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ITEMS RESERVED FOR DEBATE

PLANNING, DEVELOPMENT AND ENVIRONMENT SERVICES - DIRECTOR'S REPORTS

**Report No. 11.22. Public Exhibition of the Draft Coastal Zone Management Plan and amendments made to the Plan in accordance with Resolution 09-599**

**File No:** PLN301500 #876869

**09-812 Resolved:**

1. That Council note the amendments made to the draft Byron Shire Coastal Zone Management Plan (CZMP) [Annexure 20(b) #891106] in accordance with resolution 09-599 and the requirements of the NSW Coastal Policy and the project brief.
2. That Council respond to the letter received from the NSW Department of Environment, Climate Change and Water (DECCW) on 15 August 2009 [Page 1, Annexure 20(c) #891439] outlining where it supports or objects to the recommendations contained in the letter.
3. That prior to public exhibition of the draft CZMP Council amend the draft CZMP as follows:
  - a) In accordance with advice received from DECCW via email [Page 2, Annexure 20(c)]
  - b) That the 'History of Byron Shire planning in the Coastal Zone' [Annexure 20(d) #890565] be included as a preface to the draft CZMP [refer Annexure 20(b)].
  - c) That the 'History of Byron Shire planning in the Coastal Zone' [Annexure 20(d)] be updated to include the recommendation arising from the 8 October 2009 Council meeting.
  - d) page ix - number the Coastal Policy Goals – 1-9.
  - e) amend the document to consistently refer to LEP and DCP as generic terms not to specify particular documents when referring to future actions.
  - f) amend the document to ensure capitals for National Park and Nature Reserve.
  - g) page 43, 3.2.1 include a reference to the Far North Coast Regional Strategy in Table 3-3 Relationship of Byron CZMP to key management documents – with reference to section 6 Natural Hazards -requirement for adequate setback in areas at risk from coastal erosion.
  - h) 1.4.2 – Management of coastal hazards - include dot point re RES 06-721 “ *To investigate the potential for modification of Jonson Street works to reduce the impact on Belongil Beach*” and create a specific action in Table 5-2 in 2.2 Structures section and include in Table E-1 as a Priority Management Action.

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- i) 2.2.3 – change reference to groyne at Main Beach not Clarkes Beach, add residential to Byron Bay area, correct title to Cape Byron Headland Reserve and Cape Byron State Conservation Area and add at end *“and community representatives”*.
- j) 2.2.4 – Map 2.4 to extend to the Cape and to mark division between Cape Byron SCA and Arakwal National Park and amend reference to land to “near” not at and ensure that the title is Ti Tree Lake (Taylors Lake) is dual titled throughout the document. Add that the *“area was gazetted as an Aboriginal Place (NPWS Act) in 2000”*.
- k) 2.3.4 - Values – delete “major” and delete SOE reference and on page 37 delete “Byron Shire settlement strategies (ie. Byron Bay and Suffolk Park Settlement Strategy 2002, and Brunswick Heads Settlement Strategy 2004) and”.
- l) 2.3.5 – Values – page 37 – delete “total consumer surplus” and replace with “expenditure”.
- m) 2.3.6 – Recreation and Tourism – Values – page 38 – delete dot point referring to lakes and add “ National Parks and “ to last dot point.
- n) Page 44 – Table 3-3 – delete “once adopted” in relation to Tourism Management Plan.
- o) Page 49 - Fig 4.4 – Chronology – last point should read – “Draft BS CZMP reported to Council”.
- p) 4.3.6 - delete second sentence and insert – *“A risk analysis of erosion protection structures and works, both private and public in relation to public safety, structural integrity and impact on access, amenity and environmental processes will be undertaken.*
- q) 4.3.7 – delete last paragraph and replace with *“Jonson Street Protection works will be investigated in relation to minimising down drift impacts and address safety concerns”*.
- r) 4.4 Future Development – delete “DCP 2002” and add *the development of DCP Guidelines for Coastal Precinct Planning*”. Number each section – 4.4.1 Coastal Planning Precinct 1 and 4.4.2 Coastal Planning Precinct 2.
- s) Add new Management Action – *“Develop DCP for Coastal Precinct Planning guidelines for Precinct 1 and 2 including provisions for renovations.*
- t) Include overlay maps for Part J precincts and CZMP Planning Precincts as per #842425 and add to Section 4.
- u) 4.5.1 – page 55 add dot point relating to action 2.2.2.
- v) 4.5.3 – Enforcement – last dot point – amend to state “review of LEP and DCP.
- w) 4.5.4 – Jonson Street Protection Works – add dot point – *“investigate the potential for modification to reduce the impact on Belongil Beach”*.
- x) 4.5.5. – amend to *“An action of this plan is to implement planning instruments in accordance with this CZMP to provide for future development and management”*.

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- y) Table 5-9 Management Actions – amend 9.1.1 to “*Develop a MOU on Coastal Management*” and Table E-1.
4. That Council endorse the draft CZMP (as amended in point 3 above) for the purposes of public exhibition for a period of 60 days from 22 October to 22 December, which will include:
    - Frequently Asked Questions (FAQs)
    - fact sheets
    - online submission forms
    - a template submission form, as well as
    - a community information stand that will be staffed and available for at least two days in each of the four management units
    - media releases, advertisements, e-news, website information, and radio announcements to inform people of opportunities to view, attend or seek advice and/or comment.
  5. That Council support the development of a policy for Coastal Stabilisation Works subject to the finalisation of the management action 2.2.2 (to be initiated immediately) to undertake a risk analysis of erosion protection structures and works, both private and public in relation to safety, integrity of the structures and the impacts to surrounding environment (including beach access, beach amenity and environmental processes) which should be undertaken as a matter of urgency.
  6. That Council adopt the amended constitution for the Coastal and Estuary Project Reference Group [Annexure 20(f) #880962].
  7. That the public submissions on the draft CZMP be reported to the Coastal and Estuary Project Reference Group for advice before reporting to the Strategic Planning Committee for their consideration.
  8. That a public meeting be organised if possible to coincide with the Coastal Conference for the purpose of conducting a Facilitated Panel Discussion on the draft CZMP and that the meeting be filmed with the intention of producing a DVD of the presentations that can be made available to the public.
  9. That an urgent report be received on the progress of the Memorandum of Understanding (MOU) with other land management agencies for the integrated planning and management of the coastal zone as per action 9.1.1. (Barham/Morrisey)