

**ROADS ACT DIRECTION
Section 107 Roads Act 1993
Obstructions and Encroachments**

2 February 2018

Ms M S Coppin
1/77 Massinger Street
BYRON BAY NSW 2481

EMAIL: mell@websitetravel.com

Dear Ms Coppin

Roads Act Direction

Premises: LOT: 1 SP: 90353
1/77 Massinger Street BYRON BAY 2481
Parcel No: 267460

According to Council records Ms M S Coppin is the owner of LOT: 1 SP: 90353 also known as 1/77 Massinger Street BYRON BAY. This Section 107 Roads Act 1993 Direction is served upon the owner of the premises.

Circumstances

- Council received a complaint in July in relation to a cubby house you had constructed on the road reserve outside your property.
- Council wrote to you in August and requested the cubby House be removed.
- On the 24 August 2017 you responded to Council requesting Council review its decision in the matter.
- On the 21 September 2017 Council again wrote to you requesting removal of the cubby House within 14 days.
- A recent inspection revealed that the cubby house has not been removed.

Direction

Within 30 days from the date of this Direction you are required to carry out the following works.

1. Remove the cubby house.
2. Remove all of the components of the cubby house from council's road reserve.

Under Section 238 of the Roads Act 1993 Council, as the roads authority may take such action as is necessary to give effect to a direction under the Act if the direction is not complied with in accordance with its terms. The costs incurred by Council in taking action under this section are recoverable from the person to whom the direction was given, as a debt, in a court of competent jurisdiction.

The maximum penalty for not complying with this direction is \$3,300.

You may make representations to Council as to why the Direction should not be given, or why the terms or period for compliance with the Direction should be altered. Representation should be made within 21 days from the date of this Direction, to the attention of the General Manager:

- By Email: pes@byron.nsw.gov.au
- By Mail: Byron Shire Council, 70-90 Station Street MULLUMBIMBY 2482

Note

An administration fee of \$350 will be charged for the issue of this Direction.

Should you require further information on this matter, please contact Public & Environmental Services on (02) 6626 7050 or email pes@byron.nsw.gov.au

Yours faithfully



Scott Brodie
Community Enforcement Officer
Public & Environmental Services