



10 April 2017

Chair
NSW Coastal Panel
c/- Office of Environment and Heritage

By Email: coastal.panel@environment.nsw.gov.au

Dear Chairman,

DEVELOPMENT APPLICATIONS – COASTAL PROTECTION WORKS, BELONGIL BEACH, BYRON BAY- Development Applications (DA) CP17-002 and CP17-004

The Coastal Panel has requested from Byron Shire Council its General Terms of Approval under Section 138 of the Roads Act in relation to the above development applications.

Council notes the provisions of clause 67 of the Environmental Planning and Assessment Regulation which is in the following terms:

- (1) An approval body the general terms of whose approval have been sought may request the consent authority to provide it with such additional information about the proposed development as it considers necessary to its proper consideration of the general terms of approval.
- (2) The request:
 - (a) must be in writing, and
 - (b) may specify a reasonable period within which the information must be provided to the consent authority.
- (3) Immediately after receiving a request for additional information from an approval body, a consent authority must request the applicant, in writing, to provide the information sought within the period specified by the approval body.
- (4) Immediately after receiving the requested information from the applicant, the consent authority must forward that information to the approval body.
- (5) Instead of providing the information requested, the applicant to whom a request is made under this clause may notify the consent authority in writing that the information will not be provided.
- (6) If the applicant for development consent has failed to provide any of the requested information by the end of:
 - (a) any period specified as referred to in subclause (2) (b), or
 - (b) such further period as the approval body may allow,the applicant is taken to have notified the consent authority that the information will not be provided, and the application may be dealt with accordingly.

Council has reviewed the development applications (including the additional information requested and provided) and, pursuant to the above clause, requires the provision of the additional information from the applicant/s relevant to that part of the works intended to be undertaken within Council's Road Reserve.

Council requests that the following information be provided within 28 days:

1. The life expectancy of the rock walls.
2. The estimated quantity of new imported rock to be imported.




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ADDRESSED TO THE GENERAL MANAGER
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3. Timing of works, i.e. will each rock wall be completed at one time as a separate project or will the same contractor be using four machines on the Road Reserve at one time.
4. How rock piles and excavated sand will be contained within the Road Reserve and the estimated quantity of sand lost from the project footprint.
5. Better explanation of access requirements and social impacts including number and movements of trucks to and from the site; potential limited public access; reduced public amenity from construction works on the beach; and potential noise impacts.
6. Temporal considerations of construction works such as avoidance of shore bird and turtle nesting season and extreme weather events.
7. Preparation and implementation of a Traffic and Construction Management Plan.

Yours sincerely



Mark Arnold
Acting General Manager