

Appendix 1: Assessment checklist for planning proposals

Hierarchy of coastal management areas:

1. CWLRA = coastal wetlands and littoral rainforests area
2. CVA = coastal vulnerability area
3. CEA = coastal environment area
4. CUA = coastal use area

Note: Requirements relating to coastal hazards must be considered for all coastal hazard and risk areas, regardless of which relevant coastal management area(s) these fall within. 'Coastal hazard and risk areas' mean any mapped coastal vulnerability areas and/or areas affected by (or projected to be affected by) coastal hazards that have been identified in a state environmental planning policy, local environmental plan, development control plan, coastal management program, coastal hazard policy or study adopted by council.

Outcome A. Protect and enhance coastal environmental values			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome A.1 Protect coastal ecosystems			
A.1a Avoid development on undeveloped headlands and significant coastal landforms.	CVA, CEA	Yes	N/A. Not located on a headland or coastal landform
A.1b Do not increase development or intensify land uses where there is existing development on headlands and significant coastal landforms.	CVA, CEA	Yes	Yes, the proposal does not seek to increase or intensify the existing land uses within the West Byron Urban Release Area
A.1c Identify, protect and enhance sensitive coastal ecosystems including coastal wetlands, littoral rainforests and other coastal threatened ecological communities that may be affected by development.	CWLRA, CEA	Yes	Yes, the site does contain areas of Coastal wetland areas, the identification and measures to protect and enhance the coastal wetland areas were considered during the development consent process.
A.1d Maintain and protect the presence of beaches, rock platforms, coastal dunes, riparian vegetation and the natural features of foreshores, including along estuaries and coastal lakes.	CWLRA, CVA, CEA	Yes	Yes, the potential for impact on beaches, rock platforms, coastal dunes, riparian vegetation and the natural features of foreshores, including along estuaries and coastal lakes was considered during the Development Application
A.1e Use environmental buffers and limit the number of access points and pathways to protect coastal ecosystems. In some cases, it may not be appropriate to allow public access to areas with highly sensitive ecosystems or animal populations.	CWLRA, CEA, CUA	Yes	Yes, the provisioning for buffers and access to coastal ecosystems was considered during the development application that has been approved.

Outcome A. Protect and enhance coastal environmental values

Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
A.1f Consider if the planning proposal is needed or if development zones could be better located to minimise effects on biodiversity.	CWLRA, CEA, CUA	Yes	The planning proposal is to transition the land use zoning of the West Byron Urban Release Area that has been approved for subdivision. The site has been considered in detail for effects on biodiversity and environment under the Development application process as approved for both subdivisions in the urban release area.
A.1g Avoid development that may disturb, expose or drain areas of Class 1 and Class 2 acid sulfate soils.	CWLRA, CEA, CUA	Yes	The site contains some areas of class 2 Acid sulfate soils. The potential impacts on these soils were considered during the approval of the subdivisions in both Development Applications. Further consideration of acid soils will be undertaken for future development applications where necessary.
A.1h Consider direct and indirect effects of development, including any necessary infrastructure, on water quality, water quantity and hydrological flows of waterways and groundwater.	CEA, CUA	Yes	The impacts on infrastructure, water quality, water quantity and hydrological flows of waterways and groundwater have already been considered in the detail design of the approved development applications. Further considerations of these matters where necessary can be undertaken should future development applications be made on the site.

Outcome A.2 Protect coastal wetlands and littoral rainforests

A.2a Identify coastal wetlands and littoral rainforests, including areas that could be rehabilitated or restored in the future, and do not increase development or intensify land uses in these areas.	CWLRA	Yes	The areas within the site that contain mapped coastal wetlands are protected through the retention of modification of the zoning to C2 Environmental Conservation zoning. No additional residential land uses would be permitted within the coastal wetland area by the planning proposal.
A.2b Allow for the adaptive management of stormwater run-off so that the quality of water leaving the site is better than pre-development quality to lessen effects on coastal wetlands or other sensitive receiving environments.	CWLRA, CEA, CUA	Yes	Yes. Management of stormwater has been considered and subject to detail design during the development application
A.2c Provide environmental buffers and riparian corridors that enable the long-term management and protection of areas of biodiversity and ecosystem integrity.	CWLRA, CVA, CEA, CUA	Yes	Yes. Environmental buffers areas are provided through the existing and retained E2 (to be rezoned to C2) zoned land. Management solutions and mitigation measures for

			biodiversity and ecosystem outcomes have been considered during the subdivision approval.
A.2d Identify and protect areas that allow for landward migration pathways for coastal wetlands to respond to climate change.	CWLRA, CEA	Yes	Yes, the site does not contain land mapped as at risk of coastal erosion hazard and will not prevent the landward migration for coastal wetlands.
A.2e Exclude land uses that affect the natural state of coastal wetlands and littoral rainforests or that will make it harder to rehabilitate these ecosystems in the future.	CWLRA	Yes	Yes, land containing mapped littoral rainforest is included in this proposal however it is proposed to be retained or rezoned as C2 zoned land which will ensure its ongoing protection.
Outcome A.3 Protect marine parks and aquatic reserves			
A.3a Avoid development and land uses that affect the environmental, economic, social and cultural values of marine parks and aquatic reserves.	CEA, CUA	Yes	Yes, the potential impacts on the environmental, economic, social and cultural values of marine parks and aquatic reserves were considered during the subdivision approvals. The proposal will not enable further development in proximity to the marine park area.
A.3b Protect the ecological health of marine parks and aquatic reserves, including providing for riparian vegetation and buffers in their catchments.	CEA, CUA	Yes	Yes, the potential impacts on the adjoining marine park have been considered during the subdivision approvals.

Outcome B. Ensure the built environment is appropriate for the coast and local context

Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome B.1 Respond to and protect elements that make the place special			
B.1a Integrate development within the natural topography of the site and ensure land use, building scale and height respond sympathetically to coastal landforms.	CWLRA, CVA, CEA, CUA	Yes	Yes. The proposal seeks to align the land use zoning with the development approvals and transition the zones into the Standard Instrument zones under the LEP 2014.
B.1b Ensure the intended form and footprint of development does not dominate coastal elements, including foreshores, public spaces and other areas of natural beauty.	CWLRA, CVA, CEA, CUA	Yes	Yes, the proposal seeks to align the land use zoning in accordance with the approved subdivisions.
B.1c Incorporate adaptive, water-sensitive urban design into the development footprint to reduce run-off and manage water quality within receiving environments.	CWLRA, CEA, CUA	Yes	Yes, Water-sensitive urban design considerations were undertaken with the subdivision approvals.
B.1d Ensure that lot sizes, building heights and density are appropriate for the coastal settlement, and complement the existing or desired local character, supported by place-based strategies.	CEA, CUA	Yes	Yes, there is no proposed changes to the building height or density controls. The lot size map is to be amended to reflect the as approved subdivision layout.
B.1e Avoid development that would harm geological features and geoheritage.	CEA, CUA	Yes	Yes. The site has been disturbed and filled as part of the subdivision approvals. And the proposal will not impact on geological features or geoheritage.
Outcome B.2 Ensure urban development complements coastal scenic values			
B.2a Limit ribbon development and urban sprawl wherever possible. In certain locations, place-based strategies may support increased development density and building heights as a better response to urban growth.	CEA, CUA	Yes	Yes, the proposal is within an identified urban growth area that has been approved for subdivision for residential / commercial purposes. And is an appropriate location for urban development.
B.2b Use greenbelts to create, maintain and mark out separation between settlements.	CEA, CUA	Yes	Yes, the site is within an existing urban release area, green spaces has been incorporated within the subdivision design.
B.2c Consider effects on scenic values and maintain publicly accessible views to significant landmarks.	CEA, CUA	Yes	Yes, limited views to Cape Byron will be limited due to the topography and existing vegetation. The proposal will
B.2d Ensure that building heights consider the effect on views from different vantage points.	CEA, CUA	Yes	N/A. the proposal is within an urban release area and no change to the height of building control is proposed. Future view analysis may be required at the development application stage for future dwellings within the urban release area.

B.2e Retain or create views from public spaces. Prioritise this over creating views from private property.	CEA, CUA	Yes	Yes. The proposal does not include any change to land uses and will not impact on views to or from public spaces, nor prioritise views for private property.
B.2f Provide for active transport links along foreshores, including along estuaries and coastal lakes, and between settlements to increase public access and amenity.	CWLRA, CVA, CEA, CUA	Yes	Yes. Consideration for active transport options were considered during the subdivision approval process. The area is located within proximity to existing public pathway to Byron Bay.

Outcome C. Protect and enhance the social and cultural values of the coastal zone

Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome C.1 Protect and promote heritage values			
C.1a Ensure development does not harm heritage values or sites.	CWLRA, CVA, CEA, CUA	Yes	N/A. There are no heritage items on the site. The nearest heritage item is approximately 2km from the site and is separated from the site by existing vegetation
C.1b Work collaboratively with local Aboriginal people before and throughout the planning proposal process.	CWLRA, CVA, CEA, CUA	No	N/A. This site has been previously zoned for residential / commercial development and has been approved for subdivision through the development application process. The DA process and the prior rezoning involved consultation with Aboriginal peoples
C.1c With permission and guidance from local Traditional Custodians, identify and emphasise significant features of coastal land and sea Country.	CWLRA, CVA, CEA, CUA	No	N/A. The approved Development Applications involved Cultural heritage assessment that was reviewed by the local aboriginal people who found it was satisfactory.
C.1d With permission and guidance from local Traditional Custodians, identify and protect sacred and significant areas through the appropriate siting of development.	CWLRA, CVA, CEA, CUA	No	N/A. Indigenous Heritage values for this Urban Release Area were considered during the development application process and the prior rezoning.
C.1e Ensure land use, building type, scale and height respond to heritage items and areas.	CEA, CUA	Yes	N/A. There are no heritage items on the site. The nearest heritage item is approximately 2km from the site and is separated from the site by existing vegetation
Outcome C.2 Provide public access to significant coastal assets			
C.2a Protect and, where practical, improve, public amenity, access to and use of beaches, foreshores, rock platforms, geoheritage sites and headlands, unless you must restrict access for public safety or for environmental or cultural protection. In doing so, consider both current and projected future coastal hazards.	CVA, CEA	Yes	Yes. Significant improvements to the pedestrian and cycle infrastructure in this location have been provided as part of the development approval and are connected to beaches and foreshores
C.2b Identify opportunities to maintain and improve existing public access to beaches, foreshores, coastal waters and coastal lakes that support active and passive recreation activities, where this does not interfere with existing coastal industries.	CWLRA, CVA, CEA, CUA	Yes	Yes. Significant improvements to the pedestrian and cycle infrastructure in this location have been provided and connected to beaches, foreshores, coastal waters, and coastal lakes.
C.2c Consolidate access points and consider alternative access to protect sacred and significant Aboriginal cultural areas.	CWLRA, CVA, CEA, CUA	No	N/A. The site has been disturbed for construction works as part of the approved subdivision. Aboriginal cultural sites and areas were considered during the Development Application process and included consultation with local Aboriginal Groups. The proposal does not seek to

			change the as approved subdivision layout.
C.2d Maintain and improve foreshore access and connections to existing or proposed networks of public open spaces. This includes waterways, riparian areas, bushland and parks for active and passive recreation.	CWLRA, CVA, CEA, CUA		Yes. The development site has provided links to the foreshore open space and the CBD, providing strong pedestrian and bicycle connectivity.
C.2e Consider opportunities to protect and improve habitat connectivity through settlements, such as those described in the <i>Greener Places Design Guide</i> .	CWLRA, CEA, CUA		Yes. The subdivision approvals have considered habitat connectivity and retention of trees within the conservation zoned land and through drainage infrastructure areas, and additional street tree planting throughout the urban release area will provide for opportunities to protect and improve habitat connectivity.

Outcome C. Protect and enhance the social and cultural values of the coastal zone

Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
C.2f Avoid development on coastal dunes and foreshore reserves unless it is for essential public purposes, such as surf life-saving club buildings. Any building or structure located on dunes must be of lightweight construction and relocatable.	CVA, CEA	Yes	N/A. There are no coastal dunes or foreshore reserves on the site.
C.2g Define the boundaries of development sites with a public edge—for example, a pedestrian pathway or public laneway.	CEA, CUA	Yes	Yes. A public edge is provided along the northern boundary to provide pedestrian connectivity to the town centre.
C.2h Prevent the privatisation of coastal open space by ensuring development next to foreshores is set back, maintains public access and accessibility, and provides links and connections to other public accessways.	CEA, CUA	Yes	N/A. The site is not directly adjacent to coastal open space or the foreshore
Outcome C.3 Protect public amenity			
C.3a Avoid development that will overshadow the beach, foreshore or public domain. Apply the standard that there must be no overshadowing before 4 pm (midwinter) and 7 pm (Eastern Daylight Saving Time).	CEA, CUA	Yes	Yes. The proposal will not result in overshadowing of the foreshore or any public recreational areas.
C.3b Protect the amenity of public spaces from buildings, structures or land uses that may be visually and/or acoustically intrusive or create wind funnels.	CEA, CUA	Yes	Yes. Future development applications would be required to assess these matters. However, the site is not located in proximity to areas that are likely to be affected.

Outcome D. Support sustainable coastal economies			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome D.1 Support sustainable industries and recreational activities that depend on the coast			
D.1a Ensure that development will not harm sustainable coastal industries needing waterfront access, or recreational use of the coastal environment.	CEA, CUA	Yes	N/A. The proposed development will not impact coastal industries or recreational uses as it is not directly adjacent to the waterfront.
D.1b Protect and improve essential facilities such as access ramps and jetties for sustainable coastal industries needing waterfront access.	CEA, CUA	Yes	N/A. The proposal will not impact upon any waterfront facilities such as access ramps and jetties.
D.1c Ensure access ramps, jetties, pontoons, groynes and other structures do not impede navigation on the water or harm coastal landforms or impair processes such as surf breaks.	CWLRA, CVA, CEA, CUA	Yes	N/A. The proposal does not include any development in waterways.
D.1d Ensure that the proposal considers how development in a waterway may affect the land.	CEA, CUA	Yes	N/A. The proposal does not include any development in waterways.
Outcome D.2 Promote green infrastructure			
D.2a Do not allow development that is likely to significantly reduce connectivity of existing green infrastructure.	CEA, CUA	No	N/A. Green infrastructure is provided as part of the Development Application approvals. The proposal will not impact on or reduce connectivity to nearby green infrastructure.
D.2b Provide for diverse green infrastructure that can support the changing needs of current and future communities, and provide tourism and recreational opportunities.	CEA, CUA	Yes	Yes. Green infrastructure is provided as part of the Development Application approvals. Where required future development applications will be required to consider the current and future needs for green infrastructure.

Outcome E. Respond to coastal hazards			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome E.1 Respond to coastal processes			
E.1a Planning proposals that affect land within a coastal hazard and risk area must not alter coastal processes in a way that harms the natural environment or other land.	CWLRA, CVA, CEA, CUA	Yes	N/A. The site is not identified as being subject to any coastal hazard, risk, or erosion.
E.1b Exclude development in areas affected by a current or projected future coastal hazard that is likely to increase the risk of coastal hazards on that land or other land.	CWLRA, CVA, CEA, CUA	Yes	N/A. The site is not identified as being subject to any coastal hazard, risk, or erosion.
E.1c Locate or consolidate development in areas with little or no exposure to current and projected future coastal hazards, to ensure public safety and prevent risks to life.	CWLRA, CVA, CEA, CUA	Yes	N/A. The site is not identified as being subject to any coastal hazard, risk, or erosion.
E.1d Do not increase development potential or intensify land uses in a coastal hazard or risk area.	CWLRA, CVA, CEA, CUA	Yes	N/A. The site is not identified as being subject to any coastal hazard, risk, or erosion.
Outcome E.2 Account for natural hazard risks			
E.2a Identify areas on and near the proposal that are affected by current or projected future coastal hazards. Ensure that the proposal is compatible with any identified threat or risk.	CWLRA, CVA, CEA, CUA	Yes	Yes. The proposal is within an existing urban release area that has approvals for residential and commercial subdivision. The approvals considered current or projected future coastal hazards during the detailed design and approval.
E.2b Account for potential interaction between coastal hazards and other current and future natural hazards. This includes flooding, bushfires, landslip, heatwaves, severe storms, east coast lows and cyclones. Refer to the <i>Strategic Guide to Planning for Natural Hazards</i> .	CWLRA, CVA, CEA, CUA	Yes	Yes. The development application subdivision has considered flooding and bushfire risks. Future detailed design of the current and future hazards will be required during future development applications.
E.2c Manage natural hazard risk within the development site. Avoid using public space or adjoining land to lessen risk.	CWLRA, CVA, CEA, CUA	No	N/A. The site is not identified as being subject to any coastal hazard, risk, or erosion.
Outcome E.3 Account for climate change			
E.3a Demonstrate that the proposal applies a 100-year planning horizon for the full range of climate change projections for coastal hazards. This approach recognises that sea level is projected to continue to rise for centuries because of climate change.	CWLRA, CVA, CEA, CUA	Yes	N/A. The site is not identified as being subject to current or projected future coastal hazards.
E.3b Consider how climate change could affect the risk profile of existing natural hazards and create new vulnerabilities and exposure for the proposal in the future.	CWLRA, CVA, CEA, CUA	Yes	N/A. The site is not identified as being subject to current or projected future coastal hazards.

Outcome E. Respond to coastal hazards			
Requirement	Relevant coastal management area(s)	Applicable to planning proposal (Y/N)	Planning proposal is consistent with guidelines (Y/N) If 'No', justify this
Outcome E.4 Provide sustainable defences to coastal hazards			
E.4a Reduce exposure to coastal hazards by protecting, restoring or improving natural defences. This includes coastal dunes, vegetation, coastal floodplains and coastal wetlands, where suitable.	CWLRA, CVA, CEA, CUA	Yes	N/A. There are no natural defences or identified coastal hazards affecting the urban release area.
E.4b If natural defences are not possible, reduce exposure to coastal hazards without significantly degrading: <ul style="list-style-type: none"> • biological diversity and ecosystem integrity • ecological, biophysical, geological and geomorphological coastal processes • beach and foreshore amenity, or the social and cultural value of these areas • public safety and access to, or use of, beaches or headlands. 	CWLRA, CVA, CEA, CUA	Yes	N/A. There are no natural defences or identified coastal hazards affecting the urban release area.
Outcome E.5 Protect essential infrastructure			
E.5a Locate and design essential infrastructure to reduce vulnerability to current and projected future coastal hazards. Consider the effects of climate change over at least a 100-year planning horizon.	CWLRA, CVA, CEA, CUA	No	N/a. The site does not contain any land mapped within projected future coastal hazards of climate change.
E.5b Where exposure to coastal hazards cannot be avoided, prepare adaptation plans for essential service infrastructure. These plans should be consistent with any applicable coastal management program.	CWLRA, CVA, CEA, CUA	No	N/a. The site does not contain any land mapped within projected future coastal hazards of climate change.
E.5c Consult local Aboriginal land management experts and emergency management agencies on how to strategically locate access routes and other essential infrastructure.	CWLRA, CVA, CEA, CUA	No	N/A. Aboriginal land management experts and emergency management agencies were consulted during the subdivision approval. And access routes and essential infrastructure have undergone a detail design during the development application process.
Outcome E.6 Change land uses to manage legacy issues and avoid creating new ones			
E.6a Ensure the proposal will not require coastal management interventions to remain viable over its expected lifespan.	CWLRA, CVA, CEA, CUA	Yes	Yes. The proposal will not require coastal management interventions to remain viable.
E.6b Consider the potential legacy effects of the proposal and if the proposed land uses or development will create a social, environmental, economic or cultural burden for future generations.	CWLRA, CVA, CEA, CUA	Yes	Yes. The proposal does not include any changes to land uses that are not already existing. The proposal will not fundamentally change the existing land uses, and will not create a social, environmental, economic, or cultural burden for future generations

E.6c Consider if the proposed change of land use could remove redundant legacy infrastructure or reduce existing legacy effects.	CWLRA, CVA, CEA, CUA	Yes	N/A. the proposal does not require the removal of legacy infrastructure.
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