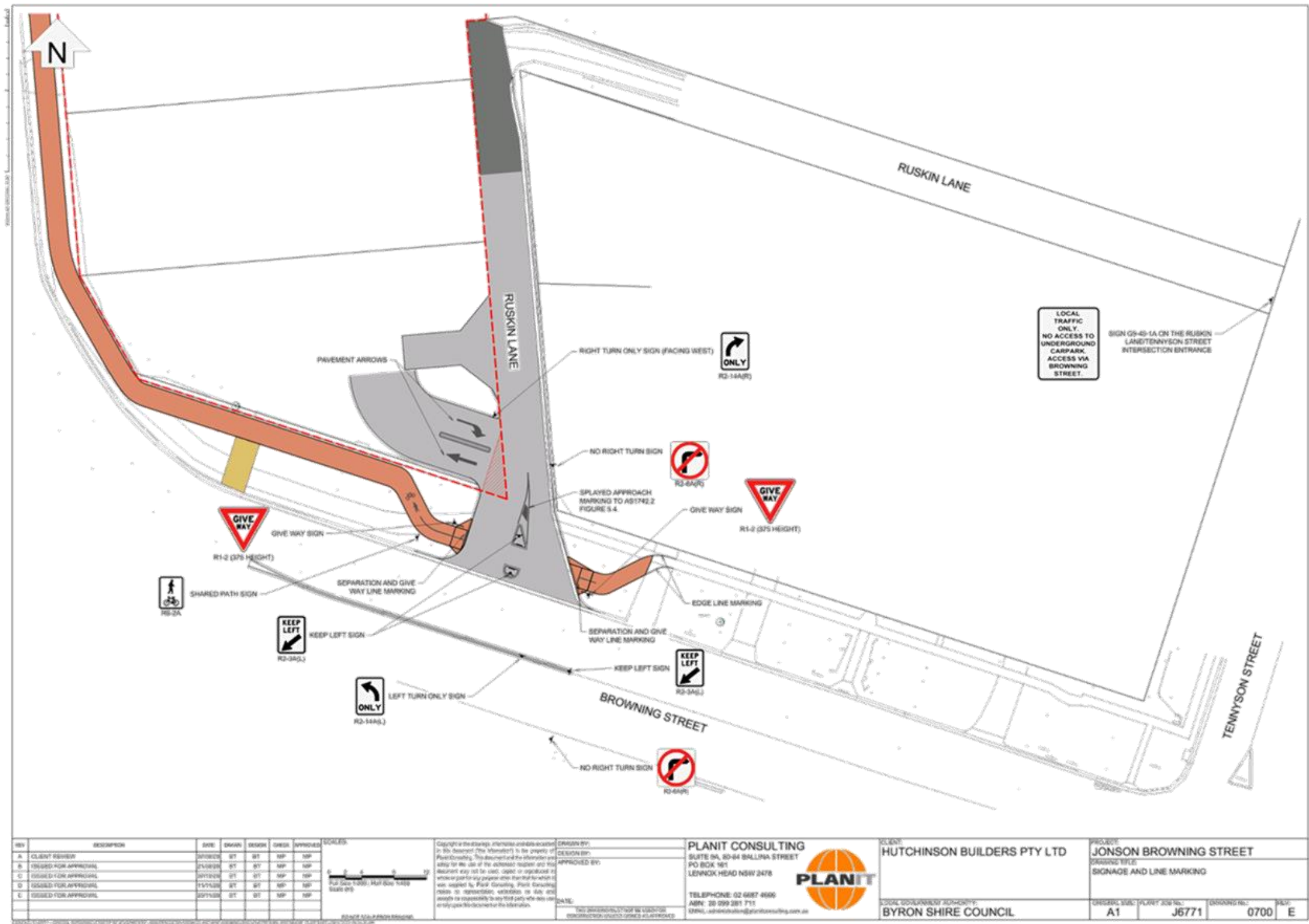
- 1 0700 SIGNAGE AND LINE MARKING, E2020/95011 , page 26 [U](#)
  - 2 Service NSW (RMS) - 51.2019.616.1 - TfNSW Concurrence, E2020/94813 , page 27 [U](#)
- 40



DEVELOPMENT APPLICATIONS

BYRON SHIRE COUNCIL

7.1 - ATTACHMENT 1



## BYRON SHIRE COUNCIL

## DEVELOPMENT APPLICATIONS

## 7.1 - ATTACHMENT 2

**From:** [Development Northern](#)  
**To:** [Blunden, Gray](#)  
**Cc:** [Byrne, Amanda](#); [LAC Mailbox](#)  
**Subject:** RE: Content Manager Authority Document : A2020/28938 : Service NSW (RMS) - 51.2019.616.1 - Referral - Integrated Development  
**Date:** Friday, 30 October 2020 3:07:51 PM  
**Attachments:** [image001.jpg](#)

Hi Gray

I refer to your letter of 21 October 2020 requesting a *Roads Act 1993* Section 138 concurrence.

As Browning Street is a classified (regional) road, Byron Shire Council is the Roads Authority for all public roads (other than freeways or Crown roads) in the local government area pursuant to Section 7 of the Act. TfNSW is the roads authority for freeways and can exercise roads authority functions for classified roads in accordance with the Roads Act.

Council is responsible for setting standards, determining priorities and carrying out works on Local and Regional roads, however TfNSW concurrence is required prior to Council's approval of works on classified (regional) roads under Section 138 of the *Roads Act 1993*.

Condition 24 of Development Application 10.2019.616.1 requires the applicant to provide a median island in accordance with Austroads to prevent vehicles performing a right turning movement from Browning Street into Ruskin Lane and vice versa.

The extent of the median shown on Planit Job No J6771 Rev B drawings needs to be sufficient to prevent vehicles turning right from Ruskin Lane, around the central median island to head west on Browning Street. Council may wish to consider extending the median to the next intersection to prevent unsafe manoeuvres along this section of Browning Street.

Note: Regulatory signs and devices will require the endorsement of the Local Traffic Committee prior to Council approval. Please refer to [A guide to the delegation to councils for the regulation of traffic](#).

TfNSW concurrence is provide once Council is satisfied that the central median is sufficient in length to prevent vehicles performing a right turn from Ruskin Lane, around the central median island to head west on Browning Street.

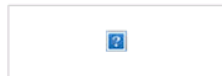
Please note for future reference, the contact have changed and please use (02) 6640 1362 or [Development.Northern@rms.nsw.gov.au](mailto:Development.Northern@rms.nsw.gov.au) if further information is required.

Regards

*Leisa Sedger*

for Brad Crispin  
 Senior Manager, Regional Customer Services  
 Region North  
 Regional & Outer Metropolitan Division  
 Transport for NSW

T 02 6640 1362 | F 02 6640 1304  
 Level 1, 76 Victoria Street, Grafton NSW 2460



-----Original Message-----

From: Blunden, Gray [mailto:[gblunden@byron.nsw.gov.au](mailto:gblunden@byron.nsw.gov.au)]  
 Sent: Tuesday, 27 October 2020 12:32 PM

BYRON SHIRE COUNCIL

DEVELOPMENT APPLICATIONS

7.1 - ATTACHMENT 2

To: Development Northern <development.northern@rms.nsw.gov.au>  
Subject: Content Manager Authority Document : A2020/28938 : Service NSW (RMS) -  
51.2019.616.1 - Referral - Integrated Development

Hi Guys,  
Just following up with this referral, just wondering if you have had a chance to respond.  
Many thanks  
Gray

-----< Content Manager Record Information >-----

Record Number: A2020/28938  
Title: Service NSW (RMS) - 51.2019.616.1 - Referral - Integrated Development



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**MINUTES OF MEETING****EXTRAORDINARY LOCAL TRAFFIC  
COMMITTEE MEETING**

Venue	Electronic Meeting
Date	Tuesday, 8 December 2020
Time	10:30am
Committee Members	Ian Shanahan – Transport for NSW Snr Constable Chris Davis – Police Cr Basil Cameron Tamara Smith MP



BYRON SHIRE COUNCIL

EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING MINUTES 8 DECEMBER 2020

**REPORT OF THE EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING HELD ON  
TUESDAY, 8 DECEMBER 2020**

**File No:** I2020/1955

MEETING COMMENCED: 8 December 2020, 10:30am via email.

PRESENT:

Transport for NSW: Ian Shanahan  
Police: Snr Constable Chris Davis  
Tamara Smith MP, Siobhan Foley

Staff: Evan Elford and Andrew Pearce

APOLOGIES:

There were no apologies.

DECLARATIONS OF INTEREST

There were no declarations of interest raised.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

**RECOMMENDATION:**

**That the minutes of the Local Traffic Committee Meeting held on 3 November 2020 be confirmed.**

This item to be carried over to next meeting, 16 Feb 2021.

MATTERS ARISING

There were no matters arising

OUTSTANDING ISSUES/RESOLUTIONS

None.

REGULATORY MATTERS

**Report No. 6.1      Yellow Line - Lighthouse Rd, Wategos**  
**File No:              I2020/1825**

Staff are seeking Council resolution to install yellow lines along Lighthouse Road between Brooke Drive and Marine Parade, Wategos, see figure 1 below for the location.



BYRON SHIRE COUNCIL

EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING MINUTES 8 DECEMBER 2020



Figure 1 – location of requested yellow lines.

Figure 2 below shows the typical cross section of the road at two locations along its length. As seen in these figures below there are narrow gravel shoulders used as informal pedestrian access to Wategos and the Lighthouse. The frequent conflict is that cars often park across these gravel shoulders where people then walk to the Lighthouse. This creates a hazard for pedestrians using the path and that cars end up partially on the path and partially on the road.

Council proposes to install a yellow line in the location shown in figure 1 to eliminate this unsafe parking location. Where the eastern extent of the proposed yellow line ends there is already existing yellow lines through to Marine Parade.



## BYRON SHIRE COUNCIL

EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING MINUTES 8 DECEMBER 2020

Committee Comments

Shanahan: it appears that the road has 'no parking' signs both sides, what is going to happen to these signs? Take them out or replace with 'no stopping' signs? Otherwise no issues.

Kehoe: I support the installation of 'No Stopping' signs in conjunction with yellow lines to ensure compliance along Lighthouse Road.

Management Comments

Elford: Council has sufficient budget to enable the existing signs to be replaced with "No Stopping" so once the matter is voted we will undertake the lines and sign changes – I suggest that the recommendation be modified to read:

*LTC recommends Council change "No Parking" signs to "No Stopping" in conjunction with the provision of yellow line marking in Lighthouse Road, Byron Bay.*

Committee Recommendation:**That Council**

- 1. Endorse the installation of yellow lines along Lighthouse Road from the Brooke Drive intersection extending through to the start of Palm Valley Drive.**
- 2. Change "No Parking" signs to "No Stopping" in conjunction with the provision of yellow line marking in Lighthouse Road, Byron Bay.**

(Shanahan/Kehoe)

The recommendation was put to the vote and declared carried unanimously. *Shanahan, Smith and Kehoe voted in favour of the motion.*  
*Nil voted against the motion.*

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**Report No. 6.2**

**Tincogan Street Intersection Priorities**

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## BYRON SHIRE COUNCIL

EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING MINUTES 8 DECEMBER 2020

**File No:** I2020/1826

This report seeks LTC support for the reprioritisation of give way signs on Tincogan Street at the Dalley Street and Stuart Street Intersections in order to provide East-West traffic priority in Tincogan Street.

Currently traffic on Tincogan Street must give way to traffic on Dalley Street and Stuart Street as seen in Figure 1 below.

*Figure 1: Tincogan St / Dalley St Intersection*



Figure 2 below shows the typical traffic paths through Mullumbimby. Refer to blue line for vehicles travelling east / west and yellow for vehicles traveling south / west.

*Figure 2: Plan view of Mullumbimby and travel paths*



**Previous Reports**

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## BYRON SHIRE COUNCIL

## EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING MINUTES 8 DECEMBER 2020

This matter was brought to LTC previously in 2014 and 2019. In 2014 LTC recommended the following:

**Committee Recommendation**

1. *That Council receive a report via the LTC as to the benefits and issues associated with changing the traffic route priority along the length of Tincogan Street from Station Street to Brunswick Terrace.*
2. *That Council seek comments from the community in regards to this proposal with any submissions received forming part of the discussion in the above mentioned report.*
3. *That Council note that at the intersection at Station Street, the Give Way orientation may be changed.*

Council resolved to adopt the above LTC resolution at the 7 August 2014 Council meeting. No additional Council comments were provided.

This matter was also brought to LTC in September 2019 where the benefits and issues associated with the priority change were discussed. LTC made the following recommendations:

**Committee Recommendation**

1. *That Council note the Committee's comments on possible changes to Give Way signs at Tincogan Street / Dalley Streets intersection and the Tincogan Street / Stuart Street intersection.*
2. *That Council note the correspondence from the Mullumbimby Residents Association to the Director Infrastructure Services dated 6<sup>th</sup> September 2019, (E2019/67997) and consult with residents of Mullumbimby.*
3. *That Council investigate Active Transport Funding FY20/21 for pedestrian protection in this area.*

Council resolved (19-485) to adopt the above LTC resolution, with the exception of item 3, at the 26 September 2019 Council meeting.

Through the above reporting, Council has shown clear support for the changes in intersection priority at the time of reporting.

**Mullumbimby Masterplan/Community Consultation**

In December 2019, Council adopted the Mullumbimby Masterplan which supports the reprioritisation of give way signs on Tincogan Street to facilitate east-west traffic priority as well as to realign the intersections at the Stuart and Dalley Streets to improve safety and traffic flow.

**Proposed Design**

The preliminary design has been appended to this report. Note, details related to kerb buildouts, drainage, parking, landscaping is subject to change and are not regulatory devices requiring LTC review. Only proposed regulatory signs and lines require LTC consideration.

**Construction Scheduling**

Council aims to commence works to coincide with the Burringbar Talking Street Project. The

## BYRON SHIRE COUNCIL

## EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING MINUTES 8 DECEMBER 2020

purpose of this project is to reduce the amount of through traffic along Burringbar Street by diverting traffic along alternate routes such as Tincogan Street via Station Street in order to circumnavigate the Mullumbimby commercial area.

The works associated with the intersection changes are proposed to occur in the following stages due to budget and resource requirements::

- Stage 1: Linemarking and signage – December 2020
- Stage 2: Installation of pedestrian refuges, some landscaping and kerb buildouts – early to mid 2021
- Stage 3: Connectivity between Dalley and Stuart Streets including parking – longer term

**Staged Construction Considerations**Pedestrian Safety

As seen in the proposed design, improved traffic control and pedestrian safety will be addressed through kerb extensions and pedestrian refuges. The goal of these is to narrow the intersection, aid in managing speed and provide improved pedestrian safety at the Dalley and Stuart Street intersections with Tincogan Street.

The period between Stage 1 (line marking and signage) and Stage 2 (kerb buildouts) works may represent a risk to pedestrians in this regard. An interim solution to help address this risk may be to line mark chevrons where future kerb extensions are proposed, potentially in combination with guide posts or temporary reflective pavement markers. These items are not regulatory devices but are mentioned to highlight Council's steps to improve pedestrian safety.

Shops

Along Tincogan St, between Dalley St and Stuart St is a strip of popular shops, cafes, auto repairs, dance studio, bike shop and motor cycle repair. This strip of Tincogan St currently has high parking demand with high turnover. Parking is 90° angle parking with cars required to reverse out to exit.

The proposed design will reduce the amount of parking in this area due in part to the kerb extensions. This area will need to be monitored to address any potential conflicts arising from the proposed intersection works. Undertaking stage 1 works first will help identify matters that could be addressed as part of stage 2 and 3.

**Funding**

Stage 1 and 2 works to change the priority at Dalley and Stuart Streets are specifically referenced and scoped tasks under the funding agreement for Council's Election Commitment Grant which is aimed to address the Impacts of Tourism on infrastructure evidenced in Byron Shire.

Committee Comments

Shanahan: Tincogan Street – suggest moving pathway to south, you may then get one car between hold line and pathway and avoid pedestrians/cyclists straight line across the road. Dalley St, similar comments. (diagrams provided, see E2020/99456)

Kehoe: Comments of Evan Elford supported.

Management Comments

Elford: I support the adjustment of the pedestrian pathway and refuge as Ian suggests. We have locations elsewhere in Mullumbimby where vehicles stopped at hold lines are over a pedestrian crossing and this should not be repeated. This situation is avoidable and can be managed as suggested to provide a better outcome for both drivers and pedestrians. The reprioritisation of these intersections has long been mooted and is acknowledged as an outcome/action in the Mullumbimby Masterplan. It is important to note that Council has specifically allocated grant funds available to undertake this work. The recent wearing surface upgrade of Tincogan St

## BYRON SHIRE COUNCIL

## EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING MINUTES 8 DECEMBER 2020

foreshadowed this priority change and accordingly temporary (and incomplete) line marking tape was installed for existing give way arrangements in Tincogan St as an interim traffic management action until the surface had cured and the priority change enacted. If the priority change is not supported unanimously this matter will be deferred to Council for determination in February 2021 and Council will need to complete the line marking in the current location (existing layout arrangement) before Christmas to ensure we manage road user safety and in addition, Council will need to seek a variation to grant arrangements. On that basis could I suggest the recommendation be updated for LTC members support to read as follows:

*Council implement priority changes to the intersections of Dalley and Stuart Streets with Tincogan St, Mullumbimby and that pedestrian paths and refuges be located such as to provide a minimum of one vehicle storage between hold lines and the pedestrian path and refuge alignment.*

**Committee Recommendation:**

**That Council implement the priority changes to the intersections of Dalley and Stuart Streets with Tincogan St, Mullumbimby and that pedestrian paths and refuges be located such as to provide a minimum of one vehicle storage between hold lines and the pedestrian path and refuge alignment.**

(Kehoe/Shanahan)

The recommendation was put to the vote and declared carried unanimously. *Shanahan, Smith and Kehoe voted in favour of the motion.*  
*Nil voted against the motion.*

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**Report No. 6.3**      **Burringbar St - Talking Street**  
**File No:**            **I2020/1863**

Council has been awarded funding from the NSW State Government to trial temporary treatments including speed reductions and parklets in Burringbar Street, Mullumbimby. The purpose of this trial is to reduce vehicle movements through and on Burringbar Street within the town centre, provide a safer space for cyclists and pedestrians as well as promote social interaction through "activating" areas of the street. The trial also aligns with the Council endorsed Mullumbimby Masterplan.

A similar report was submitted to the November 2020 LTC meeting. However, a number of design features have been amended. As a result it was considered prudent to resubmit the design to LTC for support.

The following regulatory signs, lines and devices require LTC endorsement:

1. Speed reduction from 50km/h to 10km/h covering the intersection of Burringbar Street and Stuart Street and extending approximately 10m out from the intersection in all directions (refer attached plans).
2. Speed zone reduction for the remainder of Burringbar Street and Stuart Street commercial areas from 50km/h to 30km/h (refer attached plans).
3. Amendments to the existing delineation along the length of Burringbar Street to incorporate features such as the following in accordance with the attached plans.
  - a. Removal of cycle lane to trial mixed traffic (vehicle and cycle) lanes as per the

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## BYRON SHIRE COUNCIL

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## Byron Shire Bike Plan

- b. Widen centre lines in some locations
  - c. Install wheel stops to prevent cars encroaching onto footpath and in some places push car back 1-2m from gutter to enhance pedestrian activation of footpath areas.
4. At the November LTC report additional crossings were proposed at the Stuart St Burringbar St intersection. Due to the proposed 10k/h shared zone these crossings are no longer needed. The cost of street lighting at these crossings was also prohibitively expensive. These crossings have been removed from the attached plans.
  5. Note that the intersection priority change previously discussed at Station and Burringbar Street will not form part of the first stage of works. A new pedestrian crossing is still planned on Burringbar Street near the Station Street intersection (refer attached plans).
  6. Regulatory linemarking and signage associated with the above.

Other items are proposed as part of the Burringbar Street Talking Street grant which are not regulatory items. These include

1. Painted stencils (to be designed by a local artist) are to be painted onto road surfaces at key locations as noted on the attached plans.
2. Several temporary parklets and public spaces along Burringbar Street and Stuart Street.
3. Temporary painted thresholds, median areas and intersection treatments
4. Temporary separation kerb and guide posts at Station Street / Fern Street intersection.

Committee Comments

Shanahan: Burringbar Street – only comment is that the speed limit signs in Stuart Street are shown behind the parking bays and a tree (?), drivers will need to be able to see the signs. No sure if 'keep clear' is warranted. Otherwise no issues.

Kehoe: Comments of Ian Shanahan Supported.

Management Comments

Shanahan's comment is noted and agreed – Council staff will need to be given clear instruction as to the appropriate location for signage – Traffic Engineer to manage.

Committee Recommendation:

**That Council endorse the regulatory signs, lines and devices presented in attachment 1 (E2020/95475).**

(Shanahan/Smith)

The recommendation was put to the vote and declared carried unanimously. *Shanahan, Smith and Kehoe voted in favour of the motion.*

*Nil voted against the motion.*

**Report No. 6.4**

**On-Road Cycleway Connection - Bangalow/Browning/Tennyson Roundabout**

**File No:**

I2020/1952

## BYRON SHIRE COUNCIL

EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING MINUTES 8 DECEMBER 2020

There are currently two separate on-road cycleway projects running concurrently, being the Byron Bay Bypass and the Byron to Suffolk cycleway projects.

Upon review of both projects, it has been identified that neither project included markings on the Bangalow/Browning/Tennyson roundabout to provide connectivity between the two.

Therefore, this has been designed and is presented for endorsement and will be installed within the month of December 2020 in conjunction with the other two projects.

This will provide connectivity for an on-road cycleway from Suffolk Park to just south of the Shirley/Butler/Lawson roundabout on the Byron Bay Bypass project.

Committee Comments

Shanahan: On-road cycleway – no issues.

Kehoe: Nil Issues

Management Comments

None

**Moved:**

**That Council endorse the attached plans for the On-Road Cycleway Connection at Bangalow/Browning/Tennyson Roundabout pavement marking and signage to be installed (#E2020/97761).**

*(Smith/Kehoe) Shanahan, Smith and Kehoe voted in favour of the motion.*

*Nil voted against the motion.*

DEVELOPMENT APPLICATIONS**Report No. 7.1****Mixed Use Development - Jonson St / Browning St****File No:**

I2020/1858

Council has received a Roads Act application associated with a mixed use development on the corner of Jonson St and Browning St, Byron Bay. The development was previously reported to May 2020 LTC meeting and was not supported. This development application was subsequently granted approval through the Land and Environment Court.

Refer to the image below for its location circled in blue.

## BYRON SHIRE COUNCIL

EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING MINUTES 8 DECEMBER 2020



It is noted that both Jonson St and Browning St are regional roads requiring TfNSW concurrence for the works on Browning St and Jonson St. Council's Development Engineer Gray Blunden has confirmed TfNSW have given concurrence for the installation of a median strip on Browning Street at the Marvel Lane / Browning St intersection. Refer to attachment 2 for the letter confirming this concurrence and attachment 1 for its location.

Below are the conditions of consent imposed on the DA approval:

Condition 24 (part of):

- *Intersection with Browning St in accordance with Planit drawing J170-1300 Rev C dated 9/3/20, except for the following:*
  - *"No Right Turn" signage is to comply with the relevant standards of Transport for NSW;*
  - *a "No Right Turn" sign is to be located on the eastern side of Ruskin Lane opposite the basement access ramp, so as to be clearly visible to southbound vehicles within the lane;*
  - *a "No Right Turn" sign is to be located on the southern side of Browning Street opposite the Ruskin Lane intersection;*
  - *a "Left Turn Only" sign is to be located either on the central median in Browning Street, or at junction of Ruskin Lane and Browning Street, to be clearly visible to vehicles exiting the lane;*
  - *the left arrow and words "no right turn" proposed to be painted on the Ruskin Lane pavement are not approved;*
  -

*Driveway (commercial areas):*

*A driveway in accordance with Council's standard "Northern Rivers Local Government Development Design & Construction Manuals and Standard Drawings". The footpath crossing must be designed to provide a cross fall of 1 % or 1:100 (maximum 2.5% or 1 in 40) for a width of at least 2.4 metres to provide for pedestrians with access disabilities.*

## BYRON SHIRE COUNCIL

## EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING MINUTES 8 DECEMBER 2020

- *Provision must be made to prevent the ingress of flood waters into the basement carpark. Driveway ramps that allow for the ingress of rainwater are to be predominantly covered, with a maximum area of 60m<sup>2</sup> only that is exposed to direct rainfall.*
- *Provision must be made to prevent vehicles from turning left into Ruskin Ln using raised island and line marking; and*

It is confirmed Attachment 1 has incorporated the above conditions into the design.

The purpose of this LTC report is to gain Council support for the proposed regulatory signage shown in attachment 1. Note, the General Manager does not intend to use delegated authority to adopt the LTC recommendations. Any LTC recommendation for this report will proceed to the next 2021 Council meeting.

Committee Comments

Shanahan: Jonson Street DA – no issues.

Kehoe: Nil issues

Management Comments

None.

Committee Recommendation:

**That Council approve the regulatory signage shown in Attachment 1 (E2020/95011) which is associated with development application 10.2019.616.1 and Roads Act application 51.2019.616.2.**

(Kehoe/Shanahan)

The recommendation was put to the vote and declared carried. *Shanahan and Kehoe voted in favour of the motion.*

*Nil voted against the motion.*

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*There being no further business the meeting concluded at 5pm Tuesday 15<sup>th</sup> 2020.*