















PRE-LODGEMENT COMMUNITY CONSULTATION SUBMISSIONS REPORT

Coastal Protection Works – Clarkes Beach, Byron Bay

Prepared for NSW Crown Holiday Parks Land Manager, trading as Reflections Holiday Parks By Planit Consulting Pty Ltd

May 2021 – Issue 1.0









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Executive Summary

In accordance with Byron Shire Council's Community Participation Plan and Development Control Provisions, pre-lodgement consultation has been carried out regarding proposed Coastal Protection Works on Clarkes Beach, Byron Bay, specifically Lot 410 DP729062, being Reflections Holiday Park – Clarkes Beach. Since 2019 coastal processes have resulted in 2x coastal protection interventions by way of placement of sandbags on Clarkes Beach, the first of which relates to the Reflections Holiday Park. Whilst environmental assessment was completed for each of these interventions, their planning pathways were enabled as temporary works and development consent is accordingly required for an additional time period.

The scope of the pre-lodgement consultation was limited to the 2x sandbag 'walls' placed on Lot 410 DP 729062, being the subject site of the Reflections Holiday Park at 1 Lighthouse Road, Byron Bay. The community participated in a series of online, indirect and direct activities, including online viewing, social media, mail outs, written submissions, telephone enquiry & feedback sessions.

This report details the individual issues raised by the community and serves to uphold the promise to the public as detailed within International Association of Public Participation (IAP2) public participation spectrum for consultation, being to keep the community informed, acknowledge concerns and aspirations and provide feedback on how the consultation informed the proposal.

The engagement was held over a 2+ week period, from 20 January to 5 February 2021, and attracted feedback from State Agency and local stakeholders. In total there were 2x telephone conversations held, 6x written submissions received and 397x views and 'impressions' of the online material. Through the process the feedback acknowledged the importance of the subject site and proposal, particularly in terms of Aboriginal Cultural Heritage, adjoining areas of environmental significance (i.e. Cape Byron Marine Park and Cape Byron State Conservation Area), cumulative considerations and the tourist-led economy of Byron Bay. Feedback received have been noted to inform the wider strategy considerations of Reflections Holiday Parks (proponent), such as future masterplanning of the site, as well as the parameters of the subject application, particularly its duration.

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1. Background

1.1 Overview

This report has been prepared to satisfy the provisions of the Byron Development Control Plan 2010, Community Participation Plan and uphold the promise to the public to:

- keep the community informed
- acknowledge concerns and aspirations
- provide feedback on how the consultation informed the proposal.

To satisfy the above objectives, this report provides an overview of the feedback received through the pre-lodgement consultation process for proposed Coastal Protection Works at 1 Lighthouse Drive, Byron Bay (Lot 410 DP 729062), being a portion of Clarkes Beach adjoining the Reflections Holiday Park operations.

The report also outlines the engagement activities undertaken, points raised in the written submissions and other feedback received, as well as explaining how the application can respond to the community's advice.

In summary, this report details:

- The nature and extent of the consultation
- Copies of all consultation collateral
- Information and analysis of number of online views, comments, phone enquiries and planning and design themes raised
- Copies of submissions received (redacted where necessary)
- Responses to information received and influence on the proposal

1.2 Community Engagement Strategy

The pre-lodgement community consultation was undertaken in accordance with a Council endorsed Community Engagement Strategy (CES), which indicated the applicant's intended engagement objectives and methods. This CES confirmed that consultation would be undertaken in accordance with Byron Shire Council's Community Participation Plan – October 2019, and notably, identified where consultation methods may vary from the requirements of the Plan.

A copy of this CES, along with Council's endorsement of 23 September 2020, is attached to this report (**Attachment 1**).

A Statutory Declaration is attached to confirm that consultation was undertaken in accordance with the Plan (Attachment 2).

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2. Engagement Material & Methods

2.1 Consultation Material

The material which was made available for community viewing is listed below and attached to this report (**Attachment 3**).

Documents	Author	Reference & Date
Key Project Information (and variants of)	Planit Consulting	N/A
Site Survey	Kennedy Surveying	18062G.DWG 11/09/2020

2.2 Engagement Activities

2.2.1 Overview

In light of the dynamic nature of COVID-19 health restrictions an online-and telephone-based consultation process was pursued. In summary, exhibition and engagement regarding the proposed Coastal Protection Works at 1 Lighthouse Road, Byron Bay included the following.

Engagement Activity	Overview	
Letter Box Drop	A letter, which provided an overview of the project and consultation method, was distributed to approximately 140 properties that sit within a minimum 500m radius of the site, as displayed on Figure 1	
Site Notice A notice was displayed at the front of the site to ide land and confirm consultation opportunities		
Newspaper Advertisement	An advertisement was raised in the Echo, Byron Shire and surrounds newspaper, on Wednesday, 20 January 2021.	
Online Forums	Notification of the project and opportunity for commenting to it was made available on: Planit Consulting's webpage and blog Planit Consulting's Instagram and LinkedIn pages The Echo's webpage	
Project Enquiry & Feedback Sessions	 Dedicated phone sessions were available on: Wednesday 27 January 2021 – 4:00pm – 6:00pm Thursday 28 January 2021 – 12:30pm – 2:30pm Tuesday 2 February 2021 – 8:30am – 10:30am 	
Written Submissions	Planit received 6x written submissions (2x of which were received outside of the specific consultation period)	

2.2.2 Letter Box Drop

A description of the proposal, key project details and consultation opportunities was distributed via a mailbox drop to the 140 properties that are located within a minimum 500m radius of the site, as displayed on Figures 1 and 2.

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Figure 1. Extent of Mailbox Drop (North)



Figure 2. Extent of Mailbox Drop (South)

A copy of this letter that was distributed is attached to this report (**Attachment 4**). It was printed on A4 paper, in black & white, double sided, and folded for physical letter box drop. These letters were distributed by hand by Planit consulting staff on 18 January 2021. There were approximately 5x sites within this radius that were recorded as not receiving a letter within the physical letterbox drop, as the properties had no easily identifiable letter box. These 5x properties were identified via 'sixmaps' and a notification letter posted to the physical address.

A similar letter was also provided to the Byron Residents Group and Byron Bay Chamber of Commerce via email.

2.2.3 Site Notice

A notice containing key project details, consultation opportunities and contact details was placed on the site, visible from the streetscape and displayed for the duration of the community consultation period. A copy of this site notice is attached to this report and the images below indicate this notice being displayed at the site (Attachment 5).

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Figure 3. Site Notice

2.2.3 Newspaper Advertisement

A formal advertisement of the proposal and pre-lodgement consultation was included in the Byron Shire Echo (local newspaper). It was displayed on page 7 of the Local News section of the Echo's publication on Wednesday, 20 January 2021, and made available to the wider community and all subscribers, in both print and digital format. A copy of this public advertisement is attached to this report (**Attachment 6**), and image below indicates the content of this advertisement.

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participate.





Community Notice

Please be advised that as part of exploring the retention the existing sandbags on Clarkes Beach in front of Reflections Holiday Parks - Clarkes Beach Holiday Park for coastal protection purposes, Planit Consulting is facilitating a pre-lodgement community consultation process from 20 January - 5 February 2021 and we invite you to

Should you have an interest in the project, please:

- Visit our project blog site: www.planitconsultingblog.wixsite.com/blogs
- Participate in our Project Enquiry & Feedback times by calling our Kingscliff office on 6674 5001 during the following times: Wednesday 27 January 2021: 4-6pm Thursday 28 January 2021: 12:30-2:30pm Tuesday 2 February 2021: 8:30-10:30am
- Provide formal feedback in email info@planitconsulting.com.au or in writing to: Planit Consulting PO Box 1623, Kingscliff, NSW 2487

We look forward to receiving your comments by 5 February 2021 to assist advancing the project before Byron Shire Council commence their assessment of the proposal.



Figure 4. Echo Advertisement

2.3 Engagement Methods – Online Material

2.3.1 Online Blog

A description of the proposal and key project details, consultation opportunities and period were uploaded to Planit Consulting's webpage. https://planitconsultation-for-temporary-coastal-protection-works-on

No online comments were made.

2.3.2 Byron Shire Echo

As noted above, a copy of the pre-lodgement community consultation notice was displayed online via the Echo's online issue - https://issuu.com/echopublications/docs/byronecho3532

2.4 Engagement Methods - Social Media

A social media post from Planit's Instagram page was made, providing direction to the project's online page - $\frac{\text{https://www.instagram.com/p/CKPmp8YFYDk/?igshid=1xk9e8xq1j6v8}}{\text{https://www.instagram.com/p/CKPmp8YFYDk/?igshid=1xk9e8xq1j6v8}}$

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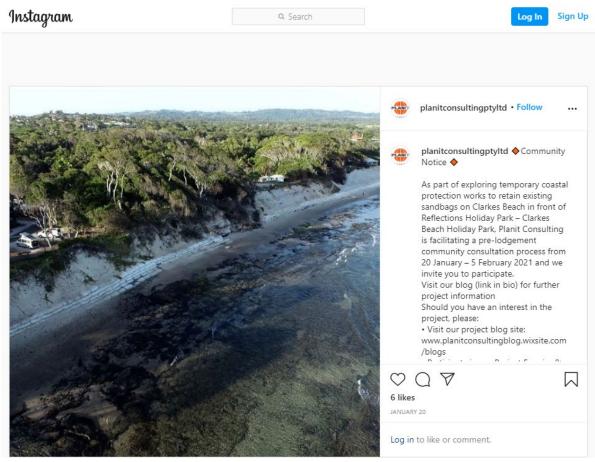


Figure 5. Planit's Instagram Post

This post received 6x likes, and no comments.

2.5 Engagement Methods – Telephone Based

As opposed to undertaking a physical community workshop, as prescribed within the Byron Community Participation Plan, project information was made available online and in hard copy for community review.

In addition, dedicated 'Project Enquiry & Feedback' times were implemented, allowing for more detailed questions, conversations and recording of feedback to be undertaken with Planit staff via telephone.

There 3x 2hr dedicated sessions facilitated across different days and times, supporting the varied work and social timetables of the community. These sessions included:

- Wednesday 27 January 2021 4:00pm 6:00pm
- Thursday 28 January 2021 12:30pm 2:30pm
- Tuesday 2 February 2021 8:30am 10:30am

Over these sessions, Planit was contacted and fielded enquiry regarding:

- the intended development outcome post adoption of Council's Coastal Management Plan
- clarification of the status of current approvals
- clarification of the lifespan and materials of the existing sandbags
- integration and interface with the existing sandbags immediately west.

These themes were ultimately raised within the written submissions received.

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Use of Existing Coastal Protection Works Reflections Holiday Park - Clarkes Beach

2.6 Engagement Methods – Written Submissions

6x written submissions were received in relation to the proposal, all of which were emailed to Planit. The submissions were primarily made by project stakeholders, such as Government Agencies and the Arakwal Corporation, as well as a submission made by a member of the general public and a submission from the adjoining 'Beach at Byron Bay' café and restaurant operators.

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3. Overview of Feedback & Responses

During the formal consultation period, 4x written submissions were received, followed by a further 2x submissions post the consultation period. Copies of the submissions received are surmised below and can be provided to Council or the Consent Authority upon request. Submissions received have been circulated to the project team, who have reviewed each and updated their respective scope of reporting where necessary.

The following table summarises what we heard during the consultation period, how the application is responding to these concerns and highlighting any changes to the proposal as a result of this consultation.

Summary of Feedback Received

Community Submission #1

What are the longer-term ideas after this step, as per the Coastal Management Plan?

Concern raised that trying to inhibit a natural, and unavoidable, process of land loss in these early stages would be a waste of time and resources for our community council. The land retreating is an unavoidable and irreversible long term side effect due to proven climate change and sea levels rising at a faster rate than scientists have previously predicted.

We are now at a time where we need to work with it and move our inhabitants to higher ground.

Planning Commentary

Consideration for the long term arrangement and footprint of the Holiday Park are largely speculative at this time, however initial investigations are underway to inform a new Plan of Management (PoM). Whilst in its infancy, investigations as part of the PoM are anticipated to consider (but not be limited to) the following considerations

- Changing the composition and distribution of sites within the Holiday Park (i.e. between cabins, caravan sites, camping sites).
- Upgrading structural engineering to withstand coastal processes for a longer duration.
- Relocating sites through planned retreat.

In addition, future planning will seek a direct consultation relationship with Council's draft Coastal Management Program (CMP) to support the cumulative considerations of the CMP and align desired outcomes where possible. The CMP recommendations themselves once finalised, which will provide ultimate clarity to the holistic opportunities of the subject site.

At this time there is no formal proposal, nor defined timeline of when the PoM or CMP processes will be finalised. Notwithstanding, strategic review, which has an awareness to mapped coastal hazards and Council's future CMP, will progress with the intent of being able to implement its findings prior to the expiry of the subject application, whilst ensuring the sustainability of the Holiday Park into the future.

Arakwal Corporation

Native Title Holders expect to be consulted and involved in all proposals that may impact on their Aboriginal Cultural Heritage. Given the short timeframe for providing a response, we have been unable to consult widely with the Directors and relevant Native Title Holders. For this reason, the feedback provided is preliminary in nature.

Language should reflect the significance and extent of the Aboriginal

The formal pre-lodgement consultation was undertaken in accordance with the requirement stipulated within Council's Community Participation Plan October 2019, and in addition to the preparation of an Aboriginal Cultural Heritage Assessment Report, which also involved consultation. In this regard the Arakwal Corporation's preliminary comments have been reviewed and considered and further consultation, facilitated by Everick Heritage, undertaken on 29 April 2021.

Language within the pre-lodgement consultation material utilised the term 'Aboriginal Object' to align with

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Sites. Referring to Aboriginal shell middens simply as an 'Aboriginal Object' does not reflect their cultural value, extent and importance. Further, using the term 'removal' in reference to proposed works under an AHIP suggests the intention is not to preserve. Any disturbance under an AHIP should be for the purpose of retrieval and preservation.

Arakwal Corporation does not support the sandbags at the exclusion of other option available to protect the Aboriginal Cultural Heritage site material at its current location. Is it the case that there has been no progress in designing a long term, or even interim solution addressing these issues? Is leaving the temporary sandbags in place the only proposed solution for management the ongoing threat to the Aboriginal Cultural Heritage site and potential catastrophic dune erosion for the next 3 years while the CMP is developed?

It is well understood that Aboriginal shell middens are among the most fragile cultural sites and can be degraded and destabilised by water erosion and unregulated walking tracks.

Management of these areas should include dune stabilisation through mature and diverse vegetation coverage and restricted access, with a focus on protecting the Aboriginal Cultural Heritage.

We do not support the removal and/or destruction of the Aboriginal Cultural Heritage site, and this continues to be our view. We consider that the protection of Aboriginal Cultural Heritage benefits the whole community by promoting and contributing to reciprocal understanding, spiritual wellbeing and community cohesion.

Planning Commentary

terms stated within the NSW planning framework. Likewise, use of the term 'removal' was adopted for continuity and alignment with the Aboriginal Heritage Impact Permit issued and currently in place for the subject site. References utilised within the final Environmental Impact Statement package will be more specific to the Aboriginal shell midden in acknowledgement of its importance.

Through the preparation of the Proposal various alternatives have been considered to facilitate the project objectives, which is inclusive of protecting the Aboriginal shell midden in the immediate term. These investigations have been undertaken inconjunction with the closure of formal public access points through the dune area, limiting access to seaward of the existing sandbags, along Clarkes Beach.

In addition to a review of options since recommencing business and holiday park operations post the forced COVID-19 shutdown period, significant weather events, such as king tides and east-coast lows resulted in significant erosion events along Clarkes Beach. Whilst these events have since partially subsided and a 'sand slug' has moved around the Cape and provided additional protection to the subject site, the dynamic nature of coastal processes is such that this protection and reprieve may be limited in its longevity.

In this regard, progress has been made regarding exploring interim solutions, however reviewed options have, to-date, each been directed back to a 'baseline' of retaining the sandbags by coastal engineering and geotechnical practioners. Longer term solutions are under consideration, however a specific timeline to determine a solution and implementation which balances the considerations of the subject area is not yet specifically identified.

Ahead of a long-term solution the removal of the sandbags would expose the existing dune, and is expected to accelerate coastal erosion. Dune stabilisation through vegetation is identified as possessing benefits, however could impact on the shell middens and is considered to be ineffective in providing reasonable protection to coastal erosion through conditions such as those experienced between July - December 2020. Likewise, sufficient quantities to sand within the embayment were not identified to realistically pursue beach scraping. Finally, beach nourishment from outside the embayment was identified as involving a high constraints to the transportation of like sand to the site given the subject lands position in relation to the Cape Byron Marine Park and Town Centre (for truck movements).

The specific area of the proposal will continue to evolve through natural processes, likewise, the investigations are underway for Reflections Holiday Park to provide a sustainable, long-term layout and outcome. Whilst the

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Summary of Feedback Received Planning Commentary

focus of this proposal is, amongst other objectives, to retain and protect the Aboriginal shell middens in the immediate term, it is acknowledged that the subject site cannot be viewed in isolation and will be influenced by the wider coastal processes of the Byron Bay embayment. In this regard, the combination of a PoM and CMP provides ideal strategic processes to consider the collective sum of values and influences and present a clear, fit-for-purpose strategy into the future. Solutions beyond the immediate term are considered to be premature and pre-emptive of those strategic processes.

Beachfood Pty Ltd

As the closest neighbour of Reflections Holiday Park and a tenant of adjoining Crown Lands, who has also been significantly impacted by the erosion to the dunes in front of and to the east of our leasehold, we are 100% supportive of this development application, for coast protection works, to be kept in place, until the development of BSC's Coastal Management Plan.

We believe:

- it is imminently sensible to await the development of an overarching master plan for the Byron Bay foreshore, before any further planning or rezoning decisions are made, which might have long term impacts or implications.
- the holiday park, Whites
 Cottage, the Clarkes Beach
 Reserve, the Aboriginal heritage
 (Midden) and Beach Restaurant
 all have great social and
 economic benefit to both the
 community and visitors to Byron
 Bay, and for these reasons
 should be protected and or
 enhanced.
- the ongoing protection of the beach, dunes as well as the native flora and fauna, is critically important to the community and the visitor economy. Likewise, maintaining open and safe public access to and from the beach is equally essential.
- it is also important that affordable visitor accommodation options are retained, close to the town centre and with easy access to the public beaches.

The proposal seeks to provide an interim, 'light touch' response ahead of detailed masterplanning of the subject site and the broader strategic objectives of the Byron CMP are confirmed. The commentary provided by Beachfood Pty Ltd is acknowledged and the variety of positive features from the subject site and its surrounding uses are agreed. Further, leveraging these features will be explored through the preparation of a new Plan of Management for the subject site.

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Planning Commentary

 The loss of further facilities or reduction in capacity of this park, would be a huge blow to generations of families, international visitors and a growing number of domestic visitors who are seeking camping and caravan holiday experiences in Byron Bay.

Beach Cafe, Restaurant and Kiosk, has a close working relationship with Reflections and provides synergies for both memorable and unique positive experiences for many visitors and providing significant economic and employment opportunities for the town.

Department of Primary Industries

Recent erosion events at Clarkes Beach and Main Beach Byron Bay have drawn national and international attention and my expectation is that iconic world-renowned tourist beaches within the Cape Byron Marine Park deserve world's best practice where management is concerned.

In this instance, when the Department of Primary Industries (DPI) Fisheries provided a marine park permit, it was understood at that time that any interventions would be temporary and removed when immediate threats were satisfactorily diminished or other options were determined.

DPI Fisheries also understands that no independent agencies provided formal comment on specific site designs for the initial works. There is a risk of increased erosion of the beach or adjacent land if inappropriate works are installed at ocean beach locations and adequate assessment and consideration of the existing structures should be undertaken in this regard.

Any planning or future works must consider short and long term effects to the values of the marine park, such as local scouring, down drift erosion, the entry of pollutants, pests, disease or other unnatural material to the marine park, and loss of public access or amenity.

Beach nourishment and grooming has been identified as a priority threat for As has been detailed elsewhere within this report, Reflections have sought to navigate a complex set of circumstances, balancing a variety of influences and timelines. Reflections acknowledges the importance of the subject site, both ecologically and within Byron Bay's character composition and is progressing site investigations and considerations promptly to mitigate impacts. It remains an overarching intention of Reflections to utilise the protection afforded by the sandbags until such time that the immediate threat has diminished and other options have been determined. Specifically, whilst the current position of the sand slug has now removed the immediate threat, the longevity of this additional is unknown and long-term options are not yet in place.

Whilst the emergency nature of the sandbag placement restricted inter-government assessment prior to the sandbags being install, ongoing monitoring and maintenance has been pursued since, along with a Coastal Assessment, prepared by BMT. We also acknowledge NSW Crown Lands have pursued a similar intervention immediately to the west and collaboration between parties has been pursued regarding end scour effects, asset protection and the like.

The EIS has refined its scope post the pre-lodgement consultation process and through ongoing discussions with NSW Crown Lands to now be limited to a 5-year time period. This revision provides improved definition of the application and the EIS will accordingly consider the impacts associated with this scope. The revised scope supports holistic masterplanning for the site to be undertaken, which considers longer term opportunities and constraints.

Whilst beach nourishment was considered through the EIS preparation, it has not been identified as part of the scope of the proposal.

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the north region of NSW, including Byron Bay. It is essential that these threats are carefully considered and managed.

Given historical delays and uncertainties with coastal zone planning at this location it would seem wise to have a contingency plan in place for guidance in the short to medium term. Geobags are not a long term solution and have been demonstrated as susceptible to displacement and damage at this and other locations.

Please note that the boundary of the Cape Byron Marine Park at this location is generally to the Mean High Water Mark. Any access arrangements or activities taking place above that may require approvals from other agencies or land owners/managers.

Any future or additional works below mean high water will require a further marine park permit.

Biodiversity and Conservation Division – Environment, Energy and Science Group of NSW Department of Planning, Industry and Environment

The Biodiversity and Conservation Division (BCD) provided a history and summary of the previous planning pathway that resulted in the placement of the sandbags, the issue of the Aboriginal Heritage Impact Permit and the advices of the Registered Aboriginal Parties (RAPs). BCD also highlighted that the temporary timeframe of the sandbags has expired and that the Plan of Management (PoM) for the subject site is in need of revision.

The BCD does not support the timeframe for enabling the geotextile bags being coupled to the Byron Shire Council Coastal Management Program (CMP) due to the considerable uncertainty regarding the timeline of its completion and should specifically define a timeline.

The EIS should explore options, including the immediate removal of the geotextile bags, which are presently unlawful.

The EIS should be informed by a longterm strategy for managing the coastal hazard risks at the site. The EIS should document the future actions that could

Planning Commentary

The EIS will address the relevant provisions of the Marine Estate Management Act 2014, including obtaining licences if and when required. Further, the EIS proposes ongoing management, rectification measures and reporting in acknowledgement that the geofabric bags may become displaced or damaged from time to time.

We confirm:

- a variety of options have been explored, including removal of the sand bags, in the preparation of the Environmental Impact Statement.
- post the pre-lodgement consultation period the proposal has been amended to nominate a 5x year timeline, which can be applied by way of a 'sunset clause', as opposed to being directly linked to the CMP
- a longer-term masterplan, by way of a new PoM, is being developed for the subject site. The findings of the PoM are intended to guide a future proposal/s to realise longer-term outcomes for the subject site.

Specific to commentary regarding the removal of the sandbags, we advise:

- the placement of heavy machinery on Clarkes Beach is required to generally 'lift' each sandbag, allowing the geotextile bag to be cut, disposing the contained sand onto the beach and allowing the geotextile bag to be removed
- generally, the timing of this activity is sensitive to tidal movement and existing conditions.
- removal of the sandbags without a wider retreat/relocation strategy has been identified as holding greater opportunity for impact than retaining the sandbags as greater site disruption would occur from human or natural processes.
- by way of example, if the sandbags were removed in 'pre January 2021' conditions, the

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be required, either within the Holiday Park or elsewhere, and indicative timeframes or triggers for these actions.

The BCD identified that National Parks and Wildlife Service (NPWS) has advised that it is concerned about impacts to a registered Aboriginal midden (site number 04-5-0199) in the gully of the adjoining land from unregulated public access.

NPWS strongly supports the commencement of a dune restoration and protection plan to protect Aboriginal Heritage Information Management System (AHIMS) Sites 04-5-0358 and 04-5-0359. Further, it considers the delay of the planning process to wait for the finalisation of the Coastal Management Program unacceptable.

The EIS should consider how the proposed works will protect remaining native vegetation and how the future removal of the geotextile bags will be undertaken to limit any further impacts.

The EIS should consider the biodiversity impacts of retaining the geotextile bags on marine turtles and shorebirds.

Planning Commentary

- existing dune would likely be exposed and coastal erosion of the site accelerated
- of note, post January 2021 to the time of writing (April 2021), the majority of the sand bags have now been covered by sand.
- whilst theoretically removing the sandbags now involves lower risk to the Holiday Park, Aboriginal middens and littoral rainforest vegetation, their disturbance is considered to be counter intuitive until such time that the wider masterplan is known and implementation measures pursued.
- generally, the timing of any sandbag removal is recommended to occur outside of peak holiday periods.
- ultimately, the removal of the sandbags without a wider strategy being in place may result in negative environmental, cultural, tourism and economic impacts to Byron Bay given the intrinsic value of Clarkes Beach.

Whilst outside the scope of this proposal, a long-term strategy for the operations of the subject site is presently being pursued, which considers the projected coastal hazard lines and existing native vegetation. These investigations are ongoing and are not sufficiently advanced to encompass directly within the application. As the site opportunities and constraints are being reviewed, suitable opportunities for public beach access and dune restoration will be explored and, where suitable, pursued, noting various permitted without consent planning are afforded to the subject site.

Reflections supports NPWS pursuing actions on their land to further protect the Aboriginal Object on their land, and welcome feedback on any interface suggestions with the subject site.

The scope of the EIS includes the consideration of marine turtles and shorebirds.

Byron Shire Council – Technical Staff

Council is cognisant of the need for coordination and synchronisation of land and asset management of Clarkes Beach, specifically:

a formal position being adopted for land managers of Clarkes Beach, being DPIE-Crown Lands and Reflections) of implementation of 'planned retreat' coastal management strategy for at risk assets.

Council notes that this strategy does not appear to have been fully accepted as the rationale for the retaining the temporary seawall relies on merely 'analysing and assessing planned retreat opportunities'

Post the pre-lodgement consultation process, as well as stemming from ongoing coordination with NSW Crown Lands staff, the scope of the proposal has been amended and confined to the retention of the sandbags for 5 years. De-coupling the proposal scope from the broader CMP, but capping the timeline is considered to provide a more defined outcome for the site over the next 5 years without diminishing the broader strategic considerations of either the PoM to be developed for the subject site, or the CMP itself. We confirm that planned retreat options will continue to be considered through the preparation of the PoM as Reflections considers the opportunity to provide an effective and valued Holiday Park into the future which responds to its surrounding environmental sensitivities.

Discussions between Reflections and NSW Crown Lands have sought to maximise the alignment between the

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and relying on the outcome of the Coastal management Program 'to identify the potential pathway forward at this location'.

- timing of both Reflections and NSW Crown Lands Development Applications.
- the coastal environment and processes of the Byron Bay Embayment are highly interconnected and the cumulative effect down-drift of both Reflections and DPIE-Crown Lands seawalls need further exploration.

It is essential to manage the volatility of complex coastal management in the Byron Shire, and a coordinated approach is imperative. Both DAs, being adjacent parcels of key coastal land the applications need to be coordinated in unison. This approach is in alignment with Section 3 - Objects of the Coastal Management Act 2016.

Planning Commentary

proposals, though noting clear directives issued to Reflections Holiday Parks to resolve the status of the works as a matter of urgency. Discussions are anticipated to be ongoing through the assessment process to secure coordinated outcomes.

Reflections supports the ongoing consideration and assessment of cumulative impacts and integration of studies and investigations where possible.

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Use of Existing Coastal Protection Works Reflections Holiday Park - Clarkes Beach

4. Conclusion

The issues raised throughout the pre-lodgement consultation highlighted the range of stakeholder interests and their interconnection. Most of the contributors were predominantly concerned about ensuring cultural and environmental outcomes where appropriate, acknowledged potential cumulative impacts of the wider locality and continued to reflect the locales cultural, environmental and economic significance.

Through review of the submissions received the scope of the proposal has been refined to include a 5x year timeline, as opposed to being directly linked to the outcomes of the draft Coastal Management Program. Whilst not forming part of the proposal itself, the preparation of a new Plan of Management for the subject site will also be advanced to:

- 1. Outline a masterplan for the site which considers Aboriginal Cultural Heritage, coastal processes and hazards and ecological considerations.
- 2. Inform proposals which supersede the subject proposal and 5x year timeline
- 3. Informs the strategic content of the Coastal Management Program and acknowledges their connected relationship.

Finally, the specialist assessments undertaken have also had regard for the feedback received during the pre-lodgement consultation process.

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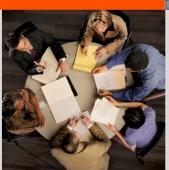
Attachment 1 - Community Engagement Strategy

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COMMUNITY ENGAGEMENT STRATEGY – COASTAL PROTECTION WORKS (CLARKES BEACH)

NSW Crown Holidays Parks Land Manager, trading as Reflections Holiday Parks

1 Lighthouse Road, Byron Bay | Lot 410 DP729062 By Planit Consulting Pty Ltd

September 2020 Revision 1.0









This report has been prepared by:



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Document Control

Issue	Date	Description	Prepared By	Checked By
Α	02.09.2020	Draft	JT	LB
1.0	11.09.2020	Final	JT	LB

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Coastal Protection Works (Clarkes Beach) 1 Lighthouse Road, Byron Bay

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Background Information

The Byron Bay embayment has a long history of coastal development and exposure to coastal processes. Balancing the land tenure pattern of public and private ownership, Byron Shire Council (Council) has long-sort to provide a comprehensive strategy for coastal management and coastal protection works (if and where deemed appropriate). Broadly, Council has sought to implement a strategy of relocation or 'planned retreat' through the use of 7(f1) and f2) land use zones. The contemporary planning framework has discontinued the use of these zones, further the Coastal Management Act 2016 provides additional content to Coastal Management Plans and Coastal Protection Works. Byron Shire Council is currently pursuing the preparation of a Coastal Management Plan(s) (CMP) for its coastline in accordance with that framework, having complete Stage 1 of a 5x stage process. The remaining stages are anticipated to be undertaken across the next 36 – 48 months.

Whilst Council pursues its wider CMP, Lot 410 DP DP729062, being the subject site, has been subject to extreme weather events across the past 12 – 18 months, including Tropical Cyclone Oma, requiring temporary coastal protection works, including the placement of sandbags, removal of vegetation and beach access and relocation of existing cabins. The allowed period of temporary sandbags has expired and Reflections are seeking to resolve an interim position until such time that Council's wider CMP is known and can be implemented, as well as acknowledging the Aboriginal Cultural Heritage values of the subject site.

The Site

The site is known as 1 Lighthouse Road, Byron Bay and legally described as Lot 410 DP729062. The site itself is approximately 3.954 ha in area and incorporates portions of the Reflections Holiday Park and Clarkes Beach.

The site is located within walking distance to the Byron Bay Town Centre and along a wider recreation trail connecting the township with the Cape Byron State Conservation Area. These attributes, combined with the locality's natural amenity, result in high usage by the general community and visiting tourists.

The coastal conditions of the site and its surrounds have been dynamic with an overall trend of long-term recession risk and sea level rise induced recession risks. As identified earlier, Tropical Cyclone Oma accelerated impacts and recession significantly within 2019. Temporary coastal protection works in the form of sandbags were pursued at that time as an immediate response and have remained in place since.

The subject land is identified as possessing Aboriginal Cultural Heritage, including an Aboriginal Object. Aboriginal Cultural Heritage has been recently assessed and an Aboriginal Heritage Impact Permit issued by NSW State Government to relocate the Aboriginal Object.

Portions of the site are also mapped as Littoral Rainforest and proximity area to Littoral Rainforest.

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Brief Description of the Project

In acknowledgement of the upcoming cyclone season, afford longer protection of the Aboriginal Object and provide 'stop-gap' protection whilst the CMP is being prepared by Byron Shire Council, it is proposed to formalise the retention of the sandbags through a Development Application.

The proposed development comprises the retention of the existing sandbags and revegetation of the exposed dune, however may be augmented or revised following pursuing the following actions and considerations:

- Community consultation regarding the coastal management options until such time that Council's Coastal Management Plan is finalised and implemented.
- Consultation with the Arakwal people regarding Aboriginal cultural heritage options until such time that Council's Coastal Management Plan is finalised and implemented.
- Review of public safety and asset protection assessment of retaining the sand bags vs. removing the sandbags
- Coastal/environmental assessment of retaining the sand bags vs. removing the sandbags on both the subject land and its immediate Clarkes Beach surrounds over 2x timelines, firstly a 2 3-year timeline and secondly a 3+ year timeline.
- Review of the performance of the existing sandbags, their design and monitoring
- Establishing a monitoring and management program on an as-need basis to mitigate any potential public safety and environmental impacts anticipated.

The project will require the lodgement of a Development Application for coastal protection works, which will be determined by the Northern Regional Planning Panel. The project is permitted with development consent under the State Environmental Planning Policy (Coastal Management) 2018.

Community Engagement Objectives

- 1. Consult the community in advance for formal lodgement and assessment of the application
- Convey the key drivers to the project, being coastal management until a wider strategy is known, Aboriginal Cultural Heritage and wider public safety and amenity.
- 3. Provide clear details of the project to allow meaningful engagement with the community.
- 4. Ensure the assessment of project options is undertaken, drives the final project scope and supports a net benefit.
- 5. Confirm with stakeholders' key planning considerations of relevance, applicable legislation and relationship with Council's wider CMP process.
- 6. Identify any areas of support and/or concern from the community
- 7. Provide feedback to Council and the community on how input influenced the proposal when lodged.

Note: For the purposes of this CES, 'community' is defined as any residents, guests or other parties who have a stake in the holiday park

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Stakeholder Identification

In addition to engaging with nearby residents, Clarkes Beach forms part of Byron Bay's wider tourist experience and engagement with the tourism market is a focus of this strategy. Project information will be extended to local tourist providers for their guests and visitors, with project signage being displayed at prominent points, including, Reflections Holiday Park and Byron Visitor Centre, during the consultation period.

The site is also positioned within immediate proximity to areas of significance, including but not limited to Cape Byron Marine Park, National Park, littoral rainforest and Aboriginal cultural heritage. Notification of the project and pre-lodgement consultation process will be provided to NSW Department of Planning, Industry and Environment, as each lead agency, being Office of Environment & Heritage, National Parks and Wildlife and Department of Primary Industries, falls within this overarching banner.

Notification of the pre-lodgement consultation will be emailed to the Byron Residents Group, however no addition focus groups or organisations were identified as relevant at this time. Of note, should Council have details of any other relevant groups, we are happy to receive their details and extend an invitation to participate.

Key Project Messages

- a) This consultation is in advance of a formal Development Application being prepared and lodged to Byron Shire Council for assessment.
- b) This consultation is in addition to formal consultation pursued during the assessment process.
- c) The project is being pursued to ensure a balanced approach to coastal management and Aboriginal Cultural Heritage until such time that the wider strategic framework is known through the Byron Coastal Management Plan.
- d) The proposal will predominately review the benefits and impacts of maintaining the existing sandbags until the CMP is implemented, as opposed to relocating the Aboriginal Object and removing the geotextile bags leaving the sand in place.
- e) We welcome community feedback on the proposal and will provide feedback on how this influenced the proposal.

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Engagement Methods – Hard Copy Material

A description of the proposal, key project details, along with the consultation opportunities, period (up-to 2x A4 pages when printed), and location of additional online resources will be distributed via a mailbox drop. As per the Byron Community Participation Plan, a minimum 500m radius of the site has been displayed in Figure 1 below, which identifies the properties included in the mailbox drop.



Figure 1 - Extent of mailbox drop

A formal advertisement within local newspaper to this same effect will also be pursued.

A Site Notice containing key project details, consultation opportunities and period, web link/s and contact number should a hard copy of the project plans be required will also be placed on the site, visible from the public domain, for the duration of the community consultation process.

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Engagement Methods – Online Material

A description of the proposal and key project details, consultation opportunities and period to be uploaded to Planit Consulting's blog page. Opportunity to comment online will be available, subject to the user signing up to (or in to) a Wix.com account.

Should Council be able to provide assistance, we would welcome the opportunity to mirror this information on Council's Your Say Byron Shire page.

Notification of the project blog page and community consultation activity will be emailed to the Byron Residents Group and NSW Department of Planning, Industry and Environment. Of note, should Council have details of any other relevant residents and ratepayers' groups, we are happy to receive their details, however no relevant focus groups were identified via online searches.

Engagement Methods - Social Media

A social media post from Planit's Instagram page will be made, providing direction to the project's online page.

Should Council be able to provide assistance, we would welcome the opportunity for Council to share/'regram' the social media post.

Engagement Methods – Telephone Based

Instead of undertaking a physical community workshop, as prescribed within the Byron Community Participation Plan, additional project information will be prepared and made available online and in hard copy for community review. In addition, dedicated 'Project Enquiry & Feedback' times will be implemented, allowing for more detailed questions, conversations and recording of feedback to be undertaken with Planit staff via telephone. Should detailed questions outside Planit's skillset be received, they will be distributed through the wider project team, which will include coastal science and engineering specialists and Aboriginal Cultural Heritage specialists, and a return call made.

3x 2hr dedicated sessions are proposed to be facilitated across different days and times, supporting the varied work and social timetables of the community. Should enquiries be received outside of these focus periods, they are will still be actioned with an up-to 2x business day period level of service.

The telephone-based consultation opportunities are augmented by the additional mediums prescribed within the Byron Community Participation Plan, which are discussed as follows.

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Formal Reporting

At the conclusion of the consultation period, a formal report will be compiled detailing, but not limited to:

- Detail the nature and extent of the consultation
- Copies of all consultation collateral
- Information and analysis of number of online views, comments, phone enquiries and planning and design themes raised.
- Copies of submissions received (redacted where necessary)
- Responses to information received and influence on the proposal.

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 From:
 Josh Townsend

 To:
 "Larkin, Chris"

 Cc:
 "Cameron Clark"; Ben Gohl

Subject: RE: Community Engagement Strategy - Coastal Protection Works, Clarkes Beach

 Date:
 Wednesday, 2 December 2020 12:16:00 PM

 Attachments:
 image001.png 20201201 - 36853 - REP - CES_Body.pdf

Good afternoon Chris,

Further to Council's previous endorsement of the Community Engagement Strategy (CES) for the proposal Coastal Protection Works at Clarkes Beach (as required by virtue of variation to the Byron Community Participation Plan and DCP pre-lodgement consultation provisions), please find attached a revised CES for Council's consideration. For ease of reference, the following amendments have been made to the previously endorsed version:

- Integration of Council's commentary regarding consultation with Crown Lands, Council, Cape Byron Marine Park and NSW Department of Primary Industries (Fisheries)
- Augmentation to include the sand bags subsequently installed in front of Beach restaurant and café, to the immediate west
 of Reflections.

In addition to the above, please be advised that as a portion of the sandbags is located within land mapped as Littoral Rainforest under State Environmental Planning Policy (Coastal Management) 2018, the proposal is considered as Designated Development. We have submitted the necessary Form A Request for Secretary's Environmental Assessment Requirements (SEARs) to NSW Department of Planning, Industry and Environment and will seek to integrate stakeholder engagement prescribed through the SEARs process.

Should you have any questions regarding this CES, please do not hesitate to me at our Kingscliff office on (02) 6674 5001, or via return email.

Thanks in advance, Josh



Josh Townsend

Senior Project Planner

PO Box 1623, Kingscliff NSW 2487

Telephone: 02 6674 5001 | **Facsimile:** 02 6674 5003 Level 2, 11-13 Pearl Street, Kingscliff NSW 2487

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From: Josh Townsend

Sent: Thursday, 24 September 2020 4:12 PM **To:** 'Larkin, Chris' <clarkin@byron.nsw.gov.au>

Subject: RE: Community Engagement Strategy - Coastal Protection Works, Clarkes Beach

Thanks Chris, greatly appreciated.

In terms of Council consultation, is DAP the appropriate forum? Or just organising a further videoconference similar to previous?

Regards, Josh

From: Larkin, Chris <<u>clarkin@byron.nsw.gov.au</u>>
Sent: Thursday, 24 September 2020 4:09 PM
To: Josh Townsend <<u>josh@planitconsulting.com.au</u>>

Cc: Scott, Noreen < NScott@byron.nsw.gov.au >; Burt, Shannon < sburt@byron.nsw.gov.au > **Subject:** RE: Community Engagement Strategy - Coastal Protection Works, Clarkes Beach

HI Josh

The strategy is endorsed subject to the inclusion of Councils recommendation in your engagement strategy as per the email

below.

Please send in an updated strategy document with those recommendations for Councils records.

Regards

Chris Larkin | Manager – Sustainable Development | Byron Shire Council 70 Station Street Mullumbimby | PO Box 219 Mullumbimby NSW Australia 2482

A Please consider the environment before printing this e-mail

From: Larkin, Chris <<u>clarkin@byron.nsw.gov.au</u>>
Sent: Wednesday, 23 September 2020 5:38 PM
To: Josh Townsend <<u>josh@planitconsulting.com.au</u>>

Cc: Scott, Noreen <<u>NScott@byron.nsw.gov.au</u>>; Burt, Shannon <<u>sburt@byron.nsw.gov.au</u>> **Subject:** FW: Community Engagement Strategy - Coastal Protection Works, Clarkes Beach

Hi Josh

Further to your email and copy of the Community Engagement Strategy, it is recommended that the strategy to be amended to include direct (in person) and written consultation with the Tweed Byron Local Aboriginal Land Council and the Arakwal Corporation.

Further the results of such consultation be included in the Development Assessment documentation and any Aboriginal cultural heritage assessment to be submitted to the consent authority for consideration.

It is also recommended the strategy also be amended to include:

- Consultation with Crown Lands and Council in relation to edge effects of any coastal protection works on the remainder of Clarkes Beach and the immediately adjacent restaurant to the west; and
- Consultation with Cape Byron Marine Parks and Department of Primary Industries NSW Fisheries

Evidence of such consultation with the above Local and State Government Agencies to be included in the DA documentation Council notes owners consent will be required from Crown Lands to lodge the Development Application.

It is also noted Whites Cottage is included in the Community Based Heritage Study and proposed previously for listing, but was deferred from the Byron LEP 2014. Notwithstanding, any works that may impact on the cottage should address the heritage significance of the cottage and a Heritage statement from a suitably qualified professional addressing the matter should be included in the development application.

Should you have any further queries regarding the above please contact me by email

Kind Regards

Chris Larkin | Manager – Sustainable Development | Byron Shire Council 70 Station Street Mullumbimby | PO Box 219 Mullumbimby NSW Australia 2482

Please consider the environment before printing this e-mail

From: Josh Townsend < josh@planitconsulting.com.au>

Sent: Thursday, 17 September 2020 1:08 PM **To:** Larkin, Chris <<u>clarkin@byron.nsw.gov.au</u>>

Subject: RE: Community Engagement Strategy - Coastal Protection Works, Clarkes Beach

Good afternoon Chris,

Just touching base on the abovementioned matter to ensure the Community Engagement Strategy and email were received and to see how your considerations are going?

Thanks in advance,

From: Josh Townsend

Sent: Friday, 11 September 2020 1:35 PM **To:** Chris Larkin < <u>Chris.Larkin@byron.nsw.gov.au</u>>

Subject: Community Engagement Strategy - Coastal Protection Works, Clarkes Beach

Good afternoon Chris,

With reference to the abovementioned proposal, previous videoconference project discussions and in acknowledgement of the Byron Community Participation Plan, we provide the following Community Engagement Strategy (CES) for your consideration and endorsement. As previously raised, we hold concerns that hosting a community workshop in this time would raise concerns with:

- Availability and practicality of suitable venue hire
- · Ability and practicality of enforcing social distancing provisions
- Potential deterrent to community involvement

In light of the dynamic nature of COVID-19 health restrictions we are seeking an online-based consultation process, as well as a suitable information pack to be delivered to letterboxes in hard copy form. This CES provides comment on the broad issues outlined in the dot points below.

- Background Information
- The Site
- Brief Description of the Project
- Community Engagement Objectives
- Stakeholder Identification
- Key Project Messages
- Engagement Methods & Timeline

We welcome opportunities to bolster our proposed delivery of community engagement through Council support where possible, particularly in light of Council's wider Coastal Management Plan process.

Should you have any questions regarding this CES, please do not hesitate to contact Josh Townsend of our Kingscliff office on (02) 6674 5001, or via return email.

Thanks in advance, Josh



Josh Townsend

Senior Project Planner

Telephone: 02 6674 5001 | **Facsimile:** 02 6674 5003 Level 2, 11-13 Pearl Street, Kingscliff NSW 2487 PO Box 1623, Kingscliff NSW 2487

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Attachment 2 – Statutory Declaration

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Statutory Declaration
OATHS ACT 1900, NSW, EIGHTH SCHEDULE

I, birus Tonus (do solemnly and sincerely declar	re that	
I have undertaken pre-lodgement community consultation procedures in accordance		
with the Byron Shire Council Development Control Plan 2010, Community Partici	pation	
Plan and Planit Consulting's Community Engagement Strategy (October 2020) and I		
make this solemn declaration conscientiously believing the same to be true, a	and by	
virtue of the provisions of the Oaths Act 1900.		
Declared at: Kwcscl / FF on 30 / S / 2021 [place] [date]		
[signature of declarant]		
in the presence of an authorised witness, who states:		
I, BRIANNA FINN ,a PHAKMACIST [qualification of authorised witness]	, I	
certify the following matters concerning the making of this statutory declaration by the person		
who made it: [* please cross out any text that does not apply]		
1. *I saw the face of the person OR *I did not see the face of the person because the	person	
was wearing a face covering, but I am satisfied that the person had a special justifi	cation1	
for not removing the covering, and		
2. *I have known the person for at least 12 months OR *I have confirmed the person's identity u	ısing an	
identification document and the document I relied on was DRIVER LICENCE		
[describe identification document re	elied on]	
BAA 30/5/202 ([signature of authorised witness] [date]		

¹ The only "special justification" for not removing a face covering is a legitimate medical reason (at September 2018)

Statutory Declaration
OATHS ACT 1900, NSW, EIGHTH SCHEDULE

I, CHACT WRENCHER , do solemnly and sincerely declare that [name of declarant]
I have undertaken pre-lodgement community consultation procedures in accordance
with the Byron Shire Council Development Control Plan 2010, Community Participation
Plan and Planit Consulting's Community Engagement Strategy (October 2020) and I
make this solemn declaration conscientiously believing the same to be true, and by
virtue of the provisions of the Oaths Act 1900.
Declared at: LENNOX HEAD on 19/04/2021 [place] [date]
in the presence of an authorised witness, who states: I, MANU W. GIUSERT, a PHARTIM CIET (B. PLO) [name of authorised witness] [qualification of authorised witness]
certify the following matters concerning the making of this statutory declaration by the person
who made it: [* please cross out any text that does not apply]
1. *I saw the face of the person <i>OR</i> *I did not see the face of the person because the person
was wearing a face covering, but I am satisfied that the person had a special justification ¹
for not removing the covering, and
2. *have known the person for at least 12 months OR *I have confirmed the person's identity using an
identification document and the document I relied on was DRIVERS CICELE
[describe identification document relied on] [signature of authorised witness] [date]

¹ The only "special justification" for not removing a face covering is a legitimate medical reason (at September 2018)

Pre-Lodgement Community Consultation – Submission Report
Use of Existing Coastal Protection Works
Reflections Holiday Park - Clarkes Beach

Attachment 3 – Exhibition Material

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Planit to facilitate pre-lodgement community consultation for temporary coastal protection works on

Updated: Jan 28

Clarkes Beach, Byron Bay



Planit Consulting, along with a wider team of specialists, is working with NSW Crown Holiday Parks Land Manager, trading as Reflections Holiday Park to provide temporary coastal protection to the Clarkes Beach Holiday Park until such time that Council has concluded the preparation of its Coastal Management Plan.

Specifically, opportunity to retain the existing sand bags on Clarkes Beach for a period of time is being explored in order to:

- Retain Aboriginal Objects in place until the wider strategy is resolved
- Mitigate coastal erosion impacts and loss of park assets whilst opportunities to reconfigure the park are explored
- Ensure safe workplace and safe environment for ongoing public access

From 20 January - 5 February 2021 Planit Consulting invites you to:

- View key project information
- · Discuss queries with professional staff, and
- · Submit your feedback.

The outcomes of this consultation process will be considered in finalising the proposal ahead of Council commencing a formal assessment through an application process. A report surmising this consultation process and the feedback received will be included within the material submitted to Council for assessment.

Of note, additional community consultation will also be undertaken by Council during their assessment process.

Key Project Information

In responding to extreme weather events in mid-2019 which resulted in significant coastal erosion, emergency works were pursued by Reflections Holiday Parks, which included placing sandbags in 2x locations on Clarkes Beach, in front of the Holiday Park.

Whilst these emergency works were anticipated to be a short-term solution, since being established it has been identified that the sandbags had been placed within close proximity and seaward of 2x Aboriginal Objects.

Post detailed investigations an Aboriginal Heritage Impact Permit (AHIP) has been obtained from State Government to remove the Aboriginal Objects, however cultural heritage reporting also concluded there is not Arakwal community support for the removal of the temporary sand bag system without an alternative long-term solution being put in place.

Byron Shire Council (Council) is currently pursuing a Coastal Management Plan for the Byron Bay embayment, which once complete, will provide the holistic, long-term strategy.

Stage 1 of the 4x step process of preparing and adopting the Coastal Management Plan was adopted by Council at its meeting of 25 June 2020.

The remaining 3x stages are anticipated to be pursued by Council over the coming years.

In considering the above, we are seeking community feedback regarding a proposal to retain the sandbags until the Coastal Management Plan is complete and retain the Aboriginal Object in place where possible.

As part of the investigations into this proposal Reflections Holiday Parks have also engaged a Cultural Heritage specialist and Coastal Engineering specialist.

The preparation of these reports is underway and will consider if any augmentation or alteration to the sandbags is necessary to ensure public safety and longevity of the wall until such time that the wider Coastal Management Plan is finalised.

For clarity, the location of the 2x sand bag walls are displayed in Figure 1 below and a copy of the site survey can be downloaded at the base of this page.

When the final proposal is ready for formal assessment, it will be lodged with Council, who will conduct a further community consultation period and assess the proposal.

Once Council's assessment is finalised, the proposal will be reported to the Northern Regional Planning Panel, an independent panel coordinated by the NSW State Government, for determination.



Figure 1 - Location of existing sandbags

Opportunities to Discuss with Staff

We acknowledge that it is often easier to have a discussion with a professional to gain an appreciation of a proposal and provide feedback.

Accordingly, we have allocated dedicated 'Project Enquiry & Feedback' times where town planning staff will be available to contact via telephone to discuss the project and answer your queries.

To ensure our town planners can provide you with information in a timely manner, should you have any project enquires please contact us on 6674 5001 during the following times:

Wednesday 27 January 2021 – 4:00pm – 6:00pm Thursday 28 January 2021 – 12:30pm – 2:30pm Tuesday 2 February 2021 – 8:30am – 10:30am

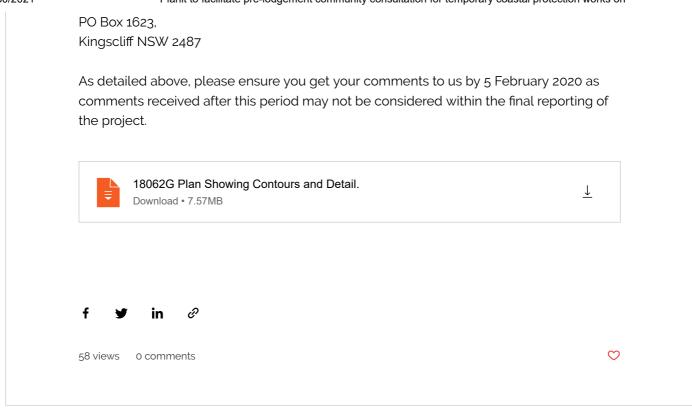
Should the above mentioned times not be suitable to you, please do not hesitate to contact us at a suitable time within the consultation period and we will endeavour to respond within a 2x business day period.

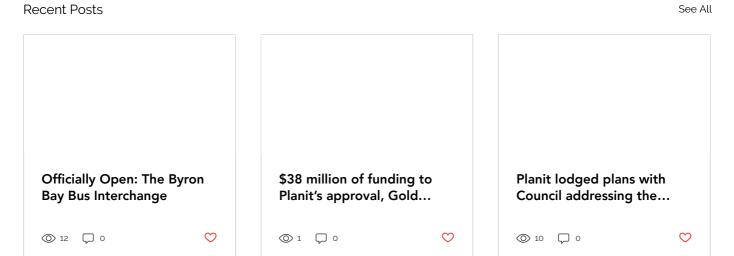
Further, should detailed questions outside Planit's skill set be received, they will be distributed through the wider project team and a return call made as soon as practical.

Formal Feedback

Beyond leaving a comment below, on our Instagram page, or with our staff within the Project Enquiry & Feedback times, we welcome commentary via our email: info@planitconsulting.com.au (please include 'Clarkes Beach Coastal Protection Works' as the subject) or via post:

Planit Consulting

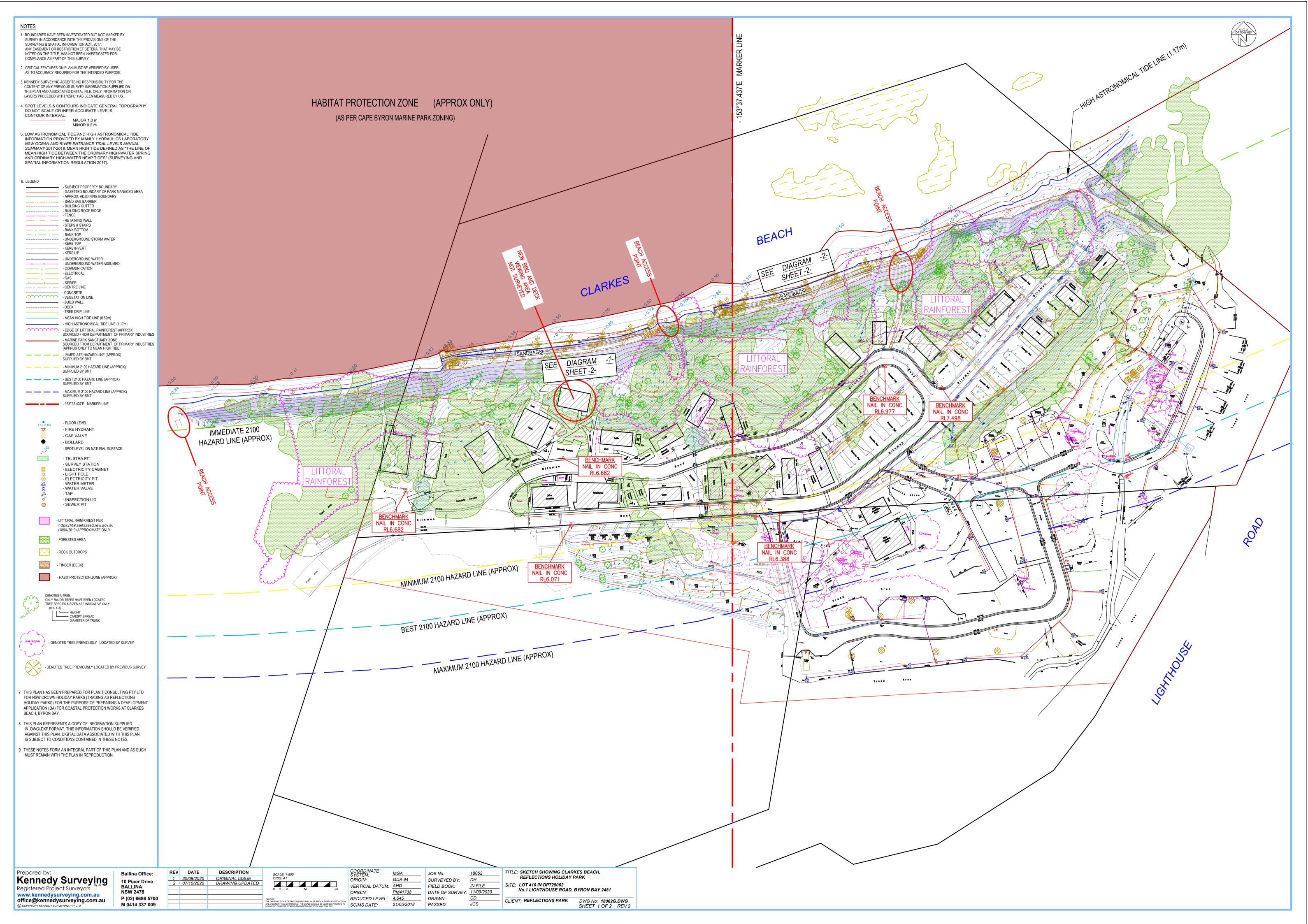






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Pre-Lodgement Community Consultation – Submission Report
Use of Existing Coastal Protection Works
Reflections Holiday Park - Clarkes Beach

Attachment 4 - Letter Notice

May 2021 Page 23 of 25 Level 2, Kingscliff Central, 11-13 Pearl Street, Kingscliff NSW 2487 PO Box 1623, Kingscliff NSW 2487 (02) 6674 5001 info@planitconsulting.com.au www.planitconsulting.com.au



Our Reference: J6839

15 January 2021

To the Landowner and/or Resident

Pre-Lodgement Community Consultation Coastal Protection Works, 1 Lighthouse Road, Byron Bay 20 January – 5 February 2021

Planit Consulting, along with a wider team of specialists, are working with NSW Crown Holiday Parks Land Manager, trading as Reflections Holiday Parks to provide temporary coastal protection to the Clarkes Beach Holiday Park until such time that Council has concluded the preparation of its Coastal Management Plan. The purpose of this correspondence is to provide you, as a key stakeholder, with project information, share project material prepared todate, facilitate queries with professional staff and receive your feedback. The feedback received will inform a formal application for coastal protection works to be assessed by Byron Shire Council in the near future.

Background Information

In responding to extreme weather events in mid-2019 which resulted in significant coastal erosion, emergency works were pursued, which included placing sandbags in 2x locations on Clarkes Beach, in front of the Holiday Park. Whilst these emergency works were anticipated to be a short-term solution, since being established it has been identified that the sandbags had been placed within close proximity and seaward of 2x Aboriginal Objects. Post detailed investigations, an Aboriginal Heritage Impact Permit (AHIP) has been obtained from State Government to remove the Aboriginal Objects, however cultural heritage reporting also concluded there is not Arakwal community support for the removal of the temporary sand bag system without an alternative long-term solution being put in place.

Byron Shire Council (Council) is currently pursuing a Coastal Management Plan for the Byron Bay embayment, which once complete, will provide the holistic, long-term strategy. Stage 1 of the 4x step process of preparing and adopting the Coastal Management Plan was adopted by Council at its meeting of 25 June 2020. The remaining 3x stages are anticipated to be pursued by Council over the coming years.

We want to hear from you

In considering the above, we are seeking community feedback regarding a proposal to retain the sandbags, until the Coastal Management Plan is complete and retain the Aboriginal Object in place where possible. As part of the investigations into this proposal Reflections Holiday Parks have also engaged a Cultural Heritage specialist and Coastal Engineering specialist. The preparation of these reports is underway and will consider if any augmentation or alteration to the sandbags is necessary to ensure public safety and longevity of the wall until such time that the wider Coastal Management Plan is finalised.

The outcomes of this consultation process will be considered in finalising the proposal ahead of Council commencing a formal assessment through an application process. A report surmising this consultation process and the feedback received will be included within the material submitted to Council for assessment. Of note, additional community consultation will also be undertaken by Council during their assessment process.

This pre-lodgement consultation process is being conducted from **20 January to 5 February 2021**. Several opportunities are available to you to review the project and provide feedback, which are detailed as follows.

Online Material

Project information and materials have been placed on a project-specific webpage, via Planit Consulting's blog page – https://planitconsultingblog.wixsite.com/blogs. From this page you may view and download various specialist reports, and have the opportunity to comment online, subject to the user signing up to (or in to) a Wix.com account. This webpage will be active for the duration of the pre-lodgement consultation process, comments received after 5

February 2021 are not guaranteed to be collected and considered in finalising the project.

A project post has also been made on Planit's Instagram page, @planitconsultingptyltd. Whilst the dedicated blog page contains all the project information, we welcome comments to be made on the Instagram post should this more common platform be more practical for you.

Telephone Based

We acknowledge that due to the technical nature of specialist reports, it is often easier to have a discussion with a professional, than wade through lengthy and technical reports. Accordingly, we have allocated dedicated 'Project Enquiry & Feedback' times where town planning staff will be available to contact via telephone to discuss the project and answer your queries. To ensure our town planners can provide you with information in a timely manner, should you have any project enquires please contact us on 6674 5001 during the following times:

- Wednesday 27 January 2021 4:00pm 6:00pm
- Thursday 28 January 2021 12:30pm 2:30pm
- Tuesday 2 February 2021 8:30am 10:30am

Should the abovementioned times not be suitable to you, please do not hesitate to contact us at a suitable time within the consultation period and we will endeavour to respond within a 2x business day period. Further, should detailed questions outside Planit's skillset be received, they will be distributed through the wider project team and a return call made as soon as practical.

Formal Feedback

Beyond leaving a comment on our blog site, Instagram page or with our staff within the Project Enquiry & Feedback times, we welcome commentary via our email: info@planitconsulting.com.au (please include 'Clarkes Beach Coastal Protection Works' as the subject) or via post:

Planit Consulting PO Box 1623, Kingscliff NSW 2487

As detailed previously, any commentary received after **5 February 2021** may not be considered within the final reporting of the project. We look forward to your involvement with this project. If you have any further questions or require additional information, please do not hesitate our Kingscliff office on (02) 6674 5001.

Yours sincerely

Josh Townsend
Planit Consulting

no.

Pre-Lodgement Community Consultation – Submission Report
Use of Existing Coastal Protection Works
Reflections Holiday Park - Clarkes Beach

Attachment 5 – Site Notice

May 2021 Page 24 of 25 Level 2, Kingscliff Central, 11-13 Pearl Street, Kingscliff NSW 2487 PO Box 1623, Kingscliff NSW 2487 (02) 6674 5001 info@planitconsulting.com.au www.planitconsulting.com.au



Site Notice

Please be advised that as part of exploring the retention of the existing sandbags on Clarkes Beach in front of Reflections Holiday Parks – Clarkes Beach Holiday Park for coastal protection purposes, Planit Consulting is facilitating a pre-lodgement community consultation process from 20 January – 5 February 2021 and we invite you to participate.

Should you have an interest in the project, please:

- Visit our project blog site: www.planitconsultingblog.wixsite.com/blogs
- Participate in our Project Enquiry & Feedback times by calling our Kingscliff office on 6674 5001 during the following times:
 - Wednesday 27 January 2021 4:00pm 6:00pm
 - o Thursday 28 January 2021 12:30pm 2:30pm
 - Tuesday 2 February 2021 8:30am 10:30am
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Planit Consulting

PO Box 1623

Kingscliff- NSW 2487

We look forward to receiving your comments by 5 February 2021 to assist advancing the project before Byron Shire Council commence their assessment of the proposal.



Attachment 6 – Echo Advertisement

May 2021 Page 25 of 25

COVID-19 and lockdown have

changed attitudes towards

waste, according to recent

research - a finding echoed by local community gardens

groups who experienced a

spike in participation and

awareness during the first

The 2020 Food Waste

Rahohank found that foor

waste went up 13 per cent

Cooking at home more

often was cited by 46 per cent

Meanwhile, a survey of

3,000 Australians by financial

advice provider She's On The

Money found that respond-

ents were worried they were

spending too much on food.

with 60 per cent spending

\$150 or more per person

a week on groceries and

Home grown surges

In Byron Shire, when the

of respondents as a reason

they wasted more food.

months of the pandemic

Report released by

during the lockdown.

food consumption and

O'MEARA DENTAL BYRON BAY

Dr Marcus O'Meara BDS, Rachel Andersson BOH. Dr Lou Barr BDS. Caltlin Wilkle BOH.



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Ballina's race walking champion honoured

Story & photo David Lowe

Kerry Saxby-Junna returned to her old home of Ballina on Friday for the unveiling of a new tribute and tourist attraction in her honour.

An enthusiastic crowd of friends, family and supporters were there for the unveiling by Mayor David Wright of the new interpre tive signage display, beside the Richmond River, near the Ballina War Memorial Pool.

The new aluminium display is over two metres high and details Ms Saxby Junna's extraordinary athletic achievements, which include 32 world records, three Olympics and 27 national titles.

The podium is will provide a great photo opportunity and rest location for people using the re-vamped Kerry Saxby Walkway, which now goes all the way from Captain Cook Park to the end of North Wall. The total length is close



Kerry Saxby-Junna AM with her niece Sophia Saxby at last Friday's opening of the Kerry Saxby Walkway and display.

to the 5 km distance for which Kerry Saxby-Junna held the race walking world record for almost two decades

Mayor David Wright said the new signage aimed to Inspire both the local community and visitors.

"It acknowledges Kerry's outstanding contribution to international athletics and her important connection to Ballina! he said.

Describing herself as a

I've seen around the world to go for a walk."

For North Coast news online visit Echonetdaily

When she and her sister did training runs out to the bar in the early days, it was 'a very very rough track!

After Ms Sayby- Junea was Invited to on to the Australian Institute of Sport In Canberra by coach Craig Hilliard, she won multiple gold medals for race walking.

Ms Saxby-Junna won her first international gold medal at the 1986 Goodwill Games In Moscow

She was awarded a Member of the Order of Australia (AM) in 1992.

On Friday she told The Echo that she's happy that people remember her career on the track, although 'It's tust so long ago!

➤ Read more onlinewww.echo.net.au/hallinas. race-walking-championhonoured

Man charged after pursuit from

Police say a man will face court after allegedly leading officers on a chase last Friday

January), police were noti-Mirage was stolen near a shopping centre on Kerr Street, Ballina.

which was terminated owing to the dangerous manner of driving, About 10 minutes and the driver allegedly attempted to cartack a second vehicle before stealing a nearby third car. About arrested a man on Bellara Court. Goonellabah as he

The man was charged at ary. His next appearance at Lismore Local Court is scheduled for 15 March.

Ballina to Lismore

pandemic hit, community gardens immediately noticed an increase in people concerned about sustainable food sourcing and homebased growing

When the lockdowns happened in March, we had a huge rush for private allotments, said Vice-President of the Mullumbimby Community Garden, Corrina Beacham.

We were on skeleton staff trying to survive, but we had a lot more people coming to volunteer because they want to be part of a community

very affordable. They can grow their own food." According to the Rabobank Report, 29 per

Participants at the Suffolk Park Community Garden said there is lots of fun and learning to

be enjoyed by participating in your local community gardens. Photo Jeff Dawson

and [have] food security."

lockdown had made people

much more aware of food

'I think it brought home,

not just to the Mullumbimby

community but the entire

that it's very wise to grow

community globally 1 guess

to rely on the corporations'

Ian said that while drought

when lockdown began, 'we

had a lot of people asking for

seeds, wanting to start their

For those concerned

about food costs, Corrina

Beacham said the commu

by donation, people can

come and pick that, they can

rent an allotment, and that's

nity garden was a great way

'We provide organic food

own gardens."

to save money.

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meant not much was growing

chains to provide for us."

miles and sustainability.

Ms Reacham said

Global pandemic changes attitudes to food

cent of people wasted food because it was hiding in the fridge and they forgot that they'd bought it. Craig Scanlan said sourcing food locally and shooping at markets your own food, we don't need helped to address that issue because 'you can shop more egularly, and get fresh food, At Suffolk Park Community and eat that rather than... Garden, president Craig Scanif someone shops once a

Free farm advice

Byron Shire Council is looking to support primary roduction in the area. 'I'm here to help new land

wners with ideas on how o manage the land producively and sustainably,' said ouncil's agricultural officer idrew Cameron. Book a free on farm

nsultation with Andrew on 6626 7223 or email: ancameron@byron.nsw.gov.au.

Community Notice

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A farewell lunch for Rita Heale will take place 12 noon, Sunday next, January 24th at the Courthouse Hotel. All welcome



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coass via drive-thru or via aroade off the main stre Promotion dates 13/01/2021 - 24/01/2021

Ballina women's and children's refuge re-opens David Lowe helping out with painting

With demand sadly higher than ever, the Ballina community has come together to renovate and reopen the local women's and children's

Momentum Collective took over the running of the Ballina refuge eighteen months ago. At the time, the building was in need of repair. Now the renovations are complete and the facility is also now disability

accessible. Those attending the recent official opening heard that refuge workers worked long hours on the project, alongside many community supporters, to ensure the reopened facility could offer a safe and welcoming space Flona Tate. for women and children

escaping domestic and family violence. The official opening began with a Welcome to Country from local elder. Ms Teece

Strong advocacy

Momentum's Community Support Manager Michelle Teece said funding for the refurbishment of the refuge followed strong advocacy from many people, including Sarah Dybing and Steve

"Ballina needed this refuge, the women and children who rely on our support deserve a space that is safe. comfortable and allows them to recover, she said.

Ms Teece Introduced the team of workers who will provide support and programs for women and children who access the service. Including Senior Case Worker, Christina Devnolds Women's House Officer, Cushla Johnstone and Clear Minds Case Worker

'This team has advocated for every detail in the house We had a wish list for the builders and we have ticked everything off the list," said

'We've all been here

and cleaning to make sure the house is ready'.

'normal country girl', Kerry

totned the local athletics dub

and achieved state level suc-

cess in swimming and middle

switching to race walking at 21.

Olympics all started here,"

she said. In those days Bal-

lina never had the walking

more and more coming

through, which is fabulous.

'This has to be one of the

paths, but now we're getting

'My dream of going to the

distance running before

Community support Michelle Teece said community members and

organisations who assisted with the refurbishment of the refuge included RizeUp, Ballina-on-Richmond Rotary, Carpet Call and a local organic skincare company

She also thanked Adrian Wilsem (Community Support Manager at the Ballina Salvage Shed) for helping to prepare the refuge for reopening, in his own time.

Momentum Collective CEO. Virginia Walker. congratulated the team for creating an 'amazing space'.

Ballina Rotary president, Dave Harmon, provided a \$1,500 donation that will be used to assist women and children when they leave.

► Read more online at: www.echo.net.au/ballinawomens-and-childrensrefuge-re-opens

Shortly before 10.15am (15

fied after a white Mitsubishi Officers initiated a pursuit

later, the car was abandoned 12.40pm, officers located and allegedly attempted to steal two other vehicles.

Lismore Police Station and appeared in Lismore Local Court on Saturday, 16 Janu-



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6 The Byron Shire Echo January 20, 2021