

# Notice of Meeting

## Coast and ICOLL Advisory Committee Meeting

A Coast and ICOLL Advisory Committee Meeting of Byron Shire Council will be held as follows:

Venue	Conference Room, Station Street, Mullumbimby
Date	Tuesday, 16 May 2023
Time	2.00pm

Shannon Burt  
Director Sustainable Environment and Economy

I2023/721  
Distributed 09/05/23



**BYRON**  
SHIRE  
COUNCIL

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## CONFLICT OF INTERESTS

**What is a “Conflict of Interests”** - A conflict of interests can be of two types:

**Pecuniary** - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

**Non-pecuniary** – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Code of Conduct for Councillors (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

**Remoteness** – a person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in the Code of Conduct for Councillors.

**Who has a Pecuniary Interest?** - a person has a pecuniary interest in a matter if the pecuniary interest is the interest of the person, or another person with whom the person is associated (see below).

**Relatives, Partners** - a person is taken to have a pecuniary interest in a matter if:

- The person’s spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter.

N.B. “Relative”, in relation to a person means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person’s spouse;
- (b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

**No Interest in the Matter** - however, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company or other body, or
- Just because the person is a member of, or is employed by, the Council.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

### Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
  - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or

- (b) at any time during which the Council or Committee is voting on any question in relation to the matter.

**No Knowledge** - a person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

**Non-pecuniary Interests** - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as of the provisions in the Code of Conduct (particularly if you have a significant non-pecuniary interest)

**Committee members are reminded that they should declare and manage all conflicts of interest in respect of any matter on this Agenda, in accordance with the [Code of Conduct](#).**

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## RECORDING OF VOTING ON PLANNING MATTERS

### Clause 375A of the Local Government Act 1993 – Recording of voting on planning matters

- (1) In this section, **planning decision** means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979:
  - (a) including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but
  - (b) not including the making of an order under that Act.
- (2) The general manager is required to keep a register containing, for each planning decision made at a meeting of the council or a council committee, the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- (3) For the purpose of maintaining the register, a division is required to be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- (4) Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document and is to include the information required by the regulations.
- (5) This section extends to a meeting that is closed to the public.

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## OATH AND AFFIRMATION FOR COUNCILLORS

Councillors are reminded of the oath of office or affirmation of office made at or before their first meeting of the council in accordance with Clause 233A of the Local Government Act 1993. This includes undertaking the duties of the office of councillor in the best interests of the people of Byron Shire and the Byron Shire Council and faithfully and impartially carrying out the functions, powers, authorities and discretions vested under the Act or any other Act to the best of one's ability and judgment.

# BYRON SHIRE COUNCIL

## BUSINESS OF MEETING

### 1. APOLOGIES

### 2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

### 3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

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### 4. STAFF REPORTS

#### **Sustainable Environment and Economy**

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- 4.2 Update on the development of Coastal Management Programs (CMPs) for the Byron Shire Coastline ..... 22
- 4.3 Presentation on the outcomes of the Main Beach Shoreline Project - Technical Assessment..... 36

**ADOPTION OF MINUTES FROM PREVIOUS MEETINGS**

**Report No. 3.1 Confirmation of minutes from 14 February 2023 meeting**

5 **Directorate:** Sustainable Environment and Economy  
**Report Author:** Michelle Wilde, Project Support Officer  
**File No:** I2023/507

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**RECOMMENDATION:**

**That the minutes of the Coast and ICOLL Advisory Committee Meeting held on 14 February 2023 be confirmed.**

15 **Attachments:**

1 Minutes 14/02/2023 Coast and ICOLL Advisory Committee, I2023/161 , page 9  

# BYRON SHIRE COUNCIL

## ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1

### Report

The attachment to this report provides the minutes of the Coast and ICOLL Advisory Committee Meeting of 16 May 2023 .

### Report to Council

- 5 The minutes were reported to Council on 27 April 2023.

### Comments

Council resolved the following:

**23-001** notes the minutes of the Coast and ICOLL Advisory Committee Meeting held on 14 February 2023.

- 10 **23-002** that Council adopts the following Committee Recommendations:

Report No. 3.1 Adoption of Minutes from 20 October 2022 meeting

#### Committee Recommendation 3.1.1

- 15 1. That the draft minutes be amended with the addition of a part 2 under report 4.2 saying that members of the Committee will be briefed on parameters used in the Coastal Hazard Assessment.
2. That the amended minutes of the Coast and ICOLL Advisory Committee Meeting held on 20 October 2022 be confirmed.
3. That Council informs the Committee at its next meeting that members will be:
- 20 a) provided the Coastal Hazard Assessment Study for the Byron Shire Coastline once complete;
- b) offered the opportunity to attend a Key Stakeholder Presentation on the outcomes of the Coastal Hazard.

**23-003** that Council adopts the following Committee Recommendation:

- 25 Report No. 4.2 Main and Clarkes Beach Dune Recovery Project - Summary Report

#### Committee Recommendation 4.2.1

That Council also notes the completion and the outcomes of the Main and Clarkes Beach Dune Recovery Project as summarized in the Attachment to this report.

- 30 **23-004** that Council adopts the following Committee Recommendation:

## BYRON SHIRE COUNCIL

### ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1

Report No. 4.3 Update on the development of Coastal Management Programs (CMPs) for the Byron Shire Coastline

#### Committee Recommendation 4.3.1

- 5 1. That Council also notes the update of the development of CMPs and CMP projects for the Byron Shire coastline and next steps.
2. That the Stage 2 'Main Beach Shoreline Project – Technical Assessment of the Concept Options' be shared with Committee members once complete and feedback sought at the following Advisory Committee meeting.
- 10 3. That the Coastal Hazard Assessment for the Byron Shire Coastline be shared with Committee members once complete and feedback sought at the following Advisory Committee meeting.



**Minutes of Meeting**  
**Coast and ICOLL Advisory Committee**  
**Meeting**

<b>Venue</b>	<b>Conference Room, Station Street, Mullumbimby</b>
<b>Date</b>	<b>Tuesday, 14 February 2023</b>
<b>Time</b>	<b>2.00pm</b>



**BYRON SHIRE COUNCIL**

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

# BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

## BYRON SHIRE COUNCIL

COAST AND ICOLL ADVISORY COMMITTEE MEETING MINUTES 14 FEBRUARY  
2023

### **Minutes of the Coast and ICOLL Advisory Committee Meeting held on Tuesday, 14 February 2023**

**File No:** I2023/161

PRESENT: Cr Cate Coorey, Cr Duncan Dey

Staff: Chloe Dowsett (Coastal & Biodiversity Coordinator)  
Orla Seccull (Coastal & Estuary Officer)  
Sharyn French (Manager Environmental & Economic Planning)

Community Representatives: Dailan Pugh

Matthew Lambourne

Lauren Morgan

Agency Representatives: Zoe Immisch, (Dept of Planning & Environment)

Cr Duncan Dey (*Chair*) *opened the meeting at 2:06pm and acknowledged that the meeting was being held on Bundjalung Country.*

ATTENDANCE VIA AUDIO-VISUAL LINK: Bill Payne, Andrew Page (DPI Cape Byron Marine Park), Alexis Flipo (Crown Lands)

APOLOGIES: Dane Marx, Dylan Laicher, Cr Michael Lyon, Derek Van Leest (Crown Lands), Dave Maguire (DPI Marine Parks), Jan Olley, Shannon Burt (Director Sustainable Environment and Economy), Norman Graham (National Parks & Wildlife Service), Fiona Peek (National Parks & Wildlife Service), Chris Binge (Jali Local Aboriginal Land Council), Leweena Williams (Tweed Byron Local Aboriginal Land Council), Malcolm Robertson, (Crown Lands), Arakwal, Rod McDonagh (NSW Maritime)

#### DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

# BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

## BYRON SHIRE COUNCIL

COAST AND ICOLL ADVISORY COMMITTEE MEETING MINUTES 14 FEBRUARY  
2023

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### ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

**Report No. 3.1 Adoption of Minutes from 20 October 2022 meeting**  
**File No: I2023/40**

**Committee Recommendation:**

1. That the draft minutes be amended with the addition of a part 2 under report 4.2 saying that members of the Committee will be briefed on parameters used in the Coastal Hazard Assessment.
2. That the amended minutes of the Coast and ICOLL Advisory Committee Meeting held on 20 October 2022 be confirmed.

(Dey/Morgan)

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

*Note: The minutes of the meeting held on [date] were noted, and the Committee Recommendations adopted by Council, at the Ordinary Meeting held on [date]. (this note is only required if relevant ie a Panel meeting does not necessarily need to be reported to Council.)*

### BUSINESS ARISING FROM PREVIOUS MINUTES

There was no business arising from previous minutes.

**BYRON SHIRE COUNCIL**

COAST AND ICOLL ADVISORY COMMITTEE MEETING MINUTES 14 FEBRUARY  
2023

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**STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY**

**Report No. 4.1 Meeting Schedule for 2023 Coast and ICOLL Advisory  
Committee**  
**File No: I2023/82**

**Committee Recommendation:**

1. That the Coast and ICOLL Advisory Committee notes the scheduled meeting dates and times for 2023.
2. That the Coast and ICOLL Advisory Committee advise of any agenda items for future meetings.

(Dey/Lambourne)

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

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**Report No. 4.2 Main and Clarkes Beach Dune Recovery Project - Summary  
Report**  
**File No: I2023/2**

**Committee Recommendation:**

**That Council also note the completion and the outcomes of the Main and Clarkes Beach Dune Recovery Project as summarized in the Attachment to this report.**

(Payne/Coorey)

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

# BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

## BYRON SHIRE COUNCIL

COAST AND ICOLL ADVISORY COMMITTEE MEETING MINUTES 14 FEBRUARY  
2023

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**Report No. 4.3**      **Update on the development of Coastal Management Programs  
(CMPs) for the Byron Shire Coastline**  
**File No:**            I2023/1

**Committee Recommendation:**

1. That Council also the update of the development of CMPs and CMP projects for the Byron Shire coastline and next steps.
2. That the Stage 2 Main Beach Shoreline Project Assessment be shared with Committee members once complete and feedback sought at the following Advisory Committee meeting.
3. That the Coastal Hazard Assessment for the Byron Shire Coastline be shared with Committee members once complete and feedback sought at the following Advisory Committee meeting.

(Dey/Lambourne)

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

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*There being no further business the meeting concluded at 4:03pm.*

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

**Report No. 4.1 Future Discussion Items for the Coast and ICOLL Advisory Committee**

5 **Directorate:** Sustainable Environment and Economy

**Report Author:** Chloe Dowsett, Biodiversity and Sustainability Coordinator  
Orla Seccull, Coastal & Estuary Officer

**File No:** I2023/535

**Summary:**

10 This report summarises information requested by members of the Coast and ICOLL Advisory Committee. These requests, resourcing and alignment with Council’s Operational Plan are tabled for discussion by the Committee and (if applicable) to resolve whether these requests are taken to Council for consideration for inclusion in a future Council OP and budget.

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**RECOMMENDATION:**

**That the Coast and ICOLL Advisory Committee note the report.**

20

**Report**

The following requests for reports or information have been received by Council staff from Coast and ICOLL Advisory Committee members in the table below.

There were no requests for agenda items from the Committee for this 16 May meeting.

<b>Information requested</b>	<b>Resourcing</b>	<b>Operational Plan &amp; other Council Strategies</b>
<p>The methodology of the CHA and description of input parameters used in the study: including parameters being used for estimating storm tide (astronomical tides, storm surges and wave setup) sea level rises during severe storms, now and in the future.</p> <p>Provided as 'Questions for Council on coastal issues' on 24 September 2022.</p> <p><b>Requested by:</b> Dailan Pugh</p>	<p>The Coastal Hazard Study for the Byron Shire Coastline is close to finalisation. The methodology of the CHA will be an Appendix / Chapter to the report and provide an overview of the approach and inputs to the probabilistic coastal erosion hazard assessment for the Byron Shire coastline undertaken.</p> <p>The CHA is a consultant's technical study and sharing of draft CHA formats or chapters is not part of the process. As such, the CHA will not be shared or released with any external parties (including Committee's) until it is final and reported to Council for adoption.</p> <p>This practice is typical of any technical study and working drafts.</p> <p>Once the report is complete, the adopted study will be provided on Council's website for 'information only'. Committee members will be notified when it is available on the web.</p> <p>Committee members will be invited to a Key Stakeholder presentation on the outcomes.</p>	<p>The following OP Action directly supports this request:</p> <p><b>3.3.1.1</b> Identify coastal hazard risks to the Byron Shire coastline</p>



# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.1

Information requested	Resourcing	Operational Plan & other Council Strategies
	DPE have also offered a presentation on probabilistic erosion assessment prior to the Key Stakeholder presentation on the CHA.	
<p>Questions on CMP Stage 2 studies and projects and key Agenda items emailed to Project Support on 14 February 2023.</p> <p><b>Requested by:</b> Bill Payne</p>	<p>Questions were answered by staff in the meeting of 14 February 2023 during Committee discussions on Agenda items.</p>	<p>There are several OP actions that already support this request:</p> <p><b>3.3.1.1</b> Identify coastal hazard risks to the Byron Shire coastline</p> <p><b>3.3.1.2</b> Identify risks to cultural and ecological values and assets in Tallow and Belongil Creek ICOLLs</p>
<p>Water quality data for Tallow and Belongil Creek estuaries.</p> <p><b>Requested by:</b> Dailan Pugh</p>	<p>Council has a variety of water quality data including:</p> <ul style="list-style-type: none"> <li>• Water quality data for entrance opening activities at Tallow and Belongil Creek.</li> <li>• Water quality data collected for operational activities (i.e. STP operations, catchment related health).</li> </ul> <p>Some water quality data is provided on the Byron Shire Council Water and Wastewater Public Data Portal: <a href="#">monthly surface water quality monitoring sites in both Tallow and Belongil catchments</a> (includes phys-chem, nutrient and bacterial indicators).</p> <p>Provision of water quality data would require staff and</p>	<p>The following OP Action directly supports this request:</p> <p><b>3.3.1.3</b> Identify ICOLL water quality pollution sources</p>

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.1

Information requested	Resourcing	Operational Plan & other Council Strategies
	consultant capacity to review for QA/QC prior to distribution.	
<p>Provision of Request for Quotations (RFQs) for CMP Stage 2 studies:</p> <ul style="list-style-type: none"> <li>• ICOLL water quality source tracking and control program.</li> <li>• Entrance opening strategy review.</li> <li>• Identifying risks associated with Councils coastal planning controls and processes.</li> <li>• Review Coastal Wetland and Littoral Rainforest Mapping within the Coastal Zone of Byron Shire (funding offered, consultant not yet engaged).</li> <li>• Researching impacts of recreational and commercial use on coastal biodiversity and habitats.</li> </ul> <p><b>Requested by:</b> Dailan Pugh</p>	<p>Council's RFQs form part of a Contract between Council and the successful consultant and is considered Commercial in Confidence and as such confidential information. In accordance with Council's procurement policy and contractual obligations Confidential Information includes all know-how, technical and financial information and any other commercially valuable or sensitive information in which the Principal regards as confidential, proprietary or of a commercially sensitive nature that may be in the possession of the Principal's employees or management.</p>	<p>There are several OP actions that already support this request:</p> <p><b>3.3.1.2</b> Identify risks to cultural and ecological values and assets in Tallow and Belongil Creek ICOLLS</p> <p><b>3.3.1.4</b> Identify risks associated with Council's coastal planning controls and processes</p> <p><b>3.3.1.5</b> Research the effects of recreational uses on coastal biodiversity and habitats</p> <p><b>3.3.2.1</b> Revise entrance management activities and arrangements for Tallow Creek</p>
<p>Request for Future Agenda Items for the 15 August 2023 meeting:</p> <p>That the Committee discuss and seek information on the following in relation to Belongil Estuary:</p>	<p>Item 3 of this request is within the scope of this Committee.</p> <p>The remainder of the items need to be referred to the Water and Sewer Advisory Committee.</p> <p>A review of the entrance opening study is a Stage 2 CMP</p>	<p>There are several OP actions that support this request:</p> <p><b>3.3.1.2</b> Identify risks to cultural and ecological values and assets in Tallow and Belongil Creek</p>

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.1

Information requested	Resourcing	Operational Plan & other Council Strategies
<ol style="list-style-type: none"> <li>1. fate of STP effluent including when the STP must be upgraded later this decade (STP capacity is 6.95 ML/day dry weather flow);</li> <li>2. waterlogging on farmlands, commitment to directing effluent away from the Estuary and the non-use of the Additional Flowpath;</li> <li>3. potential changes to the ICOLL Opening Strategy;</li> <li>4. any other related matters.</li> </ol> <p><b>Requested by:</b> Cr Duncan Dey</p>	study, already underway.	<b>3.3.1.3</b> Identify ICOLL water quality pollution sources ICOLLs

## Strategic Considerations

### Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
<p><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	3.2: Deliver initiatives and education programs to encourage protection of our environment	3.2.2: Environmental education and awareness - Coordinate and support environmental education to the community	3.2.2.2	Provide coastal and biodiversity information and encourage and support community activities and groups.
<b>3: Nurtured</b>	3.3: Protect	3.3.1: Coastal	3.3.1.1	Identify coastal hazard

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.1

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
<b>Environment</b> We nurture and enhance the natural environment	the health of our coastline, estuaries, waterways, and catchments	Management Program planning and implementation - Undertake Coastal Management Program planning and implementation		risks to the Byron Shire coastline
<b>3: Nurtured Environment</b> We nurture and enhance the natural environment	3.3: Protect the health of our coastline, estuaries, waterways, and catchments	3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation	3.3.1.2	Identify risks to cultural and ecological values and assets in Tallow and Belongil Creek ICOLLs
<b>3: Nurtured Environment</b> We nurture and enhance the natural environment	3.3: Protect the health of our coastline, estuaries, waterways, and catchments	3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation	3.3.1.3	Identify ICOLL water quality pollution sources
<b>3: Nurtured Environment</b> We nurture and enhance the natural	3.3: Protect the health of our coastline, estuaries, waterways, and	3.3.1: Coastal Management Program planning and implementation -	3.3.1.4	Identify risks associated with Council's coastal planning controls and processes

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.1

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
environment	catchments	Undertake Coastal Management Program planning and implementation		
<b>3: Nurtured Environment</b> We nurture and enhance the natural environment	3.3: Protect the health of our coastline, estuaries, waterways, and catchments	3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation	3.3.1.5	Research the effects of recreational uses on coastal biodiversity and habitats

### Recent Resolutions

N/A

### Legal/Statutory/Policy Considerations

N/A

### 5 Financial Considerations

N/A

### Consultation and Engagement

N/A

**Report No. 4.2      Update on the development of Coastal Management Programs (CMPs) for the Byron Shire Coastline**

**Directorate:** Sustainable Environment and Economy

5 **Report Author:** Chloe Dowsett, Biodiversity and Sustainability Coordinator  
Orla Seccull, Coastal & Estuary Officer

**File No:** I2023/413

**Summary:**

10 A detailed update on the development of Coastal Management Programs (CMPs) for the Byron Shire Coastline was provided to members of the Coast and ICOLL Advisory Committee on 14 February 2023.

This report provides the Coast and ICOLL Advisory Committee members a 3-monthly brief update on the progress of the development of CMPs and CMP projects for the Byron Shire coastline.

15 The next update will be reported to the Coast and ICOLL Advisory Committee meeting on 15 August 2023.

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20 **RECOMMENDATION:**

**That the Coast and ICOLL Advisory Committee note the update of the development of CMPs and CMP projects for the Byron Shire coastline and next steps.**

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Overview

A detailed update on the development of Coastal Management Programs (CMPs) for the Byron Shire Coastline was provided to members of the Coast and ICOLL Advisory Committee on 14 February 2022. The detailed update outlined the key components of the NSW Coastal Management Framework, the coastal planning process, the status of the development of CMPs and CMP projects for the Byron Shire coastline, key issues being encountered and the recommended pathway forward.

This report provides the Coast and ICOLL Advisory Committee members a 3-monthly brief update on the progress of the development of CMPs and CMP projects for the Byron Shire coastline.

Status of CMP development and project update

The current status of CMP development is provided in Figure 1 below.

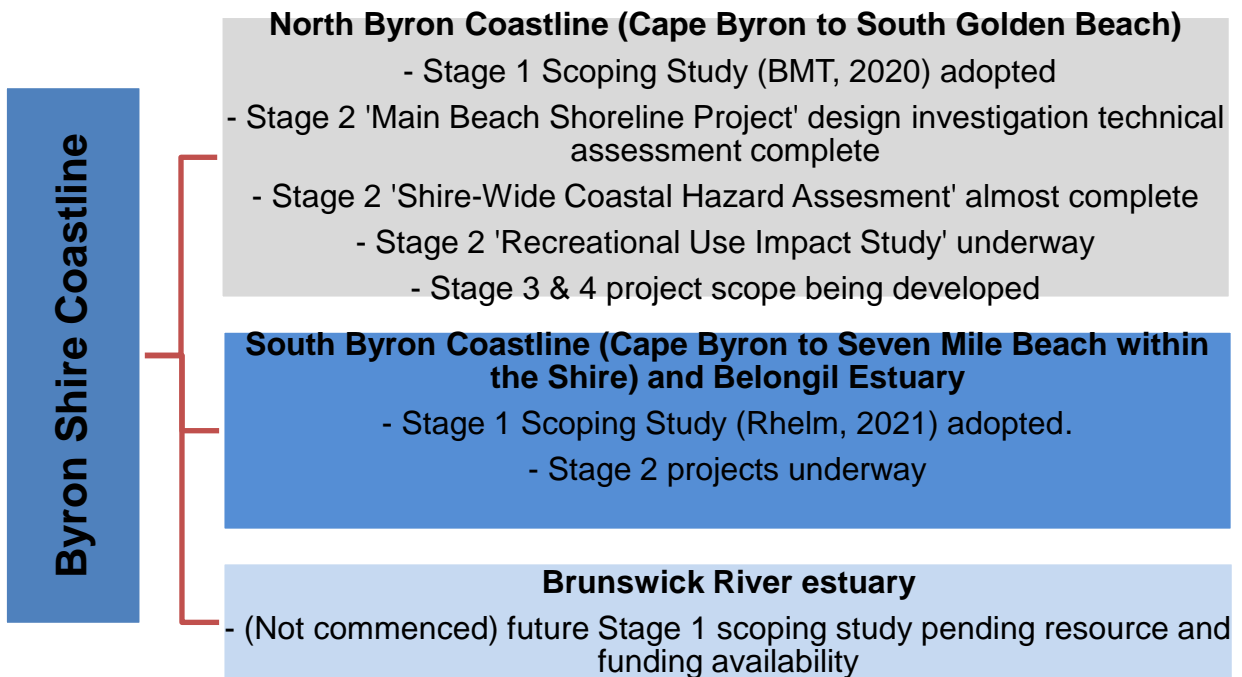


Figure 1: Byron Shire Council’s status on developing CMPs

Council is currently in Stage 2 of the CMP process for CMPs presently being prepared for the open coast and Belongil and Tallow Creek estuaries. Stage 2 studies confirm current knowledge on key issues and concerns and to fill information gaps that are critical to the development of management strategies and actions that will occur the next stage (Stage 3). Scoping of Stage 3 & 4 CMP development is currently underway.

A summary of the status of these Stage 2 studies and other relevant projects is provided below in Table 1. Unless otherwise stated these projects have been partially funded by the project partner, the NSW Department of Planning and Environment (DPE) through the Coast and Estuary Grants Program, which recently increased the funding ratio to 2

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

(DPE):1(Council). Several medium and low priority studies recommended for stage 2 are pending availability of other funding sources or can otherwise be completed during CMP implementation.

Table 1: Projects Planned and Underway

Project Name	Brief Description	Status/ Expected Completion
Main Beach Shoreline Project	<p>A design investigation for the modification of the coastal protection works at Main Beach, Byron Bay between the Surf Club and First Sun Holiday Park. The investigation looks at how we can best protect Byron Bay Town Centre from coastal erosion now and into the future.</p> <p>The most recent task completed is the technical assessment of the shortlisted options to modify the structure/works is now complete. The technical assessment consists of two related lines of investigation:</p> <ol style="list-style-type: none"> <li>1. application of numerical modelling tools to better understand the coastal environment and assess the performance of the shortlisted options on coastal processes.</li> <li>2. a geomorphic assessment using a data-driven approach to summarise relevant coastal processes and infer the relative effects of the shortlisted options on long term coastal processes.</li> </ol> <p>The technical assessment is now complete with the Technical Assessment Report, <i>Numerical modelling and geomorphic assessment of concept options</i>, Bluecoast Consulting Engineers, (April 2023) provided on Council's</p>	<p>The technical assessment is now complete and was reported to Council on 27 April 2023 for adoption. Options 2, 5 and 7 to progress to next stage. Option 6 to not progress as per assessments recommendation.</p> <p>The evaluation and determination of the preferred option will be undertaken though CMP preparation in Stage 3.</p> <p>Presentations on the outcomes of the technical investigation have been provided to:</p> <ul style="list-style-type: none"> <li>- Councillors at an SPW on 2 March 2023</li> <li>- Members of the Byron Town Centre masterplan Guidance Group on 5 April 2023</li> <li>- Members of the Coast and ICOLL Advisory Committee on 16 May 2023</li> </ul> <p>The information presented in the technical report will provide the basis for further development and evaluation of the shortlisted options at selecting a preferred option to carry forward.</p>



# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Project Name	Brief Description	Status/ Expected Completion
	MBSP project webpage.	
Coastal Hazard Assessment Review and Update	<p>This study is the third major investigation into coastal processes, sand movements and hazards in the Byron region following PWD's investigation in the 1978 and BMT 2013 study. Assessment and analysis of current and future risks to the coastal zone from hazards.</p>	<p>This study had been delayed resulting in a major departure from the original timing commitment but is now back on track.</p> <p>The key reasons for delay were outlined in the 14 February 2023 report to the committee.</p> <p>The draft CHA report (Volume 1) for open coastal hazard assessment (erosion, recession, sand budget, cliff instability and coastal inundation) has been received. Further rework and refinement of Volume 1 to incorporate recent data that has become available which captures the recent sand deficit conditions in the Bay is being undertaken. This is considered an opportunity to understand the previous La Nina event and sand movement and will improve knowledge and understanding.</p> <p>Part 2 of the draft CHA for estuary hazard assessment is presently being finalised.</p> <p>Next steps are:</p> <ul style="list-style-type: none"> <li>• Internal staff review</li> <li>• External Technical Review (expert and DPE)</li> <li>• Report to Executive Team</li> </ul>

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Project Name	Brief Description	Status/ Expected Completion
		<ul style="list-style-type: none"> <li>• Strategic Planning Workshop with Councillors</li> <li>• Presentation and Discussion of Hazard Outputs*</li> <li>• Report to Council for adoption</li> <li>• Place CHA on the website for 'information only'.</li> </ul> <p>*Committee members will be invited to attend this workshop.</p>
<p>Water Quality Source Tracking and Control Program for Belongil Creek and Tallow Creek</p>	<p>Water pollution of the Tallow Creek and Belongil Creek estuaries from a variety of sources was identified as a key threat to coastal values as identified in the Scoping Study for the southern Byron shire coastline.</p> <p>Will identify risks associated with water pollution in Tallow and Belongil Creek catchments and will identify opportunities for improving water quality for further consideration at Stage 3.</p>	<p>Consultant engaged and project underway:</p> <ul style="list-style-type: none"> <li>• Review of literature and water quality monitoring data complete March 2023</li> <li>• Stakeholder Engagement complete March 2023</li> <li>• Ground truthing and verification site visits complete</li> <li>• Mapping and documentation underway</li> </ul> <p>Aligns with other work being undertaken within other departments in Council – Resource Recovery team on litter; drainage and stormwater/ WSUD; environmental health and WQ monitoring.</p> <p>Next steps:</p>

# BYRON SHIRE COUNCIL

Project Name	Brief Description	Status/ Expected Completion
		<ul style="list-style-type: none"> <li>• Identify and prioritise catchment pollution sources / key issues</li> <li>• Identify areas for improvement / innovation / monitoring / on-ground actions.</li> <li>• Prepare plan/program.</li> </ul> <p>Expected timeframe for completion is September 2023.</p>
<p>Identifying risks to cultural and ecological values and low-lying assets in Tallow Creek and Belongil Creek ICOLLs associated with entrance opening strategies</p>	<p>This study is aimed at advising on recommendations for preparing a new entrance opening strategy (EOS) for Tallow Creek, recommendations for amending the Belongil Creek Opening Strategy at the next two-year review (end 2023), along with undertaking the necessary preliminary supporting studies (i.e. literature review, engagement with Arakwal, case study for other NSW ICOLLs, assessment of nuisance flood risk, identification improvements to decision support frameworks etc).</p> <p>Council reduced the scope of this study to undertake preliminaries only, i.e. the project will exclude actual drafting and finalisation of amended or new EOS' and associated broader stakeholder engagement and exhibition.</p> <p>Amendments to EOS' can occur at a later stage of the CMP.</p>	<p>Consultant engaged and project underway though has been delayed due to consultant staff changes:</p> <ul style="list-style-type: none"> <li>• stakeholder engagement plan prepared.</li> <li>• Literature review underway.</li> </ul> <p>Aligns with other work being undertaken within other departments in Council – Flooding, drainage and stormwater.</p> <p>Next steps:</p> <ul style="list-style-type: none"> <li>• Complete literature and data review.</li> <li>• Develop case studies of best practice ICOLL management.</li> <li>• Assess risk of nuisance flooding to assets under varying water level scenarios (Tallow Creek).</li> </ul>

## BYRON SHIRE COUNCIL

### STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Project Name	Brief Description	Status/ Expected Completion
		<ul style="list-style-type: none"> <li>• Develop relationships and predictive conceptual models for physical parameters (Tallow Creek).</li> <li>• Develop and undertake preliminary risk assessment on potential management options for further consideration at Stage 3.</li> <li>• Undertake stakeholder engagement.</li> <li>• Prepare documentation.</li> </ul> <p>Expected timeframe for completion is November 2023.</p>
<p>Identifying barriers and opportunities for improvement associated with Council's coastal planning controls and processes</p>	<p>Essentially an audit of Council's coastal planning framework to provide advice on pathways for Council to transition into a more current and streamlined planning framework (such as recommended mapping and amendments and justification for changes) whilst retaining or improving on the level of protection offered by existing controls. It also includes:</p> <ul style="list-style-type: none"> <li>• consideration of mapping and inclusion of a Coastal Vulnerability Area into the planning scheme.</li> </ul> <p>Council reduced the scope of this study to remove the coastal wetland and littoral rainforest mapping review which has been funded separately and underway as a separate project (see below).</p> <p><i>*Identified as a medium priority</i></p>	<p>Consultant engaged and project underway:</p> <ul style="list-style-type: none"> <li>• Literature review complete March 2023.</li> <li>• Stakeholder engagement complete May 2023.</li> </ul> <p>Next steps:</p> <ul style="list-style-type: none"> <li>• Evaluate existing planning controls.</li> <li>• Develop potential options for future planning pathways.</li> <li>• SWOT workshop.</li> <li>• Project documentation.</li> </ul> <p>Expected timeframe for completion is July 2023.</p>

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Project Name	Brief Description	Status/ Expected Completion
	<i>study in CMP Scoping Studies (refer further below).</i>	
<p>Evidence based research of the impacts of recreational and tourism use on coastal habitats and wildlife*</p> <p><i>* Identified as a medium priority study in CMP Scoping Studies.</i></p>	<p>Funded 100% through the DPE's Biodiversity Conservation Division.</p> <p>Will provide evidence-based information on the effects of recreational uses on wildlife and habitats in the coastal area, and to investigate novel solutions to manage impacts, e.g. through the development and delivery of access and other facilities within the coastal zone and development of a policies and/or plans.</p>	<p>Consultant (BMT WBM) engaged. Project delayed due to consultant staff changes. Sub-consultant engaged for technical overview (Bower Ecology).</p> <ul style="list-style-type: none"> <li>• Stakeholder engagement complete Sept 2022.</li> <li>• Key biodiversity assets identified.</li> <li>• Key recreational use impact sites and threats/uses identified.</li> <li>• Project re-engaged April 2022.</li> </ul> <p>Next steps:</p> <ul style="list-style-type: none"> <li>• Develop monitoring proforma/parameters.</li> <li>• Develop potential management strategies for threats/uses.</li> </ul> <p>Completion expected by August 2023.</p>
<p>Coastal wetland and littoral rainforest mapping review*</p> <p><i>* Identified as a</i></p>	<p>The scope of this project is to investigate and ground truth discrepancies between Council's mapping of Littoral Rainforest and Coastal Wetlands with the CM SEPP mapping.</p>	<p>Consultant engaged and project underway:</p> <ul style="list-style-type: none"> <li>• Review of literature and existing datasets complete April 2023.</li> <li>• Stakeholder engagement complete April 2023.</li> </ul>

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

Project Name	Brief Description	Status/ Expected Completion
<p><i>medium priority study in CMP Scoping Studies.</i></p>		<ul style="list-style-type: none"> <li>• Draft mapping methodology complete and under review.</li> </ul> <p>Next steps:</p> <ul style="list-style-type: none"> <li>• Integration of NPWS datasets.</li> <li>• Prepare draft layer and attributes for potential mapping changes.</li> </ul> <p>Completion expected by August 2023.</p>
<p>Byron Shire Open Coast CMP Stages 3 &amp; 4</p>	<p>RFQ and scope of work currently in preparation.</p> <p>The project study area covers the entirety of the open coastal area of the Byron Shire LGA. This CMP will pertain to open coast hazard threats/risks (being erosion and shoreline recession, coastal inundation and cliff instability) and open coast issues only.</p> <p>The aim of the project is to complete Stages 3 and 4 of CMP preparation for the Open Coast of the Byron Shire LGA:</p> <p>This will involve:</p> <ul style="list-style-type: none"> <li>- Building upon what has already occurred, while considering the objectives and requirements of the CM Act.</li> <li>- Incorporating outcomes of the Stage 2 studies as are they are known.</li> <li>- Identifying and evaluating</li> </ul>	<p>Expected consultant engagement by Sep 2023.</p> <p>Pending budget allocation and grant funding.</p>

<b>Project Name</b>	<b>Brief Description</b>	<b>Status/ Expected Completion</b>
	<p>options.</p> <ul style="list-style-type: none"> <li>- Undertaking refined/targeted community engagement and stakeholder consultation to gain buy-in from the community and arrive at preferred CMP actions.</li> <li>- Preparing a CMP in close consultation with Council that is feasible and has been developed in accordance with the Mandatory Requirements of the CM Framework and may be certified by the Minister.</li> </ul>	

**Next stages in CMP development**

The subsequent stages in the process of developing and implementing a CMP are:

- 5 • Stage 3 – Identify and evaluate options (through risk assessment and cost, benefit analysis) that reduce exposure to coastal hazards, address coastal management issues and take advantage of opportunities;
  - Stage 4 – Prepare, exhibit, finalise, certify and adopt a CMP (leading to implementation). A CMP must be certified by the Minister to access funding for implementation under the Coast and Estuary Grants program; and
  - Stage 5 – Implement, monitor, evaluate and report.
- 10 At this stage, Council proposes to divide CMP development and implementation into separate geographical areas of the coastal zone. This means that CMPs can progress independently from each other at different rates depending on further work (Stage 2 studies) that need to be completed, whilst acknowledging the overlap between each CMP and continuing to utilise relevant data obtained for one CMP for other CMPs.
- 15 Splitting the CMPs into the proposed areas provides a better opportunity to streamline studies and is the preferred approach for more refined/targeted community engagement and stakeholder consultation. It also makes sense that the higher priority, higher risk/complexity areas will take longer to complete Stage 3 and 4 than some of the less exposed/risk or complex areas (i.e. Open Coast vs Tallow Estuary). By separating into
- 20 smaller areas, certification risk is lowered.

The CMPs proposed for the Byron Shire coastal zone are:

# BYRON SHIRE COUNCIL

## STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

1. **CMP for Tallow Estuary** – includes estuary/ICOLL and catchment issues and actions including entrance opening/management activities (EOS) for flood mitigation.
- 5 2. **CMP for Belongil Estuary** - includes estuary/ICOLL and catchment issues and actions including entrance opening/management activities (EOS) for flood mitigation.
- 10 3. **CMP for the Byron Shire Open Coast** – includes the entire Byron Shire open coast split into 3 management segments such as Cape Byron to South of the LGA border; Cape Byron to the Brunswick River; Brunswick River north to the LGA border. The spatial extents are not yet confirmed and are subject to refinement.
4. **CMP for the Brunswick River Estuary** (not yet commenced) at a later date.

15 Stage 3 and Stage 4 are generally combined into one grant application and one consultant brief. As such Stage 3 commences as Stage 2 studies are being completed with outcomes incorporated as they are known. Stage 4 will follow on once Stage 2 and 3 are fully complete.

Staff have started to prepare a Scope of Work for a consultancy brief for Stage 3 and 4 of CMP preparation for the Byron Shire Open Coast CMP (#3 above).

### **Next Steps**

- 20 • Staff and project consultants will continue to progress the development of CMPs for the Byron Shire Coastline and related projects.
- Staff will commence preparing Stage 3 and Stage 4 grant application for the Open Coast CMP.
- 25 • A Presentation and Discussion of Hazard Outputs (2-hr presentation) for the Coastal Hazard Study will be held once Study is complete. Committee members will be invited to participate.
- The next update on the status of projects and CMP preparation will be reported to the next Coast and ICOLL Advisory Committee meeting in August 2023.



## Strategic Considerations

### Community Strategic Plan and Operational Plan

<p><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p>3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p>3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation</p>	<p>3.3.1.1</p>	<p>Identify coastal hazard risks to the Byron Shire coastline</p>
<p><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p>3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p>3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation</p>	<p>3.3.1.2</p>	<p>Identify risks to cultural and ecological values and assets in Tallow and Belongil Creek ICOLLs</p>
<p><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p>3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p>3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation</p>	<p>3.3.1.3</p>	<p>Identify ICOLL water quality pollution sources</p>

## BYRON SHIRE COUNCIL

### STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.2

<p><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p>3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p>3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation</p>	<p>3.3.1.6</p>	<p>Assess concept options for the modification of the Jonson Street coastal protection works (Main Beach Shoreline Project)</p>
<p><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p>3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p>3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation</p>	<p>3.3.1.8</p>	<p>Identify and evaluate management options and opportunities for addressing threats to the Byron Shire coastline</p>
<p><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p>3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p>3.3.2: Floodplain management - Mitigate the impact of flooding on private and public property</p>	<p>3.3.2.1</p>	<p>Revise entrance management activities and arrangements for Tallow Creek</p>
<p><b>3: Nurtured Environment</b> We nurture and enhance the natural environment</p>	<p>3.3: Protect the health of our coastline, estuaries, waterways, and catchments</p>	<p>3.3.2: Floodplain management - Mitigate the impact of flooding on private and public property</p>	<p>3.3.2.2</p>	<p>Review entrance management activities and arrangements for Belongil Creek</p>

### Legal/Statutory/Policy Considerations

*Coastal Management Act (2016), SEPP (Resilience and Hazards) 2021 (which replaces the SEPP (Coastal Management) 2018), Coastal Manual and associated Toolkit provided by the NSW State Government.*

**Financial Considerations**

An existing budget is allocated to the development of Coastal Management Programs for FY2022/23. Additional budget has been requested to continue of CMP preparation into FY2023/24

**5 Consultation and Engagement**

Current consultation in the preparation of CMPs includes:

1. Participation in a regular forum for council staff to discuss CMP preparation with other local council practitioners and DPE staff is being coordinated by DPE.
2. Regular meetings with individual DPE regional staff assigned to the Byron Shire coastal portfolio to discuss Byron's CMP development and trouble shoot issues being encountered and ways to move forward. The recommended pathway forward outlined in this report has been developed in close consultation with DPE.

Project specific consultation and engagement plans are prepared and implemented as relevant to each study/project.

15

**Report No. 4.3      Presentation on the outcomes of the Main Beach Shoreline Project - Technical Assessment**

**Directorate:** Sustainable Environment and Economy

5 **Report Author:** Chloe Dowsett, Biodiversity and Sustainability Coordinator

**File No:** I2023/426

**Summary:**

10 In 2019, Council engaged Bluecoast to deliver the first stage of the [Main Beach Shoreline Project](#) (MBSP). The MBSP is a design investigation using multiple lines of evidence to investigate options and solutions for modification of the Jonson Street protection works (JSPW) at Main Beach, Byron Bay. The project's first stage is focused on finding the solution for modification of the works that will give the best possible outcomes for Main Beach, Byron Bay and adjacent areas.

The latest component of the project is now complete and comprises a:

- 15
- Geomorphic assessment to infer effects of the shortlisted designs on long term coastal processes
  - Application of numerical modelling tools to predict the response of the coastal environment to each shortlisted design technical investigation.

20 The Technical Assessment Report - *Numerical modelling and geomorphic assessment of concept options*, Bluecoast Consulting Engineers, 13 April 2023 was reported to Council at the 27 April 2023 meeting for adoption. Council endorsed staff recommendations and key outcomes of the report.

25 Bluecoast Consulting Engineers have been invited to present to the Coast and ICOLL Advisory Committee on the key outcomes of the technical assessment.

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**RECOMMENDATION:**

30 **That the Coast and ICOLL Advisory Committee note the presentation by Bluecoast on the key outcomes of the technical assessment completed for the Main Beach Shoreline Project.**

## Report

5 In 2019, Council engaged Bluecoast to deliver the first stage of the [Main Beach Shoreline Project](#) (MBSP). The MBSP is a design investigation using multiple lines of evidence to investigate options and solutions for modification of the Jonson Street protection works (JSPW) at Main Beach, Byron Bay. The project’s first stage is focused on finding the solution for modification of the works that will give the best possible outcomes for Main Beach, Byron Bay and adjacent areas.

10 The JSPW are a public asset that provide a significant role in protecting the Byron Bay town centre and foreshore from the First Sun Holiday Park to the Byron Bay Surf Life Saving Club from coastal erosion and inundation. The MBSP is an important project for the community of Byron Shire, with the intent to improve the current situation. Through modification of the works, significant public benefit will be gained through improving coastal protection of the town centre, enhancing recreational amenity, improving public safety, and improving public access and use of the foreshore and beach.

15 A significant amount of work has been completed. A series of reports have been developed as part of the project as shown in Table 1 below.

Table 1. Project reports

<b>Project reports</b>	<b>Status</b>	<b>Refer to this document for:</b>
Condition Assessment Report	20 February 2020	<ul style="list-style-type: none"> <li>• Coastal engineering condition assessment undertaken on the JSPW</li> </ul>
Baseline Understanding Report	30 July 2021	<ul style="list-style-type: none"> <li>• Assessment of existing situation</li> <li>• Coastal processes summary</li> <li>• Identification of opportunities associated with MBSP</li> </ul>
Concept Design Development Report	3 November 2020	<ul style="list-style-type: none"> <li>• A summary of the project’s critical factors</li> <li>• Preliminary design of seven concept options for the MBSP</li> </ul>
Technical Assessment Report - Numerical modelling and geomorphic assessment of concept options	13 April 2023	<ul style="list-style-type: none"> <li>• Geomorphic assessment to infer effects of the shortlisted designs on long term coastal processes</li> <li>• Application of numerical modelling tools to predict the response of the coastal environment to each shortlisted design</li> </ul>

The latest component of the project is now complete and comprises a:

1. Geomorphic assessment to infer effects of the shortlisted designs on long term coastal processes
2. Application of numerical modelling tools to predict the response of the coastal environment to each shortlisted design technical investigation.

The aim of the technical assessment is to develop an understanding of the likely response (i.e., physical response of the coastal environment) to each shortlisted design with consideration of:

- changes to the way sand moves around the JSPW and the effect of this on adjacent shorelines and coastal profile including Main Beach and Clarkes Beach to the east, and Belongil Beach to the west (Figure 2).
- surfing amenity noting the highly regarded surf quality from time to time in the surf zone adjacent the JSPW.

The Technical Assessment Report - *Numerical modelling and geomorphic assessment of concept options*, Bluecoast Consulting Engineers, 13 April 2023 was reported to Council at the 27 April 2023 meeting for adoption. Council endorsed staff recommendations and key outcomes of the report.

**Resolved** that Council (**23-146**):

1. Notes the findings and outcomes of the Technical Assessment Report, *Numerical modelling and geomorphic assessment of concept options*, Bluecoast Consulting Engineers (April 2023) as presented in Attachment 1.
  2. Endorses the elimination of Option 6 (protective structure moved landward by 30m) from the shortlisted options based on the key findings of the Technical Assessment Report.
  3. Notes the three shortlisted design options to progress to evaluation and determination of the preferred option for modification of the coastal protection works through stage 3 of CMP preparation are:
    - a) Option 2 - berm rock revetment and pathway;
    - b) Option 5 - protective structure moved landward by 10m; and
    - c) Option 7 - existing structure upgraded to contemporary standards.
  4. Notes that the Technical Assessment Report will be provided on the project webpage.
  5. Notes that a presentation will be provided to the Coast and ICOLL Advisory Committee at the 16 May 2023 meeting. (Lyon/Westheimer)
- Bluecoast Consulting Engineers have been invited to present to the Coast and ICOLL Advisory Committee on the key outcomes of the technical assessment and next steps.

## Strategic Considerations

### Community Strategic Plan and Operational Plan

CSP Objective	CSP Strategy	DP Action	Code	OP Activity
3: Nurtured Environment We nurture and enhance the natural environment	3.3: Protect the health of our coastline, estuaries, waterways, and catchments	3.3.1: Coastal Management Program planning and implementation - Undertake Coastal Management Program planning and implementation	3.3.1.6	Assess concept options for the modification of the Jonson Street coastal protection works (Main Beach Shoreline Project)

### Recent Resolutions

- 18-104 Design Options for the Jonson Street Protection Works
- 5 • 18-839 Modification of the Jonson Street Protection Works (Main Beach) - Defining Project Objectives
- 19-320 Tender Evaluation - Design Investigation for the Modification of the Jonson Street Protection Works
- 10 • 20-347 Main Beach Shoreline Project - preliminary options assessment and stakeholder engagement
- 20-435 Main Beach Shoreline Project - preliminary options assessment and stakeholder engagement
- 20-436 Main Beach Shoreline Project - preliminary options assessment and stakeholder engagement
- 15 • 20-730 Main Beach Shoreline Project - community consultation on the 7 options
- 21-463 Main Beach Shoreline Project - outcome of community consultation on the 7 options
- 20 • 23-146 Main Beach Shoreline Project - Project Overview and Outcomes of the Technical Assessment of Concept Options including Recommendations and Next Steps

## **Legal/Statutory/Policy Considerations**

The NSW Coastal Management Framework in NSW comprises the following elements:

- the Coastal Management Act 2016
- the State Environmental Planning Policy (Resilience and Hazards) 2021 (CM SEPP)
- 5 • the NSW Coastal Management Manual (OEH, 2018).

Council is presently preparing a Coastal Management Programs (CMP) for the Byron Shire coastline. The purpose of the CMP will be to set the long-term strategy for the management of the coastal zone, addressing priority open coast management issues and actions to address the issues, with a focus on achieving the objectives of the CM Act.

- 10 The Main Beach Shoreline Project investigation is considered within the processes involved in preparation of the CMP and is part of the overall CMP preparation. The project is a Stage 2 study within CMP preparation.

- 15 The outcomes of the investigation will be fully synchronised and incorporated within the overall CMP preparation, hence the evaluation and selection of the preferred modification design will be completed in Stage 3 of the CMP development. This provides a holistic and embayment wide approach to coastal management.

## **Financial Considerations**

- 20 The MBSP is an important component of the strategic and long-term planning and management of a priority Council asset. There are identified safety risks of the sub-standard state of the JSPW and associated risks identified in various reports which advise of repair.

A budget allocation has been made for FY2023/24 for CMP Stages 3 & 4 which will include economic appraisal and MCA evaluation and selection of the preferred modification design.

## **25 Consultation and Engagement**

A Community and Stakeholder Engagement Plan was developed for the project as a whole with a variety of engagement and consultation methods and activities provided over the life of the project between 2019 and 2023.

- 30 Key consultation and engagement activities associated with the Technical Assessment Report are outlined in the table below.

Post adoption of the Technical Assessment Report to Council, the report will be provided on Council's project webpage.



## BYRON SHIRE COUNCIL

### STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

4.3

<b>Who was consulted?</b>	<b>How did consultation occur? e.g. email, verbal etc</b>	<b>Comments/Feedback</b>
Department of Planning and Environment (DPE) staff from the Water, Floodplains and Coast (North East) Biodiversity and Conservation Division	Peer review of report. Comments received in report and via external comments and response register	Comments received and incorporated into final report.
Royal Haskoning (DHV), expert coastal engineer	Peer review of report. Comments received via external comments and response register	Comments received and incorporated into final report.
Council Executive Team	Monthly Meeting	Report provided on technical assessment outcomes. Feedback received and incorporated into project delivery.
Byron Shire Councillors	Strategic Planning Workshop	Presentation provided to Councillors on outcomes. Feedback received and incorporated into final report.
Masterplan Guidance Group – Byron Bay Town Centre	Monthly meeting	Presentation provided to group members on outcomes.
Coast and ICOLL Advisory Committee Meeting	Quarterly meeting (16 May 2023 – <i>this report</i> )	Presentation provided to committee members on outcomes.