

Response to Agency Submissions received on final Coastal Management Program (CMP) Stage 1 ‘Scoping Study for the Southern Byron Shire coastline including Belongil Estuary 'Byron Shire Southern Coastline Draft Scoping Study (closed 11 June 2021)

Agency	Submission Method	Date Received	Submission Comments	Response
TfNSW MIDO	Response to Survey Draft Scoping Study	11/06/2021	Given T1 and T2 in the Risk Assessment and the coastal erosion in the study area, TfNSW MIDO would like to have the CMP identify potential locations on the coastline that would be suitable for the placement of dredge spoil from projects performed by either local or state government.	Specific management actions to address coastal erosion in the study area, including beach nourishment works, will be investigated in Stage 3 of the CMP process.
NPWS	Email to Council	8/06/2021	NPWS manages the following coastal reserves within the study area. These reserves and their values are described in attachment 1. •Cumbebin Swamp NR •Arakwal National Park (NP). •Cape Byron State Conservation Area (SCA). •Ti-tree Lake Aboriginal Area •Broken Head Nature Reserve. Reserve Plans of Management (POM) can be accessed here: <a href="https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-management/plans-of-management">https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-management/plans-of-management</a>	<b>No changes made to report in response.</b>  These reserves are listed in Table 3-1 in Section 3.2.1., as well as Tyagarah Nature Reserve, which is partially located within the study area. The incorrect reference to Suffolk Park Reserve in the list will be removed.  'Attachment 1: Summary of NPWS reserves in the Byron Bay CMP study area' provided with the submission was also reviewed.  <b>Amendments made:</b> - Removed the "Suffolk Park Reserve" bullet point from the end of the list of NPWS managed land in Table 3-1 in Section 3.2.1, as this is a Council managed reserve, as listed in Section 5.1. - Attachment 1 provided by NPWS has also been included in the data compendium.
			<b>NPWS areas of interest</b> NPWS is particularly interested in: •Ensuring that NPWS and Council management of coastal issues and values is complementary. •Understanding the issues including current and future hazards impacting natural, cultural and heritage values and built assets within reserves. •Understanding and assessing the impacts of any proposed coastal management works on reserve including beach nourishment schemes and coastal protection works. •Management of: - Vegetation including endangered ecological communities. - Riparian zones, bank erosion, floodplain and estuarine wetlands. - Preservation of natural water regimes and entrance openings associated with coastal lakes and lagoons. - Maintaining and improving water quality including monitoring to support entrance management. - Flora and fauna species including threatened species and their habitats. - Beach nesting birds, shore birds and marine wildlife including turtles and minimising threats and disturbance to these. - Street and other lighting that may impact wildlife including turtle hatchlings. - Marine mammal entanglements, vessel impacts and strandings including carcass removal. - Threat management including weeds, pests, fire erosion and inundation. - Reserve infrastructure and built assets, including day use, hard roof accommodation and fire trails. - Marine and estuarine water quality. - Access to reserves and beach and estuarine areas. - Heritage including the protection and management of Aboriginal Cultural Heritage. •Community engagement including involvement of the traditional owners and native title holders – Bundjalung of Byron Bay (Arakwal) Aboriginal Community - and their active participation in preparing the CMP and implementing coastal management initiatives.	Noted. NPWS was involved in early engagement in the Scoping Study to identify these areas of interest. Management of all aspects mentioned will be addressed in subsequent stages of the CMP process. Engagement on the CMP Scoping Study included involvement of the Traditional Owners/Custodians and native title holders, including the Bundjalung of Byron Bay (Arakwal) Aboriginal Community, as summarised in Section 1.4. Involvement and participation of Traditional Owners and Custodians will continue in preparing the CMP and implementing coastal management initiatives, enabled by Items S2-8, S3-5 and S4-5 in Table 9-2 in the Forward Plan regarding reimbursement of activities involving engagement of Aboriginal cultural knowledge holders at stakeholder consultation forums for coastal management.  <b>No changes made to report in response.</b>
			NPWS may also be able to assist with: •Information on specific natural and cultural values and threats. •Specific advice on matters such as the management of species and ecological communities and guidelines for marine mammal management.	Noted. Collaboration with NPWS will continue throughout later stages of the CMP process as identified in Appendix A (Community and Stakeholder Engagement Strategy).  <b>No changes made to report in response.</b>
			NPWS comments on the Cape Byron to South Golden Beach Scoping Study have some relevance to this scoping study and are attached.	<b>Amendments made:</b> - NPWS comment on the Cape Byron to South Golden Beach Scoping study were reviewed and are noted and addressed below where relevant to this scoping study.
			<b>Scoping study direction</b> NPWS supports the direction of the CMP and the inclusion of the 4 Coastal Management Areas (CM Act) in the scope. NPWS would support a whole of coast CMP including coastline and estuaries or separate estuary and coastline CMPs. Preference is to minimise demands on staff and the community for participation in consultation/engagement and review of CMP project outputs. NPWS supports the inclusion of NPWS as a supporting agency in the forward plan action lists (S2-4, S2-8, S3-1, Add-9).	Noted. Council is considering an LGA-wide CMP approach as one option to progress the following stages of the CMP process.  <b>Amendments made:</b> - NPWS added as a support agency against Items S2-10 and S2-11 (former Item S3-1) in Table 9-2.
			<b>Coastal hazard mapping.</b> NPWS is supportive of Council including hazard mapping for reserves. Where there are gaps, the mapping prepared by DPIE – EES may be suitable for use – see NPWS comment on the Cape Byron to South Golden Beach Scoping study.  [Relevant NPWS comment on the Cape Byron to South Golden Beach Scoping study is: "Coastal hazard mapping and the need to fill gaps in mapping for reserves. NPWS is supportive of Council including hazard mapping for reserves. Following our meeting (21-10-19), NPWS made enquiries with DPIE EES Coast and Estuaries - coastal program staff (Michelle Fletcher) and Scientific Services Coast and Estuaries (Dave Hanslow). The advice received was that there is state level data (prepared by SSD) and that will be adequate for coastal beaches in NPWS reserves on the Byron Bay coast. In terms of the probabilistic methodology being applied to hazard map generation for use in planning, risk assessment and cost benefit analysis associated with the next stages of CMP preparation, NPWS was also advised that the state level hazard data capture used probabilistic methodology and that this would be adequate for the purposes of CMP development in relation to reserves ."]	Noted. This will be looked at through the scope of the Coastal Hazard Assessment (Item S2-1 in Table 9-2).  <b>No changes made to report in response.</b>

			<p><u>Coastal vulnerability</u></p> <p>Clarification is required around inclusion or exclusion of reserves in coastal vulnerability mapping. NPWS would like further information on the implications of inclusion and or exclusion of reserves prior to making a final decision on this matter.</p> <p>NPWS primary response is to align with NSW government leadership to flag sections of coast subject to coastal hazards so that current and potential future risks can be minimised and avoided. See also NPWS comments on the Cape Byron to South Golden Beach Scoping Study.</p> <p>[Relevant NPWS comment on the Cape Byron to South Golden Beach Scoping study is: "Coastal vulnerability NPWS was unaware that there was an option regarding CM SEPP mapping – excluding or including coverage of reserves subject to hazards. Where there is a choice relating to the application of CM SEPP coastal vulnerability mapping to reserve, NPWS would like further information on the implications of inclusion and or exclusion of reserves prior to making a final decision on this matter. NPWS primary response is to align with NSW government leadership to flag sections of coast subject to coastal hazards so that current and potential future risks can be minimised and avoided. NPWS fully supports the objectives of the Coastal Management Act 2018 relating to coastal vulnerability. NPWS is of the understanding that coastal vulnerability mapping is funded in CMP preparation by the NSW coastal program ?"]</p>	<p>The intent of Item S2-3 in Table 9-2 "consider mapping of a coastal vulnerability area for the study area identifying all applicable coastal hazards" with NPWS listed as a support agency, is that NPWS reserves would be included in vulnerability mapping should that be undertaken. Discussions with Council, NPWS and DPIE-EES prior to commencement of this Item can clarify the implications of inclusion and or exclusion of NPWS reserves in the mapping process prior to finalisation of the methodology.</p> <p><b>No changes made to report in response.</b></p>
			<p><u>Forward plan – Tables 9-2, 9-3</u></p> <p>NPWS agrees to be a support agency as listed in the tables.</p> <p>S2-1 Probabilistic analysis of erosion and recession hazards for high risk locations. Please include NPWS in a supporting role. NPWS supports the establishment of probabilistic mapping and the use of the state-wide data in reserves. Where state funding is available or where mapping is to be upgraded in the future NPWS would encourage this work to be completed for the whole of the coastal compartment including reserve.</p> <p>S2.03 Mapping of a coastal vulnerability area identifying all applicable coastal hazards. Please include NPWS in a supporting role. As per the above comment. NPWS supports the preparation of coastal vulnerability mapping but would like to clarify the role of this mapping (pros and cons) in relation to reserves.</p> <p>Add-9 -Adjust as follows: Develop and package up material from Nathan Galluzo's "Our Special Place Tallow Creek" exhibition into content to support, with permission of knowledge holders, development of management actions and place based engagement for Stages 3 and 4.</p> <p>NPWS would also like to discuss involvement in water quality and entrance management actions S3-1, Add-5.</p>	<p>Noted.</p> <p>NPWS is already listed as a supporting agency for Item S2-3 in Table 9-2. The pros and cons of mapping a CVA will be identified during Item S2-3.</p> <p><b>Amendments made:</b></p> <ul style="list-style-type: none"><li>- NPWS added as a Support Agency to Item S2-1 in Table 9-2 and Table 3-2 in Appendix H.</li><li>- Item Add-9 in Table 9-3 amended by adding text in bold: "Develop and package up material from Nathan Galluzo's "<i>Our Special Place Tallow Creek</i>" exhibition into content to support , <b>with permission of knowledge holders</b>, development of management actions and place based engagement for Stages 3 and 4. "</li><li>- NPWS added as a support agency against Items S2-10 and S2-11 (former Item S3-1) in Table 9-2 and Table 3-2 in Appendix H</li><li>- NPWS added as a Support Agency to Item Add-5 in Table 9-3</li></ul>
			<p><u>Entrance management</u></p> <p>NPWS recommends water quality studies be developed further and implemented for Tallow and Belongil Creeks as part of stage two CMP development. This will help inform any review of Tallow and Belongil estuaries entrance management plans. NPWS understands that recent attempts to monitor water quality of Tallow Creek with an in situ water quality logger have stalled due to it being vandalised.</p> <p>NPWS is concerned that Council has a long-term view to facilitate entrance opening both at Belongil and Tallows Creeks to alleviate inundation of public and private assets. This approach may lead to changes in the ecological character of estuarine communities including fringing wetlands. NPWS suggests a fresh approach to the review of the entrance management plans that questions the rationale for opening, minimises intervention, supports the ecology of these estuaries, and pursues options to mitigate the impacts of inundation on public and private assets.</p>	<p>Noted.</p> <p>Management options to reduce the need and frequency of artificial opening of both Belongil and Tallow Creek estuaries will be investigated in Stage 2 as noted in Table 9-2. Council acknowledges that both NPWS and DPI-Fisheries support minimal interference with ICOLL entrance barriers and advocate natural processes being allowed to operate to the greatest extent possible. The findings of the SCU coupled biogeochemical and hydrodynamic model (now listed as S2-9) will be included in the Stage 2 studies (Items S2-10 and S2-11 (former Item S3-1) in Table 9-2).</p> <p><b>No changes made to report in response.</b></p>
DPI Fisheries (Marine Parks	Email to Council	4/06/2021	<p>The Vision Statement could more clearly identify the importance of the Conservation Values of the study/Program area, which we regard as a significant factor in the development of the Program.</p>	<p><b>Amendments made:</b></p> <ul style="list-style-type: none"><li>- Bold text added to the Vision Statement in Section 2.2: "<i>The Byron Shire’s coast is resilient and adaptive to ensure it retains its iconic natural , <b>conservation</b> and cultural values now and into the future. These values underpin the coast’s Aboriginal cultural heritage, <b>ecological function</b>, amenity, recreational use, local and tourism uses, and they are kept central in the development of future management approaches ."</i></li></ul>
			<p>There was discussion around catchment health and practices – particularly for Belongil Creek. It would be useful for context if the nature and economic value of grazing/agriculture could be identified or estimated to inform discussions. (eg is the value of cattle grazing \$5000/year or \$5 million).</p>	<p>Discrete economic data for the study area is not available however some information on the extent of agricultural land and predominant agricultural land use in the Belongil Creek catchment is available through GIS analysis. The economic value of the Belongil Creek catchment would be explored and considered in Stage 3, if management options have an impact on the agricultural industry, or more broadly on commercial/business activities.</p> <p><b>Amendments made:</b></p> <ul style="list-style-type: none"><li>- <b>Section 3.4.4</b> updated to include data on the extent and dominant type of agricultural land use in the study area and Belongil Creek catchment, bold text added as follows: "<i><b>A land use mapping exercise undertaken for the Scoping Study identified a large portion of agricultural land within the study area (approximately 1,293 ha), primarily within the Belongil Creek catchment (approximately 1,060 ha). The majority (approximately 90%) of these agricultural lands are used for grazing, with 1,171 ha of grazing lands within the study area and 946 ha within the Belongil Creek catchment. For the mapping exercise agricultural lands were considered to be grazing (native vegetation and modified pastures), cropping, horticulture and intensive animal/plant production areas as well as rural residential with agriculture areas. Note that plantation forests were not included as an agricultural land use.</b></i>"</li><li>- Bold text added to Add-3 in Table 9-3: "<i>Economic valuation of the coastal zone (i.e. all cultural, natural and built assets, including beaches themselves <b>as well as commercial and business activities i.e. agriculture</b> ).. ."</i></li></ul>

			<p>Robust and ongoing water quality monitoring is necessary to guide future management and opening strategies of the ICOLLS.</p>	<p>Item S2-5 in Table 9-2 states: "<i>Identification of water quality pollution sources (e.g. potential sources of bacterial contamination in ICOLLS, acid runoff in the Belongil catchment, consideration of West Byron development, and macro/micro plastics) and composition to inform management strategies developed in Stage 3 of the CMP. It is expected that this assessment would be undertaken largely as a desk top assessment, with some ground truthing. The outcome would include recommendations for detailed water quality monitoring that may be included in CMP options assessed in Stage 3 .</i>"</p> <p>The review of the opening strategies for Tallow and Belongil Creek (now Items S2-10 and S2-11 in Table 9-2), will be guided by Item S2-5 and the outcomes of the SCU coupled biogeochemical-hydrodynamic model for Tallow Creek (now Item S2-9).</p> <p><b>No changes made to report in response.</b></p>
DPIE - EES	Email to Council	15/06/2021	<p>The Scoping Study meets all the necessary requirements of this tool. DPIE has had the opportunity to provide ongoing comments on several working paper versions of this scoping study throughout its development which have all been incorporated.</p> <p>Suggested amendment: DPIE suggests that values in Figure 3-2 – Summary of the current coastal processes be amended to reference data from the current adopted hazard study (WBM BMT 2013).</p>	<p>The red exclamation marks on Figure 3-2 and Figure E-2 (Appendix E) were used to denote the uncertainty and non-consensus between the data sources noted on the figures. The uncertainty is discussed in the text in Section 3.5.1 and Section 3.8.1 and Appendix E.</p> <p><b>Amendments made:</b> - Figure 3-2 and Figure E-2 (Appendix E) have been amended to reflect the adopted BMT WBM (2013) values where available (i.e. for headland bypassing, long-term shoreline behaviour and net longshore transport). The bold text was also added to the paragraph in Section 3.5.1 as follows: "<i>Conceptual sand movement pathways shown in Figure 3-2 are based on the <b>adopted</b> relevant <del>studies</del> study (WBM BMT, 2013) carried out within the area .</i>"</p>
DPIE - Crown Lands	Email to Council	15/06/2021	<p>Section 2.2 Table 2-2 Related visions for the coastal zone</p> <p>Comment: The ‘Crown land 2031 – State Strategic Plan for Crown land’ vision statement is ‘Crown land supports resilient, sustainable and prosperous communities across NSW.’</p> <p><u>Suggested action: May be relevant for Table 2-2.</u></p>	<p>Noted.</p> <p><b>Amendments made:</b> - The vision from 'Crown land 2031 – State Strategic Plan for Crown land' (DPIE, 2021) has been added to Table 2-2 and the reference included in Section 10.</p>
			<p>Section 3.2.1 State, Regional and Local Level Plans and Strategies</p> <p>Comment: DPIE-Crown land have recently released a 10 year vision for Crown land in NSW. The plan ‘Crown land 2031 – State Strategic Plan for Crown land’ reflects Government and community aspirations to deliver social, environment and economic benefits from Crown land.</p> <p>Refer ‘Crown land 2031 State Strategic Plan for Crown land’, noting the following agency priorities:</p> <ul style="list-style-type: none"><li>• Accelerate economic progress in regional and rural NSW</li><li>• Commit to realising Aboriginal land rights and native title</li><li>• Protect cultural heritage on Crown land</li><li>• Protect environmental assets, improve and expand green space and build climate change resilience</li><li>• Strengthen and support evolving community connections.</li></ul> <p><u>Suggested action: Table 3-1 - Include Crown Land 2031 – State Strategic Plan for Crown Land.</u></p>	<p>Noted.</p> <p><b>Amendments made:</b> - A summary of 'Crown land 2031 – State Strategic Plan for Crown land' (DPIE, 2021) has been added to Table 3-1.</p>
			<p>Section 3.4.3 Aboriginal Cultural Heritage and Use Values and section 3.6.4 Cultural Context</p> <p>Comment: This section, as well as section 13, should incorporate and acknowledge the <i>Aboriginal Land Rights Act 1984</i> and the <i>Native Title Act 1993</i> which provide a framework for recognising the rights and interests of Aboriginal people with respect to Crown land – which may include Crown land within the CMP study area. For example, the Northern end of Seven Mile Beach is subject to an incomplete claim made under the <i>Aboriginal Land Rights Act 1984</i> .</p> <p><u>Suggested action: Amend text accordingly.</u></p>	<p>Table 3-2 includes reference to the <i>Aboriginal Land Rights Act 1983</i> and <i>Native Title Act 1993</i>. In Stage 3 of the CMP process the Register of Aboriginal Land Claims, maintained by the Office of the Registrar Aboriginal Land Rights Act 1983 (ORALRA), will be searched to gain up to date land claim information that may affect proposed management options.</p> <p><b>Amendments made:</b> - Reference to the <i>Aboriginal Land Rights Act 1984</i> has been included in <b>Section 3.4.3</b> by adding the bold text: "<i>In recognition of this, Native Title <b>under the Commonwealth Native Title Act 1993</b>, has been determined over the majority of the study area, (refer National Native Title Register number NCD2019/001 - Bundjalung People of Byron Bay #3). <b>The NSW Aboriginal Land Rights Act 1983 and the Commonwealth Native Title Act 1993, provide a framework for recognising the rights and interests of Aboriginal people with respect to Crown land .</b></i>"</p>
			<p>Section 3.5.2.2 - page 33 <i>buffer capacity to cope with excess effluent flows flows and irrigation</i> <i>The sampling results indicate that TP in effluent discharged</i></p> <p>Comment: Repeated word. TP acronym not explained.</p> <p><u>Suggested action: Correct typo and explain acronym.</u></p>	<p><b>Amendments made:</b> - Report Page 33 (now 34) amended to delete repeated word flows and to spell out acronyms in this section, i.e. added 'Total Phosphorus (TP)', 'Total Nitrogen (TN)', 'Total Suspended Solids (TSS)' and 'Ammonium (NH4)'.</p>
			<p>Section 3.5.3.5 ICOLLS – Belongil Creek</p> <p>Comment: This section could note that land below the mean high water mark (MHWm) is Crown land. Belongil Creek is a Crown waterway with submerged Crown land below the mean high-water mark (MHWm). Crown land includes the seabed and subsoil to three (3) nautical miles from the coastline of NSW that is within the limits of the coastal water of the state. Note: - There is a Crown Lands licence to artificially open Belongil Creek – Licence No 453621.</p> <p><u>Suggested action: For inclusion.</u></p>	<p><b>Amendments made:</b> - Text in bold added to end of Section 3.5.3.5 - Belongil Creek: <b>"Belongil Creek is a Crown waterway with land below the mean high water mark (MHWm) being Crown land. Crown land includes the seabed and subsoil to three nautical miles from the coastline of NSW that is within the limits of the coastal water of the state. There is also a DPIE - Crown Lands licence to artificially open Belongil Creek (Licence No 453621) ."</b></p>

			<p>Section 5.1 Council manages the following key foreshore Crown Land Reserves within the study area:</p> <ul style="list-style-type: none"><li>• Suffolk Park Reserve – Lot 1102 DP 1253895</li></ul> <p>Comment: Suffolk Park Reserve also includes Lot 1101 DP 1253895 and Lot 7018 DP1113326.</p> <p>Suggested action: Amend text accordingly.</p>	<p>Lot 1101 DP 1253895 and Lot 7018 DP1113326 are not Council managed portions of Suffolk Park Reserve. This paragraph is only discussing Council managed Crown Land.</p> <p><b>No changes made to report in response.</b></p>
			<p>Section 5.1 Council manages the following key foreshore Crown Land Reserves within the study area:</p> <ul style="list-style-type: none"><li>• Unnamed reserve at western end of Belongil residences – Lot 37 Sec3 DP 1623</li></ul> <p>Comment: Other unnamed reserves western end of Belongil residences – Lot 38, 42- 44 and 50 -51 Sec 3 DP1623, lot 15, Sec 6 DP 1623 and Lot 1 DP729064.</p> <p>Suggested action: Amend text accordingly.</p>	<p>Lot 38, 42- 44 and 50 -51 Sec 3 DP1623, lot 15, Sec 6 DP 1623 and Lot 1 DP729064 are not Council managed Crown land reserves. This paragraph is only discussing Council managed Crown Land.</p> <p><b>No changes made to report in response.</b></p>
			<p>10.3 Recommended Studies for the Forward Plan – Table 9-2</p> <p>Item: S2 – 8 Audit of Council's coastal planning framework.</p> <p>Comment: DPIE Crown Lands referenced as a support agency for this action.</p> <p><u>Suggested action: DPIE – Crown Lands provides in principle support as a support agency for this action.</u></p>	<p>Noted.</p> <p><b>Amendments made:</b></p> <p>- Added “(in principle support)” after Crown Lands as a support agency to Item S2-3 in Table 9-2 (note S2-3 and the former S2-8 were combined into S2-3 in the final report version).</p>
			<p>9.3 Recommended Studies for the Forward Plan - Table 9-2</p> <p>Item: Add – 7 Shire-wide policy for beach use, access, congestion and overcrowding management, illegal camping, with site specific subplans / masterplans outlining asset replacement, and new facilities to meet current and future recreational demand (i.e. residents and tourists), linkage with Crown Land Plans of Managements and existing Council Asset Management Plans.</p> <p>Comment: DPIE Crown Lands referenced as a support agency for this action.</p> <p>Suggested action: DPIE – Crown Lands provides in principle support as a support agency for this action.</p>	<p>Noted.</p> <p><b>Amendment made:</b></p> <p>- Added “(in principle support)” after Crown Lands as a support agency to Item Add-7 in Table 9-3.</p>
			<p>9.3 Recommended Studies for the Forward Plan - Table 9-2</p> <p>Item: Add 1 Review and update Part C of the 2016 BBE CZMP (Community Uses of the Coastal Zone), to ensure compliance with IPR Framework; inclusion of beaches, public reserves, recreation facilities, accessways etc in Council (and other State Agencies) in Asset Management Plans; and consideration of the Byron Shire Open Space and Recreation Needs Assessment and Action Plan J82017 - 2036.</p> <p>Item: Add 3 Economic valuation of the coastal zone (i.e. all cultural, natural and built assets, including beaches themselves) based upon the combined social, environmental and economic benefits of/from the asset.</p> <p>Comment: Crown Lands is listed as ‘Support Agency’ for items Add 1 and Add 3.</p> <p>DPIE – Crown Lands would require more information on how to support this action.</p>	<p>Noted.</p> <p><b>Amendments made:</b></p> <p>- Removed Crown Lands as a Support Agency to Item Add-3 in Table 9-3.</p>
			<p>9.3 Recommended Studies for the Forward Plan - Table 9-2</p> <p>Item: Add 1 Review and update Part C of the 2016 BBE CZMP (Community Uses of the Coastal Zone), to ensure compliance with IPR Framework; inclusion of beaches, public reserves, recreation facilities, accessways etc in Council (and other State Agencies) in Asset Management Plans; and consideration of the Byron Shire Open Space and Recreation Needs Assessment and Action Plan J82017 - 2036.</p> <p>Comment: DPIE – Crown Lands provides in principle support for Item Add 1 based on the below information provided [by Council] on 16 June .</p>	<p>Noted.</p> <p><b>Amendments made:</b></p> <p>- Added “(in principle support)” after Crown Lands as a support agency to Item Add-1 in Table 9-3.</p>
BOBBAC (Arakwal)	Email to Council	18/06/2021	<p>Two scanned PDF documents were received with handwritten changes to some text, primarily regarding:</p> <ul style="list-style-type: none"><li>- nomenclature.</li><li>- Arakwal Jugun boundaries.</li><li>- positioning of "Lack of Aboriginal involvement in decision-making and insufficient knowledge sharing..." as the threat 19, i.e. the last in the list of threats (Figure 4-3), and a suggestion for "involvement" to be changed to "engagement".</li><li>- BOBBAC missing as a support organisation for S2-6.</li></ul>	<p>Regarding Threat 19: The suggestion to change 'involvement' to 'engagement' in this threat was not made, to keep the wording consistent with the Marine Estate Management Strategy (MEMA, 2018).</p> <p>It was also queried why the Lack of Aboriginal involvement (Threat 19) was the last threat in the list. As stated in Section 4.3.2 "<i>the general theme of each threat and the numbering system has remained consistent with BMT (2020) for consistency between the two Scoping Studies</i>". The Lack of Aboriginal involvement (Threat 19) is an additional threat added to this study, so it was appended to the existing list. The numbering system for the threats in no way denotes a priority order.</p> <p><b>Amendments made:</b></p> <p>- All changes made as requested, with the exception of suggested changes to Threat 19 as noted above.</p> <p>In addition the following sentence was added to Section 1.4.2.1 to explain RNTBC: "<i><b>The Bundjalung of Byron Bay Aboriginal Corporation (Arakwal) is the Registered Native Title Prescribed Body Corporate for the Bundjalung of Byron Bay Arakwal People, established in 1996. An RNTBC has prescribed functions under the Native Title Act 1993 .</b></i>"</p> <p>The following sentence was also added to Section 4.3.2 to clarify the threat numbering system: "<i><b>The numbering system for the threats in no way denotes a priority order .</b></i>"</p>

Transport - Maritime	Email to Rhelm	21/06/2021	<p>In relation to the Byron Shire Southern Coastline Draft Scoping Study, Transport for NSW would like to provide the following feedback.</p> <p>It is noted that Transport for NSW – MIDO was directly notified of the study. If possible, Transport for NSW – Maritime would also like to be included in any future consultation in regards to this Scoping Study.</p> <p>As Transport for NSW – Maritime is responsible for compliance and boating safety on NSW navigable waters the agency will be able to provide valuable information surrounding waterway usage and any existing issues in the area.</p> <p>There is a significant amount of boating (both commercial and recreational) that takes place along the Byron Shire Southern Coastline that should be considered in the study along with compliance and safety matters associated with these activities.</p> <p>Of particular note to this study is The Pass at Byron Bay – this is a multi-use area where there has been a number of incidents involving vessels in the past.</p> <p>The boat ramp is a main launching area for commercial dive vessels, the local fishing club and government agencies. The area is also utilised by passive craft including Ocean Kayaks and Stand Up Paddle Boards.</p> <p>Due to the continued and sometimes conflicting use of the area, further consideration and discussion is required with Transport for NSW – Maritime.</p> <p>There is also a boat ramp located at Lennox Head that is utilised by the public, providing an amount of boating activity in this area also.</p>	<p>Transport for NSW is included as an agency in Table 6-1 (Potential CMP governance and management), hence will be involved in future stages of the CMP process. Collaboration with Transport for NSW will occur throughout later stages of the CMP process as identified in Appendix A (Community and Stakeholder Engagement Strategy).</p> <p>The Pass at Byron Bay and the boat ramp located at Lennox Head are both outside of the current study area. Council notes the issues at The Pass at Byron Bay and will consult with Transport for NSW - Maritime regarding these issues when progressing through the CMP stages relating to the Cape Byron to South Golden Beach study area (Scoping Study prepared by BMT (2020)).</p> <p><b>Amendments made:</b></p> <ul style="list-style-type: none"><li>- Table 6-1 was amended to specify the maritime division of Transport for NSW</li><li>- Table A-4 in Appendix A was amended to reflect an involve/collaborate/involve/collaborate level of engagement with Transport for NSW - Maritime in CMP Stages 2/3/4/5 respectively. It was also amended to specify the maritime division of Transport for NSW.</li><li>- MIDO was also added to Table A-4 in Appendix A, with an involve/collaborate/involve/collaborate level of engagement for MIDO in CMP Stages 2/3/4/5 respectively.</li></ul>
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Response to Community feedback received through 'Byron Shire Southern Coastline Draft Scoping Study' feedback survey on Your Say Byron website

Do you have any feedback on the Draft Scoping Study for Byron Shire's Southern Coastline and Belongil and Tallow Creek Estuaries	Do you have any comments about the management of the coastline and coastal areas from Cape Byron to Seven Mile	Do you have any comments about issues relating to the Tallow Creek or Belongil Creek estuaries?	Response
Please plan for climate change and population growth.	Look to world class coastal management, including the Netherlands to prevent severe erosion.	As above.	<p>In the report, Section 3.8 Future Context discusses climate change and adaptation as well as population growth. The threats to the study area identified in Section 4.3.2 have considered climate change and associated sea level rise, as well as population and tourism growth as stressors that will exacerbate the impacts from the identified management issues into the future. Climate change is also a consideration in the proposed Coastal Hazard Assessment (S2-1) and will be a consideration of any management options being considered in Stage 3, where the timeframe is appropriate.</p> <p><b>No changes made to report in response.</b></p>
We don't hear much about Tallows Beach. I understand why main beach gets the headlines. Is Tallows heading down the same path? 2 of the 3 tracks become impassable after heavy rain.	-	-	<p>Tallow Beach is included in the study area of this CMP scoping study. Management options to address beach access will be investigated in more detail in subsequent stages of the CMP process, including for Tallow Beach. The Coastal Hazard Assessment (S2-1) is also for the whole coastline of the Shire, including Tallow Beach, and includes coastal erosion, recession and inundation of the estuary.</p> <p><b>No changes made to report in response.</b></p>
I don't think Council (ratepayers) money should be spent on protecting the lifestyle of others	All seems good as is	Let nature take its course	<p>The costs and benefits of all coastal protection options for the study area will be investigated in Stage 3 of the CMP process, with preferred options put forward for implementation. The cost benefit analysis also looks at benefits to landholders and potential cost sharing arrangements, depending on management options. With a certified CMP in place Council will be able to apply for grant funding to undertake implementation works identified in the CMP, under the NSW Government's Coastal and Estuary Grants Program.</p> <p><b>No changes made to report in response.</b></p>
Could you consider also the Sunrise Beach access point, the area is partly eroding while there is also sandblow going inland, a wooden walkway mat, like at Suffolk Beach access points might be helpful. Perhaps also some revegetation work to prevent sand dune erosion near the access point to the beach.	No	As in Question 1	<p>Sunrise Beach is the section of beach north from Belongil Creek entrance to Tyagarah Beach, often simply referred to as just Belongil Beach, as is the case in the report. As stated in Section 5.3.2, Belongil Beach is not included in the current study area of this scoping study, but rather is included in the Coastal Management Program Scoping Study for Cape Byron to South Golden Beach (BMT, 2020).</p> <p><b>Amendments made:</b></p> <p>- Section 1.2 was updated for clarity with the additional text in bold: "<i>The study area also includes the Belongil Creek estuary and its catchment, <b>but not Belongil Beach, which has been included in the Coastal Management Program Scoping Study for Cape Byron to South Golden Beach (BMT, 2020)</b></i>."</p>
In regards to Tallow Creek estuaries look at Suffolk Park housing estate and how they developed and built extensive water system. Look at the original plans, the intended results, compare to current situation( without fear or favour) and develop new plans with a result driven plan, that can be realistically accomplished. You at risk of making plans on plans on plans and wasting heaps of money! So try and keep it simple.	Its pretty self sustaining really but make sure the road run off is well maintained.	No Answer	<p>Stormwater management options for the suburb of Suffolk Park, along with the Tallow Creek catchment in its entirety, will be investigated in Stage 3 of the CMP process, along with the Ti-Tree Lake and Belongil Creek catchments as well.</p> <p><b>No changes made to report in response.</b></p>
Council (together with the NPWS, NSW Fisheries and the CBMP Authority has failed the local community in managing Tallow Creek. The last fish kill provides abundant evidence of this mismanagement Council is a lessor player in the management process being hamstrung by other government agencies. The current do nothing approach by council is fine in an La Niña year but will fail in an El Niño year when pools of deoxygenated water will build up in the hinterland	Tallow creek opening strategy (do nothing) is no strategy at all and will result in fish kills following heavy rain during dry (drought) events. This pattern replicates similar events over the last decade, and is usually followed by the blame game when the various government agencies deny responsibility and blame council	I authored the Belongil estuary pom which virtually eliminated fish kills from the Belongil estuary several decades ago. The solution was surprisingly simple and could be applied to tallow creek. However the solution is not “do nothing”	<p>The report identifies the need to address the Tallow Creek Opening Strategy, as discussed in Section 5.3.3: "<i>The Environmental Management Plan and Opening Strategy for Tallow Creek (BMT WBM, 2015b) is not adaptable and is outdated</i>". As shown in Table 9-2 Tallow and Belongil Estuaries opening strategies will be reviewed in Stage 2 to ensure they remain consistent with the understanding of coastal processes and to update them in line with best practice.</p> <p><b>No changes made to report in response.</b></p>
Yes Please can we have the places that run off into these estuaries be cleaned up IE Baywood Chase toxic lake	Please can there be put in place access for disabled people to get onto the dog section of Tallow Beach. Can we have special bins place in higher density areas for ocean rubbish and plastics. Lord Howe Island has this initiative.	We need to clean up the areas that flow into these estuaries.	<p>Stormwater quality management options will be investigated in Stage 3 of the CMP process. Management options to address facilities such as bins and to manage access, including disabled access will also be investigated in Stage 3 of the CMP process. "<i>Safe and adequate access to beaches and estuaries, including adequate disabled access</i>" is recognised as a key value and attribute of the study area in Table 3-3, as determined through community consultation.</p> <p><b>No changes made to report in response.</b></p>
-	-	Yes Belongil is a mess with inappropriate developments .Tallow releases swamp water from Suffolk backyards.Met Byron@Byron staff complaining too but natural opening is the only way..Poor development	<p>The report identifies the need to address the Tallow Creek Opening Strategy, as discussed in Section 5.3.3: "<i>The Environmental Management Plan and Opening Strategy for Tallow Creek (BMT WBM, 2015b) is not adaptable and is outdated</i>". As shown in Table 9-2 Tallow and Belongil Creek estuaries opening strategies should be reviewed and updated in Stage 2 to ensure they remain consistent with the understanding of coastal processes and to update them in line with best practice.</p> <p><b>No changes made to report in response.</b></p>

Improving access points. Maybe creating eco walkways/timber along the banks	Once again good accesss points, maybe covered viewing platforms, ie Coffs Harbour	Let Nature do its thing, but boardwalks and viewing platforms again. ie Coffs Harbour	Specific management actions to manage access and improve viewing locations will be investigated in Stage 3 of the CMP process.  <b>No changes made to report in response.</b>
-	NO BLOODY HOTEL PLEASE	-	Unsure of the context of this comment.  <b>No changes made to report in response.</b>
<p>1. Appendix E to the Study cites Ríbo et al (2020). The citation is not included in the Appendix, but is presumably the article in Scientific Reports, "Shelf sand supply determined by glacial-age sea-level modes, submerged coastlines and wave climate", <a href="https://doi.org/10.1038/s41598-019-57049-8">https://doi.org/10.1038/s41598-019-57049-8</a>. Fig 5 of that article shows a large body of sediment lying shallower than 40 m depth, immediately off the Seven Mile Beach section. There are few corresponding bodies elsewhere. What that means in practical terms is that Byron has the opportunity, if needed, to pump volumes of sand across from Tallows to Clarks, ie the Cape Byron - Belongil section, without any impacts on the Lennox - Cape Byron section - since the volume available is far far larger than any amount that might be pumped. Experience at the Tweed - Gold Coast system shows that bypassing a very small proportion of the sand build up in the Tweed mouth and offshore from Letitia Spit, is more than enough to completely re-shape beaches from Snapper Rocks to Kirra and north. The same applies for the Seaway bypass system, the Spit and South Stradbroke I. Therefore, the Study should specifically include sand bypassing as one option for investigation.</p> <p>2. The Study includes sections both north and south of Cape Byron. These are very different from coastal management as well as coastal process perspectives. The Wategos to Belongil section is part of a town. The Seven Mile section is not. Therefore, management approaches for the former should explicitly include engineering approaches to protect property and amenity, whereas those for Seven Mile should focus on maintaining conservation value.</p> <p>3. Small additions to data in maps: (a) the Littoral Rainforest section at the north end of 7MB extends N beyond the area currently mapped, including areas in private properties immediately south of Broken Head NP. (b) the area of coffee rock shown for Clark's Beach extends all the way to Belongil. Twice since 1990 I have seen this exposed, underlying the Belongil seawalls, several metres below the usual level of the beach. I don't know how far it extends offshore.</p>	Manage Seven Mile for conservation, manage Wategos to Belongil for residential and recreation amenity. They are different. Include sand bypassing and engineering options for the northern sector.	The conservation value of Belongil estuary, especially for mangroves and birdlife, depends largely on the continued existence of the Belongil spit, which extends the area of the estuary northward. The spit is protected by the seaward residential area and seawalls.	<p>1. The Ribo et al (2020) reference in Appendix E is "Ribo, M., Goodwin, I.D., O'Brien, P. &amp; Mortlock, T. (2020) Shelf sand supply determined by glacial-age sea-level modes, submerged coastlines and wave climate, Sci Rep 10, 462 (2020). <a href="https://doi.org/10.1038/s41598-019-57049-8">https://doi.org/10.1038/s41598-019-57049-8</a>." as listed in Section 10 Reference in the main report. Potential management actions for the Byron Bay embayment will be identified during later stages of the CMP process, following completion of the Coastal Hazard Assessment (Item S2-1 in Table 9-2). Studies into the feasibility of offshore sand extraction for beach nourishment have been undertaken for some identified sand borrow areas i.e. Scoping Study on the Feasibility to Access the Cape Byron Sand Lobe for Sand Extraction for Beach Nourishment (Patterson Britton &amp; Partners, 2006) as described in Appendix D. This study (and others), as well as a broad review of successful (implemented) coastal management actions in the region, will inform the option identification. No changes made to report in response.</p> <p>2. The study area is diverse, including both more and less developed areas of the Shire's coastline and varying exposure to coastal hazards. Management approaches for the entire study area will be developed at a later stage of the CMP process, informed by detailed studies and the full scale risk assessment, considering the full suite of environmental, social and economic factors. No changes made to report in response.</p> <p>3. (a) The area of Littoral Rainforest mapped has been sourced from the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP). Item S2-4 in Table 9-2 states "Investigate and ground truth discrepancies between Council's mapping of Littoral Rainforest and Coastal Wetlands with the CM SEPP mapping and identify whether a planning proposal to amend the SEPP mapping is required." This item in the forward plan will resolve any current Littoral Rainforest mapping discrepancies. No changes made to report in response.</p> <p>3. (b) Noted. This is referring to Figure E-4 (Appendix E) and the comment in the report "Recent erosion within the Byron Bay embayment has provided an opportunity to better map existing bed rock and coffee rock (see recent drone survey of Clark's Beach, Figure E-4)". Geophysical surveys exist for this area (PWD, 1979) and a detailed review of the presence of bed rock and coffee rock will be undertaken as part of the next stage of the CMP process to inform a coastal erosion hazard assessment.</p> <p>No changes made to report in response.</p>