

Minutes
Ordinary (Planning) Meeting
Thursday, 13 March 2025



BYRON SHIRE COUNCIL

Ordinary (Planning) Meeting Minutes
13 March 2025

INDEX OF ITEMS DISCUSSED

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

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BYRON SHIRE COUNCIL

ORDINARY (PLANNING) MEETING MINUTES

13 March 2025

MINUTES OF THE BYRON SHIRE COUNCIL ORDINARY (PLANNING) MEETING HELD ON THURSDAY, 13 MARCH 2025 COMMENCING AT 3:08PM AND CONCLUDING AT 6:27PM.

I2025/286

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

Staff: Mark Arnold (General Manager)
Esmeralda Davis (Director Corporate and Community Services)
Phil Holloway (Director Infrastructure Services)
Shannon Burt (Director Sustainable Environment and Economy)
Matt Meir (Legal Counsel)
Heather Sills (Manager Corporate Services)
Chris Larkin (Manager Sustainable Development)
Michael Bingham (Environmental Heather Officer) – Item 13.3
Donna Johnston (Grants Coordinator) – Item 17.1
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.

The Mayor acknowledged, and offered her sincere thanks, to all involved in the response and recovery efforts following Tropical Cyclone Alfred, including Emergency responders such as the SES volunteers. The Mayor further acknowledge the work performed by the volunteers at the Community Resilience Hubs, Council Staff and fellow Councillors.

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 Draft Community Engagement Strategy	Against	Jan Barham	Self	Read by Staff
		Dale Emerson	Mullumbimby Residents Association	Read by Staff

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Cr Dods left the Chambers at 3.20pm in accordance with his tabled Conflict of Interest declaration.

Public Access continued

Report No and Title		For/ Against	Name	Representing Organisation	Submission Received in form of
13.2	PLANNING – Post Exhibition Submissions Report – 26.2024.1.1 – Planning Proposal to amend Byron Local Environmental Plan 5 2014 to introduce a Heritage Conservation Area and additional Items at Federal	For	Linda Hancock	Self	Zoom
			Gavin Elterman	Owners and Tenants Opposed to Federal Village Heritage Conservation Overlay	Read by Staff

Cr Dods returned to the Chambers at 3.33pm.

Public Access continued

13.3	PLANNING - DA 10.2024.305.1 – Alterations and additions to livestock processing industry including part demolition, tree removal, road upgrades, and ancillary works, 10 Cudgerie Gully Lane, Booyong	For	Simon Stahl	Northern Co-operative Meat Company Ltd	In Person
13.7	DA 10.2024.364.1 Alterations and additions to shop top housing and commercial premises – 14 Terrace Brunswick Heads	For	Daina Cunningham	Incidental Architecture	Zoom
17.1	Response to the "No Traffic Lights in Suffolk Park" Petition & Project Update		Joti Jaffray	Self	In Person
			David Fligelman	Keep the Flow in Suffo	In Person
			Kelly Minahan	Self	In Person

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Submissions

Subject	Name	Representing Organisation	Submission Received in form of
Clifford Street Lights	Jessie Atkins	Self	In Person

Crs Lyon, Hauge, Warth and Dods left the Chambers at 3.54pm in accordance with their tabled Conflict of Interest declarations.

Public Access continued

Report No and Title	For/ Against	Name	Representing Organisation	Submission Received in form of
13.4 PLANNING - 10.2024.239.2 - S4.55 Modification to delete limited patronage in 'soft-opening' condition – 38 Tweed Street, Brunswick Heads	For	Sean Cobbold	Cobbold Building Designs	In Person

Question No. 1 - Clifford St/Broken Head Rd intersection

Liz Levy submitted the following question:

Policy vacillation and previous grants failing at land acquisition, have kept this intersection a known safety hazard for thirty years. As a 2016 report recommended signalisation as the best compromise between capacity, safety and cost, Council staff applied successfully for an option addressing all safety needs and removing the historical impediment to completion with their decision vindicated by the 2024 Metis study.

Council's recent resolve to again pursue a roundabout and land acquisition carries less, rather than increased chance of success. If its current reversal fails again to utilise grant funding to address long existing safety concerns, will Council seek legal advice on the liability implications of decisions based on community preference for a different culture or "vibe"? To what extent would Crown indemnity of councillors be jeopardised by a decision to ignore expert advice on a known safety risk and would this be deemed "acting in good faith"?

The Mayor took the questions on notice.

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Question No. 2 - Clifford St/Broken Head Rd intersection

Lynne Richardson submitted the following question:

Should the resolution proposed and passed re Petition 11.1 on 27/02/2025, be considered an "amendment" given that "c) Notifying an intent to seek a variation to the grant by altering the means by which community safety is delivered for the Broken Head Road / Clifford Street intersection" represents, if not a complete reversal, then a significantly different position to the tabled staff recommendation: "That Council reaffirms its decision in resolution 24-533 to adopt traffic signals as an interim option for the Broken Head Road /Clifford St intersection? Is a resolution of the type passed more appropriately deemed a rescission motion or a separate motion requiring notice (NOM)? In either case wouldn't the resolution require more notice to allow sufficient scrutiny of its implications?

The Mayor took the questions on notice.

Question No. 3 - Clifford St/Broken Head Rd intersection

Margaret Wiles submitted the following question:

Prior to the decision at the last Council meeting, to change direction on the treatment of the Clifford St/Broken Head Rd intersection, there seemed a dearth of relevant, publicly available information. Crucial to the decision was last minute updated information on Council's website addressing questions and concerns raised by the community and clarifying some of the more outlandish projections being promulgated.

In addition to the absence of any tabled notice of a proposed change of position, what was behind a decision not to publicly release additional material distributed to councillors prior to 27/02/'25 meeting? When will this information be publicly available?

The Mayor took the questions on notice.

Question No. 4 - Clifford St/Broken Head Rd intersection

Tony Christie submitted the following question:

The Resolution re Petition 11.1 (27/02/2025) prescribes a number of steps including:

- Apply for grant variation to a roundabout*
- Clarify RMS acceptance of a mini roundabout*
- Conduct land valuations and purchase negotiations Prepare a report to Council*

What will be the sequencing of these steps and are any sunset clauses envisaged? How will negotiations and purchases be funded?

By which date will any/all of the above need to be completed to make the March 26 completion deadline feasible? On what grounds might a project extension be sought?

The Mayor took the questions on notice.

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Question No. 5 - STRA non-compliance with 60 day cap zones

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

There is concern within the community that recalcitrant STRA owners and managers are not complying with the 60 day cap, or, intend to not comply based on observation of potential future bookings. Using the DPHI Premises Register, how many un-hosted STRA are located in Byron Shire 60 day cap zones and how many of these are required to renew their registration between the date this data is accessed and the 22nd September, 2025?

The Mayor took the question on notice.

Question No. 6 – Clifford St Intersection

Kelly Minahan submitted the following question:

Has council undertaken a “SIDRA” study or the equivalent to Assess the safety of a traffic light in this location which analyses traffic flow & bottlenecks of the proposal & potential new collision zones that result, like the downhill S bend south where’s speeding cars will be confronted with cars banked back due to stoppages at the proposed traffic light & are you aware that almost no pedestrians cross at this intersection?

The Mayor took the question on notice.

Question No. 7 – BSC Motion 27.2.25 Planning Meeting

Dean Prosser, on behalf of Keep the Flo in Suffo, submitted the following question:

Can the BSC please provide an update on all 5 points included in the motion (25-035) that was unanimously supported at the last planning meeting on the 27/3/25 And

Could the BSC please advise specifically on actions undertaken towards the below motion point 5.

Note that 2 representatives of the Group, David Fligelman & Dean Prosser remain available for this community engagement.

The Mayor took the question on notice.

Question No. 8 – Community communication

Renee Achijian, on behalf of Keep the Flo in Suffo, submitted the following question:

We commend the BSC community communication process & updates during the recent cyclone. Is there a reason why these effective & efficient mediums of communication have not & are still not utilised regarding communication with the Suffolk Park & Broken Head community re the Suffolk Park intersection project.

The Mayor took the question on notice.

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Question No. 9 – Prior resolutions for road safety in Suffolk Park

Jan Barham submitted the following question:

Last week I provided to the Mayor a document that included council resolutions from 2016 to 2020 that related to safety outcomes for the Broken Head Road and Clifford Street intersection and requested it be provided to all councillors. Will the questions and or reporting on the resolutions in relation to the failure to implement the safety outcomes be answered? and identify why they weren't implemented and provide responses on the website?

The Mayor took the question on notice.

The meeting adjourned at 4.04pm for a break and reconvened at 5.03pm.

APOLOGIES

There were no apologies.

APPLICATIONS TO ATTEND BY AUDIO-VISUAL LINK

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

REQUESTS FOR LEAVE OF ABSENCE

PROCEDURAL MOTION

25-057 Resolved that Cr Lowe be granted a leave of absence from the Ordinary Council meeting on 27 March 2025. (Ndiaye)

The motion was put to the vote and carried unanimously.

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

Cr Dods declared a pecuniary interest in Report 13.2. The nature of the interest being that Cr Dods owns a property in Federal which is included as part of this LEP amendment. Cr Dods elected to leave the Chamber and will not participate in discussion or the vote.

Cr Hauge declared a non-pecuniary interest in Report 13.4. The nature of the interest being that Cr Hauge worked on engineering report during a previous employment. Cr Hauge elected to leave the Chamber and will not participate in discussion or the vote.

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Cr Dods declared a non-pecuniary interest in Report 13.4. The nature of the interest being that the owners of this recreation facility (gym) operate another gym (Social Remedy) in Byron Bay. The property is part owned by Cr Dods Father with Social Remedy being the primary leaseholder. While Cr Dods family have no interest in 38 Tweed Street, or Social Remedy/B3's business, being a close relation to the landlord of Social Remedy's Byron Bay operation. Cr Dods also noted his campaign received a political donation from one of the part owners of Social Remedy. The donation was not a "reportable donation" under *Electoral Funding Act 2018* – s6 (i.e. less than \$1,000), however for transparency, it is now declared. Cr Dods elected to leave the Chamber and will not participate in discussion or the vote.

Cr Lyon declared a pecuniary interest in Report 13.4. The nature of the interest being that an election donor is an associate of the proponent. Cr Lyon elected to leave the Chamber and will not participate in discussion or the vote.

Cr Warth declared a non-pecuniary interest in Report 13.4. The nature of the interest being that a part owner donated to his election campaign. Cr Warth elected to leave the Chamber and will not participate in discussion or the vote.

Cr Dods declared a non-pecuniary interest in Report 13.8. The nature of the interest being that Part of the Status Report gives an update on the assessment of DA 2023.454.1 – Community Title Subdivision at 53 McAuleys Lane, Myocum. Cr Dods was engaged as a lead design coordinator during the DA preparation for the application. Cr Dods has also had some minor engagement during the assessment period. Cr Dods considered this 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 NRPP (not Council); and d) the nature of the item relates to the Status Report, not the respective DA. Cr Dods elected to remain in the Chamber and will not participate in discussion, however will retain his option to vote.

Cr Hauge declared a non-pecuniary interest in Report 14.1. The nature of the interest being that Cr Hauge works on a traffic engineering report in a previous employment. Cr Hauge elected to leave in the Chamber and will not participate in discussion or the vote.

Cr Kay declared a pecuniary interest in Report 14.1. The nature of the interest being that Cr Kay performs Welcome to Country in exchange for free admission to an event listed in the Report. Cr Kay elected to leave in the Chamber and will not participate in discussion or the vote.

Cr Ndiaye declared a pecuniary interest in Report 14.1. The nature of the interest being that Cr Ndiaye works at an event listed in the Report (Bluesfest). Cr Ndiaye elected to leave in the Chamber and will not participate in discussion or the vote.

TABLING OF PECUNIARY INTEREST RETURNS

In accordance with 440AAB of the Local Government Act and clause 4.22 of the Code of Conduct for Staff, the Mayor tabled a Primary Return of Interest for Lyndall Brennan.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

25-058 Resolved that the minutes of the Ordinary (Planning) Meeting held 13 February 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

General Manager

Report No. 13.1 Draft Community Engagement Strategy

Sustainable Environment and Economy

Report No. 13.3 PLANNING - DA 10.2024.305.1 – Alterations and additions to livestock processing industry including part demolition, tree removal, road upgrades, and ancillary works, 10 Cudgerie Gully Lane, Booyong

Report No. 13.7 PLANNING - DA 10.2024.364.1 - Alterations and additions to shop top housing and commercial premises – 14 Terrace BRUNSWICK HEADS

REPORTS OF COMMITTEES

Infrastructure Services

Report No. 14.1 Report of the Local Traffic Committee Meeting held on 18 February 2025

6.1 510 Goonengary Road, Intersection Upgrade

6.2 Federal Village Main Street - Short Term Road Safety Treatments

6.3 Changes to the Intersection of Warrambool Road, Coomburra Crescent and Goondooloo Drive in Ocean Shores

6.4 Blues Festival 2025 - Traffic Management Plan

6.5 315 Coorabell Road - Upgrade turning treatment for the site access

7.1 Adaptive Pro Surf Championship - 23 March - 30 March

8.1 Event - Westpac Helicopter Byron Coastal Charity Walk – 3rd May 2025

8.2 Event - Bangalow Billycart Derby May 2025

8.3 Chincogan Charge - September 2025

LATE REPORTS

Report No. 17.1 Response to the "No Traffic Lights in Suffolk Park" Petition & Project Update

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Crs Lyon, Hauge, Warth and Dods left the Chambers at 5.11pm in accordance with their tabled Conflict of Interest declarations.

The remaining Recommendations and Committee Recommendation were adopted as a whole, being moved by Cr Ndiaye and seconded by Cr Kay. Each recommendation is recorded with a separate resolution number commencing at Resolution No. **25-059** and concluding with Resolution No. **25-063**.

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 13.2 PLANNING - Post Exhibition Submissions Report - 26.2024.1.1 - Planning Proposal to amend Byron Local Environmental Plan 2014 to introduce a Heritage Conservation Area and additional Items at Federal

File No: I2024/1610

25-059 Resolved that Council:

1. Does not proceed with the proposed heritage amendment to the Byron LEP 2014 for the Federal Village based on the submissions and further consultation;
2. Maintains instead the current *Schedule 5 – Environmental Heritage* and relies on the “Heritage Character Area” as shown in Chapter E6 of the Byron DCP 2014 for the Federal Village;
3. Requests staff progress with an additional review of the Chapter E6 of the Byron DCP 2014 for the Federal Village. DCP to provide further controls to protect the village character of Federal as per Operation Plan Activity 4.1.3.13, to reflect the vision principles and character statement of the Federal Village Masterplan (Action 5 Federal Village Masterplan); and
4. Supports amending *Schedule 5 – Environmental Heritage, Part 1 Heritage items* to include Item 8 only, in the next Byron LEP 2014 Housekeeping amendment.

(Ndiaye/Kay)

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Report No. 13.4 **PLANNING - 10.2024.239.2 - S4.55 Modification to delete limited patronage in 'soft-opening' condition – 38 Tweed Street, Brunswick Heads**
File No: I2025/11

25-060 **Resolved** that pursuant to Section 4.55 of the Environmental Planning & Assessment Act 1979, Application No. 10.2024.239.2 for Modification to delete Condition 1A (3), be refused for the following reasons:

1. Pursuant to Section 1.3 of the EPA Act 1979 the proposed amendments are inconsistent with the Objects of the Act and in particular:
 - a. Object (c) to promote the orderly and economic use and development of the land; and
 - b. Object (g) to promote good design and amenity of the built environment;
2. Pursuant to Section 4.15(1)(a)(iii) the proposed amendments are inconsistent with Chapter B4 Traffic Planning, Vehicle Parking Circulation and Access of Byron DCP 2014;
3. Pursuant to Section 4.15(1)(b) of the EPA Act 1979 the proposed amendments with no additional parking provided for the development will have an adverse impact on the amenity of the built environment;
4. Pursuant to Section 4.15(1)(c) of the EPA Act 1979 the site is not suitable to be developed in the manner proposed by the amendment with no additional parking provided; and
5. Pursuant to Section 4.15(1)(e) of the EPA act 1979 the proposed development as amended is not in the public interest and sets an undesirable precedent.

(Ndiaye/Kay)

Report No. 13.5 **PLANNING - Report of the Planning Review Committee held 6 February 2025**
File No: I2025/112

25-061 **Resolved** that Council endorses the outcomes of the Planning Review Committee meeting held on 6 February 2025.

(Ndiaye/Kay)

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Report No. 13.6 **Review of Local Approvals Policy 2025**
File No: I2025/118

25-062 **Resolved** that Council:

1. Gives notice of the review of the Draft Local Approvals Policy 2025 and that it be placed on public exhibition for a period 28 days in accordance with Section 160 of the Local Government Act 1993, allowing 42 days after the date on which the revised Policy is placed on public exhibition.
2. Where:
 - a) no submissions are received; the Draft Local Approvals Policy 2025 is forwarded to the Departmental Chief Executive for consent to adopt the policy.
 - b) submissions are received, the Draft Local Approvals Policy 2025 and submissions are reported to Council for endorsement, prior to forwarding to the Departmental Chief Executive for consent to adopt the policy.

(Ndiaye/Kay)

Report No. 13.8 **Status report on Development Applications (DAs) with bodies like the Northern Regional Planning Panel (NRPP)**
File No: I2025/212

25-063 **Resolved** that Council notes the status report on Development Applications (DAs) with bodies like the Northern Regional Planning Panel (NRPP). (Ndiaye/Kay)

The motions (Res 25-059 to 25-063) were put to the vote and carried unanimously. Crs Ndiaye, Pugh, Swain, Kay, and Lowe voted in favour of the motions. Nil voted against the motions. Crs Lyon, Hauge, Warth and Dods were not present for the vote.

Crs Lyon, Hauge, Warth and Dods returned to the Chambers at 5.11pm in accordance with their tabled Conflict of Interest declarations.

PROCEDURAL MOTION

25-064 **Resolved** That Council change the order of business to deal with Reports 13.3, 13.7 and 17.1 next on the Agenda. (Ndiaye/Kay)

The motion was put to the vote and carried unanimously.

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Report No. 13.3 PLANNING - DA 10.2024.305.1 – Alterations and additions to livestock processing industry including part demolition, tree removal, road upgrades, and ancillary works, 10 Cudgerie Gully Lane, Booyong

File No: I2024/1719

25-065 Resolved that pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, Development Application No. 10.2024.305.1 for alterations and additions to livestock processing industry including part demolition, tree removal, road upgrades, and ancillary works, be granted consent subject to the conditions of approval attached to this report (Doc # E2025/18062) and subject to condition 21 being deleted, and conditions 1 and 53 being amended to read as follows:

1. Approved plans and supporting documentation

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No.	Title	Drawn by	Dated
A03.00 Rev. 03	Site Plan – Overall	DnD Property	07/08/2024
A03.50 Rev. 03	Site Plan	DnD Property	07/08/2024
A03.60 Rev. 03	GA Dirty Area Plan	DnD Property	07/08/2024
A03.70 Rev. 03	GA Unloading Area Plan	DnD Property	07/08/2024
A10.00 Rev. 03	Proposed Dirty Area Building Elevations	DnD Property	07/08/2024
A10.10 Rev. 03	Proposed Unloading Area Building	DnD Property	07/08/2024
A10.20 Rev. 03	Proposed Administration Building	DnD Property	07/08/2024
A11.00 Rev. 03	Site Plan Demolition	DnD Property	07/08/2024
VT-01 Rev. B	Vehicle Turning Paths	DnD Property	07/08/2024
SK-01 Rev. B	Road Upgrade Plan	DnD Property	07/08/2024
SK-02 Rev. B	AV Entry and Exit Plan	DnD Property	07/08/2024
2110/SK00-1	Tree Removal Plan	Geolink	28-04-2022
A03.20 Rev. 01	Indicative Trade Waste Connection	DnD Property	02-09-2024
2110SK002 Rev A	Concept Stormwater Plan	Geolink	28-04-2022
Appendix D	Preliminary Site Waste Minimisation and Management Plan	Geolink	03/09/2024
2024/041	National Construction Code	Devex Pty.	17-11-2024

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	Assessment	Ltd.	
17113-A V1.0	Noise Report	SoundIN	Dec. 2023
17113-C	Noise Report	SoundIN	August 2024

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

53. Monitoring report

A monitoring report shall be provided to Byron Shire Council once per quarter detailing traffic volumes and the number of animals delivered for processing per week.

The monitoring report shall include:

a. Traffic log

A log of deliveries and departures from the premises.

The log shall detail:

- (a) The time of arrival and departure of each vehicle.
- (b) The type of vehicle undertaking the delivery (heavy rigid vehicle, medium rigid vehicle, etc.).
- (c) Vehicle and trailer registration.
- (d) The nature of the load conveyed (i.e. live animals, processed products, waste products, etc.).

b. Animal numbers

A summary of the number of animals processed per week at the facility during the reporting period. The summary should be itemised and presented in chronological order.

Raw data used to prepare the Monitoring Report must be maintained and made available for review by Authorised Officers. The raw data may comprise an electronic spreadsheet (e.g. Microsoft Excel) of manually collected records, or it may comprise electronic camera, swipe card access, or other automatically collected data (e.g., image recognition etc.), if it is of sufficient quality to accurately identify vehicle and animal numbers for verification purposes. (Dods/Lyon)

The motion was put to the vote and carried unanimously.

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

Nil voted against the motion.

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Report No. 13.7 **PLANNING - DA 10.2024.364.1 - Alterations and additions to shop top housing and commercial premises – 14 Terrace BRUNSWICK HEADS**

File No: I2024/1720

25-066 **Resolved** that pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2024.364.1 for Alterations and Additions to Shop Top Housing and Commercial Premises, be granted consent subject to the conditions in Attachment 2 (E2025/20272) and subject to conditions 6, 35 and 37 being deleted. (Ndiaye/Dods)

The motion was put to the vote and carried unanimously.

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

Nil voted against the motion.

LATE REPORTS

Report No. 17.1 **Response to the No Traffic Lights in Suffolk Park Petition & Project Update**

File No: I2025/308

25-067 **Resolved** that Council:

1. Cease pursuing the implementation of a signalised intersection at Clifford Street and closes Resolution 24-533, with the exception of part 4 and 6;
 - a) Produces an options report for a 2nd northern entry to Beachside Suffolk Park, to future proof an alternative entry to Beachside Suffolk.
 - b) In future, where traffic signals are a preferred option, undertakes participatory, deliberative process with local residents to determine a way forward.
2. Pursues a grant variation for design and construction of pedestrian safety improvement treatments (without traffic lights or a roundabout) on Broken Head Road and Clifford Street and other traffic calming measures;
3. Staff to provide further update once TfNSW provide feedback on variation request;
4. Plans and investigates the option of a roundabout for the Broken Head Road/Clifford Street intersection that prioritises pedestrian and cyclist safety; and
5. Considers funding for future planning at the next Quarterly Budget Review. (Ndiaye/Hauge)

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PROCEDURAL MOTION

25-068 Resolved that Cr Swain be granted a one minute extension to her speech. (Ndiaye/Kay)

The motion was put to the vote and carried unanimously.

*The motion (**Res 25-067**) was put to the vote and carried unanimously.*

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

Crs Lyon and Pugh voted against the motion.

STAFF REPORTS - GENERAL MANAGER

Report No. 13.1 **Draft Community Engagement Strategy**
File No: I2025/222

25-069 Resolved that Council adopts the Draft Community Engagement Strategy 2024 to 2028 (Attachment 1 E2025/23598). (Hauge/Swain)

The motion was put to the vote and carried unanimously.

MAYORAL MINUTE

Report No. 9.1 **Lobbying to Raise JobSeeker, Youth Allowance, and other related payments**

25-070 Resolved that Council:

1. Acknowledges that Australia currently has one of the lowest unemployment payment rates among wealthy nations, with JobSeeker, Youth Allowance, and related payments forcing more than one million people into poverty;
2. Recognises that members of our community receiving these payments are often forced to make impossible choices between paying rent, purchasing food, or buying essential medicine; and that adequate income support should provide people with enough to cover basic necessities, rather than keeping them in a cycle of financial struggle and survival;
3. Writes to the Prime Minister, the Treasurer, and the Minister for Social Services and opposition, asking them to commit to raising JobSeeker, Youth Allowance, and related payments to at least \$82 per day, equivalent to the pension rate, to ensure all members of our community experiencing hardship can live with dignity and urging immediate action to address this critical issue of inequality; and
4. Commits to advocating for this important reform in the lead-up to the next federal election. (Ndiaye)

The motion was put to the vote and carried unanimously.

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PETITIONS

No Petitions were tabled at the meeting

DELEGATES' REPORTS

Cr Ndiaye presented a Delegates Report on the meetings held with various emergency services units in response to efforts in response to Cyclone Alfred.

Cr Dods took the Chair at 6.25pm.

REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES

Report No. 14.1 **Report of the Local Traffic Committee Meeting held on 18 February 2025**

File No: I2025/202

Crs Ndiaye, Hauge and Kay left meeting at 6:25pm in accordance with their tabled Conflict of Interest declarations and did not return.

25-071 **Resolved** that Council notes the minutes of the Local Traffic Committee Meeting held on 18 February 2025. (Dods/Lyon)

25-072 **Resolved** that Council adopts the following Committee recommendation:

Report No. 6.1 510 Goonengary Road, Intersection Upgrade

File No: I2024/1716

Committee Recommendation 6.1.1

That Council supports the signage and line markings associated with the 510 Goonengerry Road intersection works, as shown in Attachment 1 (E2024/149675). (Dods/Lyon)

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25-073 Resolved that Council adopts the following Committee recommendations:

Report No. 6.2 Federal Village Main Street - Short Term Road Safety Treatments

File No: I2024/1587

Committee Recommendation 6.2.1

That Council supports the following:

1. Speed limit change from 50kph to 30kph on Federal Drive from Binna Burra Road to 240m north of Binna Burra Road;
2. Installation of signage as per TfNSW speed zone review;
3. Edge line and centre line marking on Federal Drive;
4. Pedestrian build-out and advisory signage; and
5. Threshold treatment on the southern end of Federal Drive. (Dods/Lyon)

25-074 Resolved that Council adopts the following Committee recommendations:

Report No. 6.3 Changes to the Intersection of Warrambool Road, Coomburra Crescent and Goondooloo Drive in Ocean Shores

File No: I2025/5

Committee Recommendation 6.3.1

That Council supports the following changes to the design of the intersection of Coomburra Crescent, Goondooloo Drive and Warrambool Road in Ocean Shores:

1. New Stop signs instead of Give Way signs on Coomburra Crescent and Goondooloo Drive.
2. No Stopping signage and line marking around the entire intersection.
3. New concrete splitter island on Goondooloo Drive.
4. Chevron line marking and RRPMs in lieu of concrete island on Coomburra Crescent.
5. Change to extent of BB double centre line marking around intersection. (Dods/Lyon)

25-075 Resolved that Council adopts the following Committee recommendations:

Report No. 6.4 Blues Festival 2025 - Traffic Management Plan

File No: I2025/49

Committee Recommendation 6.4.1

That:

1. Council endorses the regulatory traffic management facilities and devices,

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including signs and traffic controller provisions proposed for the Council controlled public road network as outlined in attachment 1 (E2025/6308) for the Byron Bay Bluesfest 2025 to be held from Wednesday 16th April 2025 to Monday 21st April 2025, subject to:

- a) Separate approvals by NSW Police and TfNSW being obtained, noting that the event is on a state road or may impact the state road network;
 - b) The event be held through the implementation of the events Traffic Management Plan and Traffic Control Plan(s) as per attachment 1 (E2025/6308). The Traffic Management Plan is to include contingency measures in case the level of queuing fails to meet KPI requirements. It is noted that such queuing may be caused by the introduction of paid parking.
 - c) The Traffic Management Plan and the Traffic Guidance Scheme(s) to be implemented by those with relevant and current TfNSW accreditation;
 - d) Traffic camera data recorders or similar be used to obtain an accurate record of traffic impacts at KPI queue locations;
 - e) The impact of the event be advertised via a notice in the local weekly paper 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;
2. The event organiser:
- a) advertises the impact of the event via a notice in the local weekly paper 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;
 - b) provides a copy of the advert for Council's web page;
 - c) gives consideration of any submissions received;
 - d) informs community and businesses that are directly impacted (e.g. adjacent to the event) via written information which is delivered to the property in a timely manner so as to document, consider and respond to any concerns raised;
 - e) arranges for private property access and egress affected by the event;
 - f) liaises with bus and taxi operators and ensuring arrangements are made for provision of services during conduct of the event;
 - g) consults with emergency services and any identified issues be addressed;
 - h) holds \$20m public liability insurance cover which is valid for the event;
 - i) pays Council's Road Event Application Fee prior to the event.
3. An error was identified in the original Report (I2025/49) to the Committee where the date of the festival was incorrectly listed as 2024 instead of 2025.
(Dods/Lyon)

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No. 14.1.6.5 **315 Coorabell Road - Upgrade turning treatment for the site access**

File No: I2025/109

25-076 **Resolved** that Council adopts the following Committee recommendation:

Report No. 6.5 315 Coorabell Road - Upgrade turning treatment for the site access

File No: I2025/109

Committee Recommendation 6.5.1

That the Council supports the signage and line markings associated with the 315 Coorabell Road intersection upgrade works, as shown in Attachment 1 (E2025/13840) (Dods/Lyon)

25-077 **Resolved** that Council adopts the following Committee recommendations:

Report No. 7.1 Adaptive Pro Surf Championship - 23 March - 30 March

File No: I2024/1713

Committee Recommendation 7.1.1

That:

1. Council supports the Adaptive Pro Surf Competition 23 March through to 30 March 2025
2. The Council support, in Part 1, is subject to:
 - a) separate approvals by NSW Police and TfNSW being obtained;
 - b) the event organiser providing council with an updated Traffic Management Plan and Traffic Guidance Scheme/s for the 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 and social media with the event organiser supplying Council with the relevant information;
 - f) access to Lawson Street is to be unrestricted at all times.
3. The event organiser:
 - a) Arranges for the event to be notified on Council's webpage a minimum

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- one week prior to the TGS being implemented;
- b) Undertakes consultation with affected community and businesses including adequate response/action to any raised concerns.
- c) Undertakes consultation with emergency services and any identified issues addressed.
- d) Holds \$20m public liability insurance cover which is valid for the event.
- e) Paying Council's Road Event Application Fee prior to the event.

(Dods/Lyon)

25-078 Resolved that Council adopts the following Committee recommendations:

Report No. 8.1 Event - Westpac Helicopter Byron Coastal Charity Walk – 3rd May 2025

File No: I2024/1707

Committee Recommendation 8.1.1

That:

1. Council supports the Westpac Life Saver Rescue Helicopter fundraiser, Byron Coast Charity Walk, to be held Saturday 4th May 2025 from 6.00am – 5.00pm.
2. Council support, in Part 1, is subject to:
 - a) The development of a Traffic Guidance Scheme (TGS) and Traffic Management Plan(s) for the 2025 event by those with relevant and current TfNSW accreditation. The TGS(s) and Traffic Management Plan is to include, but is not limited to, the following:
 - b) Signage, which specifies the date, hours and nature of the event, be positioned at the entrance and exit of Seven Mile Beach Road one week prior to the event;
 - c) On the day of the event, at 500m intervals on Seven Mile Beach Road, and facing both directions of travel, signs advising of “Special Event – Charity Walk Ahead” (or similar) are installed prior, and removed after, the event occurs;
 - d) A safety induction for participants advising of hazards be provided.
 - e) Implementation of the Traffic Management Plan and Traffic Guidance Scheme/s as designed by those with appropriate accreditation and implemented by people with appropriate accreditation, including traffic controllers.
3. The event organiser:
 - a) Arranges for the event to be notified on Council's webpage a minimum one week prior to the TGS being implemented;
 - b) Undertakes consultation with affected community and businesses including adequate response/action to any raised concerns.
 - c) Undertakes consultation with emergency services and any identified issues addressed.
 - d) Holds \$20m public liability insurance cover which is valid for the event.
 - e) Pays Council's Road Event Application Fee prior to the event.

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(Dods/Lyon)

25-079 Resolved that Council adopts the following Committee recommendations:

Report No. 8.2 Event - Bangalow Billycart Derby May 2025

File No: I2024/1712

Committee Recommendation 8.2.1

That:

1. Council supports the Bangalow Billycart Derby to be held on 18 May 2025.
2. Council support, in Part 1, is subject to:
 - a) separate approvals by NSW Police and TfNSW being obtained;
 - b) the event organiser providing council with an updated Traffic Management Plan and Traffic Guidance Scheme/s for the 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 appropriate Variable Message Signage 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.
3. The event organiser:
 - a) informs the community and businesses that are directly impacted (e.g. 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) arranges for private property access and egress affected by the event;
 - c) liaises with bus, taxi and waste operators and ensuring arrangements are made for provision of services during conduct of the event;
 - d) consults with emergency services and any identified issues be addressed;
 - e) holds \$20m public liability insurance cover which is valid for the event;
 - f) pays Council's Road Event Application Fee prior to the event;
 - g) does not place any signage on the road related area of the Pacific Highway.

(Dods/Lyon)

25-080 Resolved that Council adopts the following Committee recommendations:

Report No. 8.3 Chincogan Charge - September 2025

File No: I2024/1714

Committee Recommendation 8.3.1

That:

1. Council supports the Chincogan Charge to be held on Saturday 13 September 2025.
2. Council support, in Part 1, is subject to:
 - a) separate approvals by NSW Police and TfNSW being obtained;
 - b) the event organiser providing council with an updated Traffic Management Plan and Traffic Guidance Scheme/s for the event if required;
 - 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 and social media with the event organiser supplying Council with the relevant information;
3. The event organiser:
 - a) informs the community and businesses that are directly impacted (e.g. 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) arranges for private property access and egress affected by the event;
 - c) liaises with bus, taxi and waste operators and ensuring arrangements are made for provision of services during conduct of the event;
 - d) consults with emergency services and any identified issues be addressed;
 - e) holds \$20m public liability insurance cover which is valid for the event;
 - f) does not place any signage on the road related area of the Pacific Highway. (Dods/Lyon)

The motions (Res 25-071 to 25-080) were put to the vote and carried unanimously. Crs Ndiaye, Hauge and Kay were not present for the vote.


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There being no further business the meeting concluded at 6.27pm.

I hereby certify that these are the true and correct Minutes of this Meeting
as confirmed at Council's Ordinary Meeting on 10 April 2025.

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Mayor Sarah Ndiaye