

**Submission
No 13**

HISTORICAL DEVELOPMENT CONSENTS IN NSW

Name: Ms Sarah Denny

Date Received: 8 April 2024

I am writing to you today in relation to the 'Wallum' Development at 15 Torakina Road, Brunswick Heads, NSW.

I am requesting you use your unique and express power under section 69 of the EPBC Act to refer the Wallum Development to the Federal Minister for the serious and irreversible damage it will cause under the federal Environmental Protection Biodiversity Conservation Act (EPBC, 1999).

There are 9 Matters of National Environmental Significance (MNES) on the site, including the Wallum Sedge Frog, Koala, Long Nosed Potoroo, and the Glossy Black Cockatoo.

The subdivision footprint is on ecologically significant land identified as having high Biodiversity Value (NSW Biodiversity Values Map and Threshold Tool); Koala Habitat (Byron Shire Council Koala Plan of Management / Koala SEPP 2021); Coastal Environmental Area (SEPP Resilience and Hazards 2021); Coastal Use Area (SEPP Resilience and Hazards 2021).

I understand that the Clause 34A certificate, issued by your department on the 30th March 2023, was granted without adequate and accurate assessment of the species and ecology of the site, and I am requesting that you review the validity of this certificate in the case of 'Wallum' and consider revoking it.

I question whether the Concept Plan approved by the NSW Planning Department 11 years ago, could have adequately addressed climate change and associated extreme weather events such as flooding and bushfires, which are increasingly prevalent within the Byron Shire and our Northern Rivers region.

The community didn't get a fair say in the DA. This was due to an inadequate consultation process during a global pandemic which resulted in historically low input from the community relative to the current level of community concern.

This development is clearly not in the 'public interest' due to community concerns regarding ecological impacts and it is evident the wallum development has no social licence.

We are deeply concerned as a community to be facing a Zombie DA along with many other communities on the NSW coast.