

PLANNING AND NATURAL SYSTEMS

ATTACHMENT D

**NSW COASTAL REFORMS
MIDCOAST COUNCIL SUBMISSION**

ORDINARY MEETING

8 FEBRUARY 2017



New South Wales

Standard Instrument (Local Environmental Plans) Amendment (Coastal Management) Order 2016

under the

Environmental Planning and Assessment Act 1979

[The following enacting formula will be included if this Order is made.]

I, General The Honourable David Hurley AC DSC (Ret'd), Governor of New South Wales, with the advice of the Executive Council, and in pursuance of section 33A of the *Environmental Planning and Assessment Act 1979*, make the following Order.

Dated, this day of 2016.

By His Excellency's Command,

Minister for Planning

Standard Instrument (Local Environmental Plans) Amendment (Coastal Management) Order 2016 [NSW]

Standard Instrument (Local Environmental Plans) Amendment (Coastal Management) Order 2016

under the

Environmental Planning and Assessment Act 1979

1 Name of Order

This Order is the *Standard Instrument (Local Environmental Plans) Amendment (Coastal Management) Order 2016*.

2 Commencement

This Order commences on the day on which it is published on the NSW legislation website.

public consultation draft

Standard Instrument (Local Environmental Plans) Amendment (Coastal Management) Order 2016 [NSW]
Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental
Plans) Order 2006

Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

[1] Clause 3.3 Environmentally sensitive areas excluded [compulsory]

Omit paragraph (c) from the definition of *environmentally sensitive area for exempt or complying development* in clause 3.3 (2).

Insert instead:

- (c) land within the coastal wetlands and littoral rainforests area (within the meaning of the *Coastal Management Act 2016*),

[2] Clause 5.5 Development within the coastal zone [compulsory if land to which Plan applies includes land in the coastal zone]

Omit the clause.

[3] Dictionary

Omit the definitions of *coastal foreshore* and *NSW Coastal Policy*.

[4] Dictionary, definitions of “coastal hazard”, “coastal protection works” and “coastal zone”

Omit “the *Coastal Protection Act 1979*” wherever occurring.

Insert instead “the *Coastal Management Act 2016*”.

[5] Dictionary, definition of “coastal lake”

Omit the definition. Insert instead:

coastal lake means a body of water identified in Schedule 1 or 2 to *State Environmental Planning Policy (Coastal Management) 2016*.

[6] Dictionary, definition of “coastal zone”, note

Omit the note to the definition.