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20 January 2017

Our reference: 1396.1196

The Director  
Environment & Building Policy  
NSW Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

Email: [coastal@planning.nsw.gov.au](mailto:coastal@planning.nsw.gov.au)

Dear Sir

**RE: Submission to Draft Coastal Management State Environmental Planning Policy and Associated Draft Local Planning Direction - Coastal Management (Section 117(2) Direction)**

PLANNERS NORTH has been engaged by the owners of land at [REDACTED], Byron Bay to prepare a submission to the draft Coastal Management State Environmental Planning Policy (draft Coastal SEPP).

The Coastal Vulnerability Area as it applies to Byron Shire is based on outdated mapping. The mapping is dated 1986 and is contained in Council's Development Control Plan 2010 Chapter 1 Part J. Byron Shire Council has subsequently commissioned further coastline hazard mapping and it is submitted that this mapping should form the basis for the Coastal Vulnerability Area as it applies to Byron Shire. The mapping identified in Byron Shire Coastline Hazards Assessment Update Final Report, dated September 2013, prepared by BMT WBM Pty Ltd for Byron Shire Council includes mapping reflecting updated modelling.

A review of the draft Local Planning Direction in accordance with Section 117(2) of the EP&A Act 1979 indicates that the direction could be improved to specifically address the circumstances of coastal areas in Northern New South Wales.

During the preparation of the Standard Instrument Local Environmental Plans, the proposed environmental zones were deferred from the new instruments in several North Coast areas including Byron Shire Council. The Department of Planning & Environment subsequently released a report relating to North Coast Environmental Zone reforms and Council is required to prepare a Planning Proposals to implement the revised "E" Zones.

The Section 117 Direction as presently drafted states that a Planning Proposal must not rezone land which would enable increased development or more intensive land use on land within a Coastal Vulnerability Area or identified as land affected by a coastal hazard. The application of any zone other than an E zone will provide for an intensification of development on affected land.

It is requested that additional consistency provisions be added to the Direction to specifically recognise the "E" Zone review process.

In conclusion, it is submitted that it is essential that the correct mapping be adopted. It is also considered appropriate that the current draft of the Section 117 Direction be amended to specifically acknowledge and provide for the review of environmental zones presently being undertaken on the Far North Coast.

We thank you for your consideration of this submission and would be happy to discuss it in further detail should you wish.

Yours faithfully,

**PLANNERS NORTH**



**Kate Singleton MPIA CPP**

PARTNERSHIP PRINCIPAL

[Redacted]

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