

I object to the proposed Development Application for the following reasons:

**1. Not in the public interest**

The Northern Region Planning Panel concluded "the proposed development is not considered in the public interest". The community rejection of the over-development of West Byron has been substantial with 5000+ objections from local residents and thousands marching in the street. Byron residents do not want or need this over-development. I object to the proposed development as it is not in the public interest.

**2. Changes to 'amended' DA are insignificant**

The Site R&D 'amended' Development Application bears very little difference to the original submitted DA. There has been a very small contraction of the original footprint of the site but not enough to change the key issues – the basis for twenty reasons for refusal of the first DA by the Northern Region Planning Panel (NRPP).

**3. No masterplan or coordination of the whole West Byron Urban Release Area**

There is still no masterplan for this site; the two landowner groups, Site R&D and Villaworld Byron Bay are not working in co-ordination. This DA cannot be assessed in isolation from the other landowners, as cumulative impacts cannot be assessed, particularly with regard to serious impacts on Belongil Creek, traffic volumes, threatened frog species, Koalas, Endangered Ecological Communities, Acid Sulfate Soils, and one million m<sub>3</sub> of fill on a flood plain.

The Site R&D DA is dependent upon infrastructure provided by the Villaworld DA which has not been approved and may change, meaning it cannot be validly approved.

**4. Size of the development**

The 'amended' DA shows a slightly smaller development footprint to be subdivided into 162 lots but this is misleading, with this compounded by a lack of a map and description of the full development in the in the SEE. There are 25 'super-lots' intended for further subdivision. Three of the super-lots do not identify what further subdivision is planned, two lots appear to be proposed for an unspecified number of apartments and 20 lots show an indicative subdivision into 208 smaller lots. The only indication of the full development proposed is 470 dwellings mentioned in the traffic study. There should have been a clear identification of the maximum number of dwellings proposed or allowed for upfront.. Byron Bay does not need and can cope with this level of development

**5. Traffic**

The proposal will have a severe impact on the efficiency and ongoing operation of Byron's main road, Ewingsdale Road, in contravention of clause 101 of *State Environmental Planning Policy (Infrastructure) 2007*. The whole development will generate an extra 14,000 car movements a day on Ewingsdale Road. The current traffic load is around 21,000 car movements a day so the development will generate a 66% increase; unmanageable on an already congested road. Excessive traffic on Ewingsdale Road is already a major impediment to the functioning and liveability of town, I strongly object to worsening this chronic problem.

**6. Koalas**

The developers' Koala Plan of Management endorses significant removal of core Koala habitat and feed trees, without any assessment of the number of feed trees to be removed. It does not buffer retained habitat and fencing will impede Koala dispersal. It is inconsistent with the draft Byron Coast Comprehensive Koala Plan of Management (2015), the Byron Shire Development Control Plan 2014 - Chapter E8 - West Byron Urban Release, SEPP 44, and the new Koala SEPP.

The proponents' report denies assessments by Biolink, DECCW and Byron Council that core Koala habitat is on site. It is in denial of the importance of this site for Koalas. The West Byron site is a vital link for maintaining connectivity between Koalas to the north and south of the Shire. If this link is severed the isolation of the northern and southern Koalas will render their populations unviable. Compensatory planting will not grow fast enough to maintain connectivity of habitat. We do not want to lose our Koalas.

**6. Threats to Belongil Creek and estuary/ICOLL**

The Belongil Estuary is a Special Purpose Zone of Cape Byron Marine Park. The current *New South Wales Marine Estate Threat and Risk Assessment Report (2017)* lists the following in order as the top 'Priority Threats – Environmental Assets':

1. Urban stormwater discharge
2. Estuary entrance modifications

This proposed development has implications for both of the highest priority risks identified in that Report. This DA and the neighbouring development will significantly compound the poor water quality of the Belongil and the Marine Park yet there has been no serious attempt to assess the magnitude and consequences of these impacts.

Acidic runoff from the site is a significant problem, yet there has been inadequate sampling to identify the distribution of Acid Sulfate Soils, the affect that drainage will have in activating them, or the impact of increased acidic runoff on the marine park.

**7. Capacity of the Sewerage Treatment Plant**

Belongil Creek is the point of discharge for the Byron Sewerage Treatment Plant. If the development of West Byron proceeds as per this DA it, in combination with the adjacent landowner's DA, they will result in an increase in the town population of 20-30% and a consequent increase in wastewater effluent into the Belongil that is unmanageable and damaging.

**8. Impacts on native vegetation and Endangered Ecological Communities**

This DA seeks to clear and fill approximately 80% of the site. Close to half a million cubic metres of fill is proposed to be brought onto the Site R&D lands. Putting so large an amount of fill will change runoff and hydrology, changing flood behaviour and significantly affect degrade surrounding landholders, Endangered Ecological Communities, SEPP wetlands and the Belongil Estuary..

**9. Wall on Ewingsdale Road**

The proposal to create a soundwall 4m high adjacent to Ewingsdale Road will adversely affect the amenity of the main entrance into Byron Bay for visitors and tourists alike, and be detrimental to tourism appeal.

**10. Climate change impacts**

The sites' low elevation and coastal location on a floodplain makes it highly vulnerable to climate change. The flood study misrepresents the likely consequences of sea-level rises and does not consider the quantifiable risk that sea-level rises this century could be 1-2m, and thus storm surges and flooding could overwhelm the site's infrastructure and threaten dwellings.