

# Minutes Ordinary (Planning) Meeting Thursday, 13 June 2024



## DISCLAIMER

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



**BYRON**  
SHIRE  
COUNCIL



# BYRON SHIRE COUNCIL

Ordinary (Planning) Meeting Minutes  
13 June 2024

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# BYRON SHIRE COUNCIL

ORDINARY (PLANNING) MEETING MINUTES

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**MINUTES OF THE BYRON SHIRE COUNCIL ORDINARY (PLANNING) MEETING HELD ON THURSDAY, 13 JUNE 2024 COMMENCING AT 11:08AM AND CONCLUDING AT 1:44PM.**

I2024/925

**PRESENT:** Cr M Lyon (Mayor), Cr S Balson, Cr C Coorey, Cr D Dey, Cr A Hunter, Cr S Ndiaye, Cr A Pugh, Cr M Swivel and Cr P Westheimer

Staff: Mark Arnold (General Manager)  
Esmeralda Davis (Director Corporate and Community Services)  
Phil Holloway (Director Infrastructure Services)  
Shannon Burt (Director Sustainable Environment and Economy)  
Chris Larkin (Manager Sustainable Development)  
Matt Meir (Legal Counsel)  
Donna Johnston (A/Manager Corporate Services)  
James Flockton (Infrastructure Planning Coordinator) – Item 9.2  
Storm Townsend (Minute Taker)

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

## PUBLIC ACCESS

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

### Public Access

Report No and Title	Name	For/ Against	Representin g	Submission Received in form of
9.2	Restore funding to alleviate flooding in Coomburra Crescent, Ocean Shores	For	Self	In person
9.3	Food Safety in the Northern Rivers	For	Self	Zoom
13.3	PLANNING - DA 10.2023.346.1 – Stage 1: Two Lot Torrens Title Subdivision, Boundary Adjustment and	For	Caniaba Crescent Community	In person / Zoom

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	Demolition. Stage 2: Five Lot Community Title Subdivision, Road Works, Drainage Infrastructure, Tree Removal and Associated Works – 139 Bangalow Road, Suffolk Park	Joseph Yeadon	Against	Self	In person
		Yvonne Donohoe		Self	In person
13.5	26.2023.6.1 Planning Proposal for Lot 1 DP123302, Broken Head Road, SUFFOLK PARK	Jan Barham	For	Self	Read by staff

## Question No. 1 Enforceable Undertaking for Broken Head Quarry

Jan Barham asked the following question:

*Is Council able to confirm if the DOPE issued EP&A Enforceable Undertaking 2018 for the rehabilitation of the Broken Head Quarry was reported to Council and if so could the date of that report be provided. Note - I searched the website but couldn't locate a report.*

The Director Sustainable Environment and Economy responded that:

*No. Council has never received a report on the Enforceable Undertaking. It is a document published on the Department of Planning's webpage and there are obligations in the Undertaking for the monitoring reporting back to the Department of Planning or the Minister and that is where the responsibility sits.*

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*The meeting adjourned at 12.12pm for a short break and reconvened at 12.30pm.*

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## APOLOGIES

There were no apologies.

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## APPLICATIONS TO ATTEND BY AUDIO-VISUAL LINK

There were no attendances via audio-visual link.

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## REQUESTS FOR LEAVE OF ABSENCE

### PROCEDURAL MOTION

**24-254 Resolved** that Cr Balson be granted a leave of absence from the 1 August 2024 and 15 August 2024 meetings. (Lyon)

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

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## DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

Cr Ndiaye declared a pecuniary interest in Report 13.1. The nature of the interest being that Bluesfest is an employer of Cr Ndiaye for 1 week, once a year for medial/photography services. Cr Ndiaye elected to leave the Chamber and will not participate in discussion and the vote.

Cr Ndiaye declared a non-pecuniary interest in Report 13.3. The nature of the interest being that one of the people involved is a long standing family friend. Cr Ndiaye elected to remain in the Chamber and participate in the discussion, but will leave the Chamber and will not participate in the vote.

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## TABLING OF PECUNIARY INTEREST RETURNS

There were no Pecuniary Interest Returns tabled.

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## ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

**24-255 Resolved** that the minutes of the Ordinary (Planning) Meeting held 16 May 2024 be confirmed. (Ndiaye/Hunter)

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

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

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

**STAFF REPORTS**

**Sustainable Environment and Economy**

Report No. 13.5 26.2023.6.1 Planning Proposal for Lot 1 DP123302, Broken Head Road, SUFFOLK PARK

*In accordance with her declaration of interest, Cr Ndiaye left the Chambers at 12:34pm.*

The remaining Recommendations and Committee Recommendation were adopted as a whole, being moved by Cr Lyon and seconded by Cr Dey. Each recommendation is recorded with a separate resolution number commencing at Resolution No. **24-256** and concluding with Resolution No. **24-268**.

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**STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY**

**Report No. 13.1 PLANNING - Report of the Planning Review Committee held 2 May 2024**

**File No:** I2024/667

**24-256 Resolved** that Council endorses the outcomes of the Planning Review Committee meeting held 2 May 2024. (Lyon/Dey)

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**Report No. 13.2 PLANNING - DA10.2023.286.1 - Alterations and additions to a Dwelling house – 1/42 Macgregor Street, Suffolk Park**

**File No:** I2024/738

**24-257 Resolved** that pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2023.286.1 for Alterations and Additions to Existing Dwelling House, be granted consent subject to the conditions of approval at the end of this report. (Lyon/Dey)

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**Report No. 13.3**      **PLANNING - DA 10.2023.346.1 – Stage 1: Two Lot Torrens Title Subdivision, Boundary Adjustment and Demolition. Stage 2: Five Lot Community Title Subdivision, Road Works, Drainage Infrastructure, Tree Removal and Associated Works – 139 Bangalow Road, Suffolk Park**

**File No:**                      I2024/747

**24-258**      **Resolved** pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979, Development Application No. 10.2023.346.1 for Stage 1: Two Lot Torrens Title Subdivision, Boundary Adjustment and Demolition. Stage 2: Five Lot Community Title Subdivision, Road Works, Drainage Infrastructure, Tree Removal and Associated Works, be refused for the following reasons:

1. Pursuant to section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed Stage 1 subdivision contravenes the 40-hectare minimum lot size under Clause 11 of Byron LEP 1988 and Council is not satisfied that the applicant's written request has adequately demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify the contravention of the development standard.
2. Pursuant to section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed Stage 1 subdivision contravenes the Lot Size Map under Clause 4.1 of Byron LEP 2014 which specifies a 40-hectare minimum subdivision lot size for part of the land within proposed Lot 1. A written request under Clause 4.6 of Byron LEP 2014 to vary the Lot Size Map under was not submitted with the development application.
3. Pursuant to section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is unsatisfactory having regard to the matters for consideration under Clause 6.6 of Byron LEP 2014 because insufficient information has been provided to demonstrate that adequate arrangements have been or will be made to provide suitable vehicular access to the site and to ensure that stormwater drainage will be adequately managed.
4. Pursuant to section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, insufficient information has been provided to demonstrate that the proposed development is consistent with the objective of the C2 Environmental Conservation zone under Byron LEP 2014.
5. Pursuant to section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, insufficient information has been provided to demonstrate that sewage, drainage, and water services can be provided to the Stage 1 subdivision, contrary to Clause 45 of Byron LEP 1988.
6. Pursuant to section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, insufficient information has been provided to demonstrate that adequate road access and stormwater drainage can be provided to the development in accordance with Chapter B3 of Byron Development Control Plan 2014.

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7. Pursuant to section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, insufficient information has been provided to demonstrate that the development will not adversely affect traffic and pedestrian safety and that the intersection and road design complies with the requirements of Chapter B4 of Byron DCP 2014 including relevant engineering standards and guidelines.
  8. Pursuant to section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, insufficient information has been provided to demonstrate that the proposed development will ensure no net-loss of biodiversity and that areas to be retained will be adequately protected and managed in accordance the relevant Objectives and requirements of Chapter B1 of Byron Development Control Plan 2014.
  9. Pursuant to section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the development application is unsatisfactory having regard to the Objectives, Performance Criteria and Prescriptive Measures of Chapter D6, Parts D6.2.1 and D6.4.1 of Byron DCP 2014, because it has not been demonstrated that the proposed lots are of sufficient area or shape to accommodate well designed development that is compatible with the amenity and established character of the area.
  10. Pursuant to section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, insufficient information has been provided to demonstrate that the proposed development will not adversely affect the natural environment of the locality including threatened species or ecological communities, or their habitats.
  11. Pursuant to section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, insufficient information has been provided to demonstrate that the proposed development will not adversely affect the built environment of the locality due to potential traffic safety issues and unmanaged stormwater drainage impacts.
  12. Pursuant to section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, insufficient information has been provided to demonstrate that the site is suitable for the development in its current form.
  13. The development is not satisfactory having regard to subsection 4.15(1)(d) and (e) of the *Environmental Planning and Assessment Act 1979* because approval of the development application is not in the public interest having regards to the objects of the Act, potential impacts on Aboriginal cultural heritage, and submissions in objection to the development.
  14. Insufficient information has been provided to demonstrate that a Biodiversity Development Assessment Report is not required to be submitted with the development application in accordance with Section 7.7 of the Biodiversity Conservation Act 2016. (Lyon/Dey)
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# BYRON SHIRE COUNCIL

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**Report No. 13.4**      **26.2024.1.1 - Planning Proposal to introduce Federal Heritage Conservation Area and additional heritage items**

**File No:**                      I2024/749

**24-259**      **Resolved** that Council:

1.      Proceeds with the planning proposal contained in Attachment 2, which seeks to create a Heritage Conservation Area and to list additional Heritage items within the Village of Federal.
2.      Forwards the planning proposal to the NSW Department of Planning, Industry and Environment for a Gateway determination; and
3.      Pending a positive Gateway determination, undertakes public exhibition of the planning proposal in accordance with the determination requirements; and
4.      Considers submissions report post-exhibition that includes any recommended changes to the planning proposal for final adoption. (Lyon/Dey)

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## REPORTS OF COMMITTEES - INFRASTRUCTURE SERVICES

**Report No. 14.1**      **Report of the Local Traffic Committee Meeting held on 14 May 2024**

**File No:**                      I2024/793

**24-260**      **Resolved** that Council notes the minutes of the Local Traffic Committee Meeting held on 14 May 2024. (Lyon/Dey)

**24-261**      **Resolved** that Council adopts the following Management Recommendation:

**Report No. 6.1**      **Transport for NSW Temporary Delegation to Councils**

File No: I2024/717

Management Recommendation:

That Council delegates its authority under the temporary delegation to the General Manager. (Lyon/Dey)

**24-262 Resolved** that Council adopts the following Committee Recommendation:

**Report No. 7.1 Byron Writers Festival 2024**

File No: I2024/658

**Committee Recommendation 7.1.1**

1. That the Local Traffic Committee supports the traffic management associated with the Writers Festival in Bangalow from the 9 August 2024 to 11 August 2024.
2. That the Local Traffic Committee's support is subject to:
  - a) separate approvals by NSW Police and TfNSW being obtained;
  - b) implementation of the Traffic Management Plan and Traffic Guidance Scheme/s, related to Roads Act consent 51.2024.1016.1, by those with appropriate TfNSW accreditation and the holding of current and appropriate levels of insurance and liability cover;
  - c) 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;
  - d) 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 to:
  - a) inform 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) arranging for private property access and egress affected by the event;
  - c) liaising with bus, taxi and waste operators and ensuring arrangements are made for provision of services during conduct of the event;
  - d) consulting with emergency services and any identified issues be addressed;
  - e) holding \$20m public liability insurance cover which is valid for the event;
  - f) not place any signage on the road related area of the Pacific Highway.
  - g) provide a contingency plan for parking in the event of wet weather.

(Lyon/Dey)

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LATE REPORTS

**Report No. 14.2      Report of the Local Traffic Committee Meeting held on 11 June 2024**

**File No:**                      I2024/918

**24-263      Resolved** that Council notes the minutes of the Local Traffic Committee Meeting held on 11 June 2024. (Lyon/Dey)

**24-264      Resolved** that Council adopts the following Committee Recommendation:

**Report No. 6.1              Signage requests from Compliance Team – Linda Vidler Sports Field; Wallum Place Byron Bay; Somerset Street Byron Bay; Burns Street Byron Bay; Alcorn Street Suffolk Park, William Flick Lane Ewingsdale, Brunswick Terrace Mullumbimby and Station Street Carpark Mullumbimby.**

File No: I2024/762

**Committee Recommendation 6.1.1**

That Local Traffic Committee approve the following:-

1. At Linda Vidler Sports Field, install regulatory “No Parking Area 1am – 6am” signs on the vehicle entrance to the sports field on Beech Drive, Suffolk Park;
2. At Wallum Place, Byron Bay, install regulatory “No Parking Area 1am – 6am” signs at the North-West of Gallagher Street on Wallum Place;
3. At Somerset Street, Byron Bay, install regulatory “No Parking 1am – 6am” signs along the Southern (residential) side of Somerset Street;
4. At Burns Street, Byron Bay, install regulatory “No Parking 1am – 6am” signs along the Southern side of Burns Street between Butler Street and Butler Lane;
5. At Alcorn Street, Suffolk Park, install regulatory “No Parking 1am – 6am” signs along the Eastern side of Alcorn Street between MacGregor Street and Clifford Street;
6. At William Flick Lane, Ewingsdale, install regulatory “No Parking Area 1am – 6am” signs at the entrance of William Flick Lane and past the entrance to Cuckoo Dove Place;
7. At Brunswick Terrace, Mullumbimby, install regulatory “No Parking 1am – 6am” signs along Brunswick Terrace from Murwillumbah Road to Tyagarah Street; and
8. At Station Street, Mullumbimby install regulatory “No Parking Area 1am – 6am” signs at the two vehicle entrances of the Council carpark on Station Street, Mullumbimby. (Lyon/Dey)

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**24-265 Resolved** that Council adopts the following Committee Recommendation:

**Report No. 6.2      29 Shirley Street, Byron Bay - Temporary changes to existing regulatory signage due to major civil works, new regulatory signage with line marking and associated Traffic Guidance Schemes**

File No: I2024/794

## **Committee Recommendation 6.2.1**

That Local Traffic Committee support the temporary and new signage, line markings and traffic control devices associated with the 29 Shirley Street, Byron Bay development as shown in Attachment 1 (E2024/59382), subject to the following:

1. An amendment to diagram on page 35, to remove the detour line from Byron street, and to make Shirley lane no stopping during construction.
2. Existing line marking and signage to be reinstated upon completion of construction works.
3. Traffic management designer to confirm design vehicle respect to heavy vehicle network.
4. VMS Boards to be provided on approach of either end of project site, at a minimum 1 week prior to commencement of project. (Lyon/Dey)

**24-266 Resolved** that Council adopts the following Committee Recommendation:

**Report No. 6.3      New parking signage for Wordsworth Street and Massinger Street, Byron Bay and Wilfred Street, Billinudgel**

File No: I2024/804

## **Committee Recommendation 6.3.1**

That the Local Traffic Committee support:

1. Installation of 'No Parking' signage on Massinger Street, Byron Bay, as detailed in the report.
2. Installation of 'No Parking Area' signage on the corner of Wordsworth and Gordon Streets, Byron Bay, as detailed in the report.
3. Installation of 15 minute parking signage to cover 3 parking spaces outside 2 Wilfred Street, Billinudgel as detailed in the report. (Lyon/Dey)

**24-267 Resolved** that Council adopts the following Committee Recommendation:

**Report No. 6.4 Toni Childs - Filming Road Closure Secondary Proposal 12 or 19 August 2024**

File No: I2024/861

**Committee Recommendation 6.4.1**

1. That the Local Traffic Committee (LTC) support the Toni Childs Music Video Production to be held in August 2024. 19th August and Weather Hold date, or a following Monday as agreed with staff.
2. That LTC support in Part 1 is subject to:
  - a) the event organiser providing council with an updated Traffic Management Plan and Traffic Guidance Scheme/s for the film shoot;
  - b) 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;
  - c) the impact of the film shoot be advertised, and charged at cost to the organisers, via a notice in the local weekly paper and Variable Message Signage near the site, a minimum of one week prior to the operational impacts taking effect, noting it must include the film shoot name, specifics of any traffic impacts or road closures and times, alternative route arrangements, Production Team, a personal contact name and a telephone number for all event related enquiries or complaints; and
  - d) the film shoot be notified on Council's web page with the event organiser supplying Council with the relevant information.
3. The Production Team to:
  - a) inform 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) arranging for private property access and egress affected by the film shoot;
  - c) liaising with bus, taxi and waste operators and ensuring arrangements are made for provision of services during conduct of the film shoot;
  - d) consulting with emergency services and any identified issues be addressed;
  - e) holding \$20m public liability insurance cover which is valid for the film shoot;
  - f) paying Council's Road Event Application Fee prior to the film shoot;
  - g) not place any signage on the road related area of the Pacific Highway.
  - h) apply/receive consent by the relevant road authority under section 138 of the NSW road act (1993) and pay any associated fees and charges within this process.
  - i) not prohibit pedestrians from walking on the sidewalks or entering shops.

(Lyon/Dey)

**24-268 Resolved** that Council adopts the following Committee Recommendation:

**Report No. 7.1 Proposed Implementation of Regulatory Signage on Cenotaph Lane**

File No: I2024/705

**Committee Recommendation 7.1.1**

That the Local Traffic Committee support the installation of new signage and traffic control devices associated with Cenotaph Laneway as shown in Figure 1 within the report. (Lyon/Dey)

*The motions were put to the vote and carried unanimously.*

*Crs Hunter, Lyon, Dey, Swivel, Westheimer, Balson, Coorey and Pugh voted in favour of the motions.*

*Nil voted against the motions.*

*Cr Ndiaye was absent for the vote.*

*Cr Ndiaye returned to the Chambers at 12:34pm.*

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NOTICES OF MOTION

**Notice of Motion No. 9.1 Food Security in the Northern Rivers**

**File No:** I2024/869

Moved that Council:

1. Notes the findings and recommendations of the Plan C and UTS Northern Rivers Food Security & Resilience Scoping Study, in particular the urgent need for coordinated food system governance, policies and planning in the region to build resilience to disasters and supply chain disruptions.
2. Notes the 'Food Production and Supply in NSW' Inquiry and Report (November 2022), particularly Recommendation 6: that the NSW Government works with local councils to develop and implement strategies to improve local food systems, and provides appropriate funding as required.
3. Writes to the following NSW Labor Government Ministers requesting the Government's response to the Inquiry, noting that Government has indicated it will respond to the findings by May, and highlighting the importance of Recommendation 6 for communities recovering from disasters such as the:
  - a) NSW Premier the Hon Chris Minns MP
  - b) Minister for Agriculture the Hon Tara Moriarty MP
  - c) Minister for Local Government the Hon Ron Hoenig MP
  - d) Minister for Regional New South Wales and North Coast the Hon Rose Jackson MP
  - e) Minister for Health and Regional Health the Hon Ryan Park MP
  - f) Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage, the Hon Penny Sharpe MP
4. Notes the Northern Rivers Joint Organisation passed a similar motion at its February meeting.
5. Includes questions regarding food and water security in the Community Strategic Plan engagement process to understand community lived experience in the Byron LGA.
6. Advocates to the NSW Reconstruction Authority for future possible use of buyback properties for urban and small-scale agriculture in the Byron LGA.
7. Provides a briefing to Council by August 2024 outlining current constraints and the mechanisms that could be considered to enable small scale urban agriculture in the Byron LGA. (Ndiaye/Dey)

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## AMENDMENT

### **24-269 Resolved** that Council:

1. Notes the findings and recommendations of the Plan C and UTS Northern Rivers Food Security & Resilience Scoping Study, in particular the urgent need for coordinated food system governance, policies and planning in the region to build resilience to disasters and supply chain disruptions
2. Notes the 'Food Production and Supply in NSW' Inquiry and Report (November 2022), particularly Recommendation 6: that the NSW Government works with local councils to develop and implement strategies to improve local food systems, and provides appropriate funding as required
3. Writes to the Minister for Agriculture requesting the Government's response to the inquiry, highlighting the importance of Recommendation 6 for communities recovering from disasters. (Lyon/Hunter)

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

*Crs Hunter, Pugh, Westheimer, Lyon and Swivel voted in favour of the amendment.*

*Crs Balson, Ndiaye, Dey and Coorey voted against the amendment.*

*The amendment upon becoming the substantive motion was put to the vote and declared carried.*

*Crs Hunter, Pugh, Balson, Westheimer, Lyon, Ndiaye, Swivel and Coorey voted for the motion.*

*Cr Dey voted against the motion.*

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### **Notice of Motion No. 9.2 Restore funding to alleviate flooding in Coomburra Crescent, Ocean Shores**

**File No:** I2024/870

### **24-270 Resolved** that Council:

1. Restores into the upcoming budget a vote of \$40,000, as was allocated in several previous budget rounds, to design and plan stormwater works near and within 32 Coomburra Crescent, Ocean Shores. The works aim to reduce the frequency of local flooding that impacts the property, the dwelling on it and the safety of residents living there.
2. Completes that design early in the financial year 2024-25 so that the cost of the project is known.
3. Then considers further funding, or seek it from external sources, to complete the project. (Dey/Lyon)

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

# BYRON SHIRE COUNCIL

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## MAYORAL MINUTE

There was no Mayoral Minute.

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## PETITIONS

There were no Petitions tabled.

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## DELEGATES' REPORTS

There were no Delegates' Reports provided.

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## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

**Report No. 13.5**      **26.2023.6.1 Planning Proposal for Lot 1 DP123302, Broken Head Road, SUFFOLK PARK**

**File No:**              I2024/761

**24-271 Resolved that:**

1. Council does not support the subject planning proposal (as contained in Attachment 1) seeking to amend Byron LEP 2014 to rezone the former Broken Head Quarry site on the western side of Broken Head Road for residential development.
2. Both the applicant and the Department of Planning, Housing and Infrastructure be notified of Council's decision to not support the planning proposal.
3. Council writes to the Department of Planning to clarify whether the owner of the site has met their obligations under the 2018 Enforceable Undertaking and receives a further update from staff. (Westheimer/Dey)

## PROCEDURAL MOTION

**24-272 Resolved** that Cr Westheimer be granted a two minute extension to his speech. (Lyon)  
*The motion was put to the vote and carried unanimously.*

*The motion (Westheimer/Dey) was put to the vote and carried unanimously.*

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*There being no further business the meeting concluded at 1:44pm.*

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**BYRON SHIRE COUNCIL**

ORDINARY (PLANNING) MEETING MINUTES

13 June 2024

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I hereby certify that these are the true and correct Minutes of this Meeting  
as confirmed at Council's Ordinary Meeting on 1 August 2024.

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Mayor Michael Lyon

DRAFT