



7 December 2021

Hydrosphere Consulting Pty Ltd
Suite 6, 26-54 River St, Ballina
NSW 2478

Email: robyn@hydrosphere.com.au

Dear Robyn

REQUEST FOR FURTHER INFORMATION

DA No.	10.2021.630.1
Proposal:	Clarks Beach Cafe Coastal Protection Works
Owner:	DPIE Crown Lands
Property Address	2 Massinger Street, Byron Bay

I refer to the above application which was registered on 29 October 2021.

An assessment of the application has identified the need for additional information to be provided. You are requested to submit the following information to support your proposal within 21 days of the date of this letter:

1. Advice as to how removal of the geobag structure in five years will be undertaken assuming that the works have been successful and the dune has been rehabilitated and revegetated potentially with five year old vegetation.

2. SEPP (Coastal Management) 2018 in its General Provisions specifies that any development is not to increase the risk of coastal hazards as follows:

"15 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land."

Given that there is a likelihood that the geobags will be exposed to wave action in the next five years and the engineering reports indicate that this will create an "end effect" and cause sand to be lost from the beach. Please explain how the application is consistent with clause 15 of the SEPP.

3. Please clarify how it was concluded that no BAM or BDAR is triggered with this application given that works are proposed on land mapped on the NSW Biodiversity Values Map.
4. Given this is application is to maintain the geobag structure (etc) for five years and then remove it, can you confirm if the AHIP you are seeking from Heritage NSW includes removal of the geobags and salvage of midden material if exposed.



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In accordance with the provisions of Clause 54 & 109 of the Environmental Planning and Assessment Act Regulation 2000, the time period to elapse prior to the submission of adequate information as outlined above shall not be taken into consideration in any of the assessment periods prescribed by Clause 113 of the Regulation or Division 8.2 of the Environmental Planning and Assessment Act 1979.

The issues and matters of concern raised in this letter may not be exhaustive. It is possible Council may require further clarification or additional information at a later time. Such issues will not be discovered until a detailed examination of the application has taken place by all Council staff involved in the assessment of the development proposal or following consideration of any public or Government department submissions received (where applicable).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Chris Larkin', is positioned above the printed name.

Chris Larkin
Manager Sustainable Environment and Economy
Sustainable Environment and Economy