

NSW Coastal Design Guidelines 2023



Appendix 8: Assessment checklist for Byron LEP Housekeeping Amendments

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	N	N/A None of the coastal items (20, 22, 23, 26, 27, 29, 32, 33) involve undeveloped headlands or significant coastal landforms. Amendments are administrative (mapping corrections, zoning alignment, updated descriptions) and do not facilitate development or intensify coastal land use.
A.1b Do not increase development or intensify land uses where there is existing development on headlands and significant coastal landforms.	CVA, CEA	N	N/A None of the coastal items (20, 22, 23, 26, 27, 29, 32, 33) involve undeveloped headlands or significant coastal landforms. Amendments are administrative (mapping corrections, zoning alignment, updated descriptions) and do not facilitate development or intensify coastal land use.

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	Y	Y. Each amendment either: • corrects mapping errors (Items 22, 26, 27, 29, 32), • reduces development pressure by rezoning to more appropriate, constrained or conservation-aligned zones (Items 20, 22, 26, 29), or • does not change development potential (Items 23, 32, 33). Wetland and vegetation protections remain fully in effect under the LEP/SEPP framework, and all future works require DA-stage ecological assessment. Item 33: ecological values may be present; the Gateway requires DCCEEW consultation
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	Y	Y. None of the amendments allow new development or changes to foreshore areas. Several items simply correct zoning or mapping (such as Items 22, 26, 27, 29 and 32) and therefore help maintain protection of riparian and coastal features. Item 22 confirms land already within the Tyagarah Nature Reserve, and Items 26 and 27 correct conservation and waterway zones, strengthening protection. Other items (20, 23, 29, 32, 33) do not increase development potential and any future proposals would still be assessed under existing LEP and SEPP environmental controls. As a result, beaches, dunes, riparian vegetation and natural foreshore features remain protected.
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	Y	Y The amendments do not create new access points or pathways, nor do they increase visitation or use of sensitive coastal areas. Several items (such as Items 22, 26 and 27) correct zoning or mapping in a way that strengthens protection of coastal environments. Other items (20, 23, 29, 32 and 33) do not increase development potential, and any future development would still

			need to comply with existing LEP and SEPP environmental controls that limit impacts on sensitive areas. Overall, the proposal does not introduce any changes that would increase pressure on coastal ecosystems or require new access paths.
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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	Y	The amendments do not create new development zones or increase development potential. Most changes are administrative or corrective (such as Items 20, 22, 23, 26, 27, 29 and 32) and therefore do not introduce additional biodiversity impacts. Item 33 involves rezoning small infill lots but will still be subject to detailed ecological and hazard assessment at the DA stage, as noted in the Gateway Determination. Overall, the proposal does not shift development into more sensitive locations or increase impacts on coastal biodiversity
A.1g Avoid development that may disturb, expose or drain areas of Class 1 and Class 2 acid sulfate soils.	CWLRA, CEA, CUA	Y	Y. None of the amendments create new development opportunities or physical works that could disturb Class 1 or Class 2 acid sulfate soils. Several items (20, 26, 29 and 32) occur on land mapped as having acid sulfate soil potential, but the Gateway confirms the planning proposal is minor and does not increase development potential. Any future works would still be assessed under existing LEP acid sulfate soil provisions at the DA stage. Overall, the proposal does not increase the risk of disturbing acid sulfate soils.
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	Y	The amendments do not introduce new development or works that could affect water quality, water quantity or hydrological flows. Most items (such as Items 20, 22, 23, 26, 27, 29 and 32) are zoning or mapping corrections that do not change how land interacts with waterways. For Item 33, any future development will still require DA-stage assessment of stormwater, flooding and coastal hazard considerations as

			identified in the Gateway Determination. Overall, the proposal does not create any new impacts on coastal or riparian water systems
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	Y	Each amendment either: • corrects mapping errors (Items 22, 26, 27, 29, 32), • reduces development pressure by rezoning to more appropriate, constrained or conservation-aligned zones (Items 20, 22, 26, 29), or • does not change development potential (Items 23, 32, 33). Wetland and vegetation protections remain fully in effect under the LEP/SEPP framework, and all future works require DA-stage ecological assessment.
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	Y	Y. Each amendment either: • corrects mapping errors (Items 22, 26, 27, 29, 32), • reduces development pressure by rezoning to more appropriate, constrained or conservation-aligned zones (Items 20, 22, 26, 29), or • does not change development potential (Items 23, 32, 33). Wetland and vegetation protections remain fully in effect under the LEP/SEPP framework, and all future works require DA-stage ecological assessment.
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	Y	Y. Each amendment either: • corrects mapping errors (Items 22, 26, 27, 29, 32), • reduces development pressure by rezoning to more appropriate, constrained or conservation-aligned zones (Items 20, 22, 26, 29), or • does not change development potential (Items 23, 32, 33). Wetland and vegetation protections remain fully in effect under the LEP/SEPP framework, and all future works require DA-stage ecological assessment.

A.2d Identify and protect areas that allow for landward migration pathways for coastal wetlands to respond to climate change.	CWLRA, CEA	Y	Y. Each amendment either: • corrects mapping errors (Items 22, 26, 27, 29, 32), • reduces development pressure by rezoning to more appropriate, constrained or conservation-aligned zones (Items 20, 22, 26, 29), or • does not change development potential (Items 23, 32, 33). Wetland and vegetation protections remain fully in effect under the LEP/SEPP framework, and all future works require DA-stage ecological assessment. Item 33: ecological values may be present; the Gateway requires DCCEW consultation prior to exhibition.
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	Y	Y. The amendments do not introduce any new land uses, nor do they permit activities that would impact the natural state of coastal wetlands or littoral rainforests. Several items (such as Items 22, 26 and 29) correct zoning in ways that strengthen environmental protection. The remaining items (20, 23, 27, 32 and 33) do not increase development potential and any future development would still be assessed under existing LEP and SEPP controls that protect wetlands and sensitive coastal vegetation. Overall, the proposal does not enable land uses that would affect or limit the future rehabilitation of coastal wetlands or littoral rainforests
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	N	Y. Marine parks and aquatic reserves are not affected by any of the mapped housekeeping amendment items. No amendments enable additional coastal or marine works, and no rezonings introduce uses that could impact declared marine estate areas.

A.3b Protect the ecological health of marine parks and aquatic reserves, including providing for riparian vegetation and buffers in their catchments.	CEA, CUA	N	Y No mapped components of the planning proposal intersect with, drain directly to, or alter catchment conditions for marine parks or aquatic reserves.
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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	Y	Y The planning proposal does not introduce new development, building envelopes, or increased land-use intensity that could alter or dominate natural coastal landforms.
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	Y	Y The planning proposal does not introduce any new development, building footprints, or land-use intensification within coastal settings. Item 33, does not increase bulk or height controls, and any future DA would remain subject to coastal hazard, character, scenic quality, and Aboriginal cultural considerations.
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	Y	Y The planning proposal does not create any new development footprint, nor does it enable additional built form that could increase impervious area, stormwater runoff, or pollutant loads into coastal receiving environments. Any future development continues to be subject to stormwater management, erosion control, and water-sensitive design requirements at the development application stage.
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	Y	Y. The planning proposal does not increase building heights, densities, or permissible development intensity in any coastal settlement. Item 33 applies R3 zoning but does not alter height or lot size controls, and any future development will remain subject to coastal hazard, density, and neighbourhood character controls within the Byron LEP and DCP.

B.1e Avoid development that would harm geological features and geoheritage.	CEA, CUA	Y	Yes. None of the amendments in the planning proposal introduce development or zoning changes that would enable works impacting 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	Y	Y The planning proposal does not enable any new urban expansion, nor does it facilitate ribbon development along the coastline or transport corridors.
B.2b Use greenbelts to create, maintain and mark out separation between settlements.	CEA, CUA	Y	Y The planning proposal supports the intent of greenbelts by preventing encroachment or coalescence between settlements. Several amendments reduce development potential in peri-urban or coastal-adjacent areas
B.2c Consider effects on scenic values and maintain publicly accessible views to significant landmarks.	CEA, CUA	Y	Y. The planning proposal is fully consistent with maintaining scenic values and protecting publicly accessible views to significant coastal landmarks.
B.2d Ensure that building heights consider the effect on views from different vantage points.	CEA, CUA	Y	Y The planning proposal does not introduce any new building height changes or increase allowable development envelopes in coastal or visually sensitive areas. Existing height controls in Byron LEP 2014 remain unchanged across all affected sites.
B.2e Retain or create views from public spaces. Prioritise this over creating views from private property.	CEA, CUA	Y	Y The planning proposal does not introduce any new building height changes, intensification of development, or alterations to land-use patterns that could obstruct public views or coastal vistas
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	N	N/A This is a housekeeping planning proposal and does not include any amendments that introduce, remove, or alter active transport links, nor does it change zoning or land uses in a manner that would affect public access along foreshores, estuaries, or coastal lakes.

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	Y	Y The planning proposal includes several heritage-related housekeeping amendments (Items 1-9), all of which strengthen heritage protection by correcting property descriptions, updating mapping, and adding new heritage items supported by assessments. These amendments do not introduce development—they support improved heritage accuracy and compliance within the LEP.
C.1b Work collaboratively with local Aboriginal people before and throughout the planning proposal process.	CWLRA, CVA, CEA, CUA	Y	Y While this is a housekeeping planning proposal and does not involve new development or strategic growth areas, it does include items (particularly Item 33, involving TBLALC land) where Aboriginal cultural values may be present. The Gateway Determination explicitly requires consultation with DCCEEW and recognises the relevance of Aboriginal cultural values in this context. Council has acknowledged this requirement and will undertake consultation during the exhibition and agency referral process. Engagement obligations under the Coastal Management Act, Aboriginal Cultural Heritage guidelines, and LEP clause 5.10 (heritage) continue to apply at both LEP and DA stages.
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	Y	Y. Although this is a housekeeping planning proposal and does not introduce new development or strategic coastal expansion, it includes amendments involving land where Aboriginal cultural values may be present—particularly Item 33, which concerns land owned by the Tweed Byron Local Aboriginal Land Council (TBLALC). The Gateway Determination requires consultation with DCCEEW prior to exhibition,

			reflecting the need to consider Aboriginal cultural and environmental values. This process ensures that: • Traditional Custodians and Aboriginal knowledge holders can provide guidance, • any significant features of coastal land and sea Country can be identified where relevant, and • future DA-stage assessments will continue to require cultural heritage due diligence under LEP Clause 5.10 and State legislation.
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	Y	Y Although the planning proposal is a housekeeping amendment and does not create any new development potential, the requirement remains applicable, particularly due to Item 33, which involves land owned by the Tweed Byron Local Aboriginal Land Council (TBLALC). The Gateway Determination specifically identifies the need for consultation with DCCEEW recognising potential cultural and environmental values. This ensures that Traditional Custodians and relevant Aboriginal knowledge holders have the opportunity to inform the process, consistent with the NSW Coastal Design Guidelines.
C.1e Ensure land use, building type, scale and height respond to heritage items and areas.	CEA, CUA	Y	Y The planning proposal includes heritage-related housekeeping amendments (Items 1-9), and several coastal-zone amendments occur in or near established settlements where heritage context is relevant. No amendment enables new built form that could overshadow, dominate, or otherwise diminish the character or significance of any heritage item or heritage conservation area.
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	Y	Y. Several items in the housekeeping planning proposal relate to land located within the coastal zone or mapped Coastal Management Areas. The proposal is consistent as: • No amendment introduces new development, structures, or land uses that would diminish public access to beaches, foreshores, estuaries, rock platforms, coastal reserves, or headlands. • Amendments do not rezone foreshore land to private or more intensive uses, nor do they reduce any public access corridors. • Several items strengthen protection of public coastline by rezoning constrained or environmentally sensitive land to conservation or rural zones (Items 20, 22, 26, 29), helping to preserve public amenity and long-term accessibility. Mapping corrections (Items 22, 26, 27, 29, 32) do not alter access arrangements or change public land status and therefore do not affect public use or enjoyment of coastal areas. Item 22 rezones a former road reserve into C1 National Parks and Nature Reserves, which improves conservation alignment and provides clearer public land management in Tyagarah Nature Reserve. All future DA-stage proposals remain subject to coastal hazard, flooding, and environmental protection controls under the Resilience & Hazards SEPP and Byron LEP 2014, ensuring ongoing consideration of both current and future coastal hazards when assessing impacts on public access and amenity.
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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	Y	Y. This requirement is applicable, as several items in the planning proposal relate to land within mapped Coastal Management Areas (Items 20, 22, 26, 27, 29, 32, 33). The proposal is fully consistent because: • No amendment removes, restricts or alters existing public access to beaches, foreshores, estuaries, wetlands, or coastal lakes. • No foreshore or public reserve land is rezoned to private or more intensive uses, and no coastal access corridors are affected. • Several amendments increase environmental protection (Items 22, 26) or reduce development potential (Items 20, 29), thereby supporting long-term opportunities for public access and coastal recreation. • Item 22 (Tyagarah Nature Reserve) rezones a former road reserve into C1 National Parks and Nature Reserves, reinforcing public land management and public amenity opportunities within the reserve. • Mapping corrections (Items 22, 26, 27, 29, 32) do not change any access arrangements and simply restore correct zoning or environmental overlays. • The planning proposal does not conflict with any existing coastal industries (tourism, aquaculture, boating, fisheries), nor does it enable new uses that could compromise recreational access or coastal operations.
C.2c Consolidate access points and consider alternative access to protect sacred and significant Aboriginal cultural areas.	CWLRA, CVA, CEA, CUA	Y	Y. the planning proposal includes amendments in the coastal zone and includes one item (Item 33) involving land owned by the Tweed Byron Local Aboriginal Land Council (TBLALC). Protection of sacred and significant Aboriginal cultural areas is therefore relevant. The planning proposal is

			consistent with C.2c for the following reasons: • No new access points are being created, removed, or altered as part of the housekeeping amendments. • No amendments introduce development or infrastructure that would affect access patterns near Aboriginal cultural areas. • Item 33 involves TBLALC-owned land but does not modify access arrangements. The Gateway determination requires consultation with DCCEW, ensuring any sensitive Aboriginal cultural areas are identified and considered. • Existing protections under Byron LEP 2014 clause 5.10 (Heritage), the Aboriginal cultural heritage due diligence process, and the Coastal Management Act remain fully in effect for any future DA. • Because the proposal does not alter access or facilitate new development, there is no risk of impacting sacred or significant Aboriginal cultural places, nor any need to consolidate or redirect access at the LEP stage.
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	Y	Y. This requirement is applicable because several housekeeping items relate to land within mapped coastal areas; however, the planning proposal does not alter, remove, or restrict any foreshore access or public open space connections.
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	Y	Y. Several items occur within or adjacent to mapped Coastal Environment Areas (CEA), Coastal Use Areas (CUA), or CWLRA Proximity Areas, where ecological connectivity considerations are relevant. The planning proposal is fully consistent with C.2e because: • Many amendments reduce future development potential in

			sensitive landscapes by rezoning land to rural or conservation zoning (Items 20, 22, 26, 29), thereby maintaining or enhancing habitat continuity and ecological linkages across rural-coastal interfaces. • Mapping corrections (Items 22, 26, 27, 29, 32) simply restore correct environmental overlays or zoning and do not alter vegetation, biodiversity corridors, or the physical landscape. • Item 26 (Broken Head Road) and Item 22 (Tyagarah) directly reinforce environmental zoning, supporting continuous ecological corridors consistent with the principles in the Greener Places Design Guide. • Item 33, while enabling infill zoning on TBLALC land, does not change height, density, or vegetation controls, and the Gateway Determination explicitly requires consultation with DCCEW to ensure ecological and cultural values are identified and protected. • All future proposals remain subject to the Byron LEP biodiversity and riparian provisions, the Resilience & Hazards SEPP, and DA-stage assessment requirements that safeguard habitat connectivity.
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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	Y	Y. several amendments occur within mapped Coastal Environment Areas (CEA), Coastal Use Areas (CUA), or CWLRA proximity areas. However, the planning proposal is fully consistent with C.2f because: - No amendments enable development on coastal dunes, beaches, or foreshore reserves. None of the items rezone dune systems, beach foreshore corridors, or public reserve land to permit new built form. - No items propose essential public buildings, and no buildings are proposed at all. The housekeeping amendments do not involve siting or constructing surf clubs, public amenities, or any other coastal structures. - Items 20, 22, 26, and 29 reduce development potential on constrained coastal lands by rezoning to RU1, RU2, C1 or C2—reinforcing restrictions on foreshore and dune disturbance. - Mapping corrections (Items 22, 26, 27, 29, 32) do not change permissibility and do not affect dune systems or foreshore reserves in any way. - Existing protections under the Resilience & Hazards SEPP, the Coastal Management Act, and Byron LEP 2014 remain fully operational, ensuring that any future DA must avoid dune disturbance except for lightweight, relocatable essential public structures (none proposed here).

C.2g Define the boundaries of development sites with a public edge—for example, a pedestrian pathway or public laneway.	CEA, CUA	Y	Y. This requirement is applicable in principle because several items occur within mapped coastal areas. The housekeeping amendments do not introduce any new development sites, new building footprints, or new land parcels with altered public interfaces.
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	Y	Y. Several amendments occur within mapped Coastal Environment Areas (CEA), Coastal Use Areas (CUA), or CWLRA proximity areas. None of the amendments rezone foreshore land to private uses or introduce development opportunities that could privatise coastal open space. No items enable or expand development footprints adjacent to the foreshore, beach areas, estuaries, or riparian corridors.
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	Y	Y. No amendments in the planning proposal increase building heights, alter height-of-buildings maps (other than correcting errors), or allow taller development capable of casting new shadows onto beaches, foreshores, or public coastal open space. Item 33 (TBLALC land) does not modify height standards, density, or building envelopes; any future DA will remain subject to LEP coastal hazard controls and view/sunlight impact assessment.
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	Y	Y. The proposal does not enable any new buildings, structures, or land uses that could create visual or acoustic intrusion or wind funnel effects in public spaces.

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	Y	Y. No amendments reduce access to waterways, beaches or foreshores—all critical for sustainable coastal industries and recreation.
D.1b Protect and improve essential facilities such as access ramps and jetties for sustainable coastal industries needing waterfront access.	CEA, CUA	Y	Y. No essential coastal industry facilities (boat ramps, jetties, wharves, waterfront operational sites) are affected by any amendment in the housekeeping proposal.
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	Y	Y. The planning proposal does not propose, enable, expand, or modify any water-based structures such as jetties, pontoons, groynes, ramps, or coastal protection works.
D.1d Ensure that the proposal considers how development in a waterway may affect the land.	CEA, CUA	Y	Y. Item 27 (Marshall's Creek)—involves land mapped as a waterway, and several other items occur within or near Coastal Management Areas. No development in a waterway is proposed or enabled by the planning proposal. There are no works, structures, dredging, reclamation, or water-based development introduced by any amendment. Item 27 corrects a zoning anomaly by reinstating W2 Recreational Waterways, which is the appropriate environmental and recreational zoning for Marshall's Creek. This correction does not change development permissibility and therefore does not create any new impact on land or waterway processes. None of the amendments modify waterway edges, increase allowable building footprints, or permit land uses that could alter sediment movement, flooding behaviour, bank stability, or hydrodynamic conditions.

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	Y	Y. Several amendments occur within mapped Coastal Environment Areas (CEA), Coastal Use Areas (CUA), or CWLRA proximity areas, where ecological and green-infrastructure connectivity is relevant. Multiple amendments reduce development potential or strengthen environmental zoning on constrained land (Items 20, 22, 26, 29), directly supporting the retention and continuity of vegetated corridors and ecological networks. Mapping corrections (Items 22, 26, 27, 29, 32) do not modify existing vegetation protections, landscape connectivity, or biodiversity corridors already mapped under the Byron LEP, State overlays, or the Coastal Management Act. No amendments increase density, building footprints, or permissible land uses in a way that could fragment green infrastructure or remove key habitat linkages. Item 26 (Broken Head Road) corrects a minor error by rezoning a small portion to C2 Environmental Conservation, which increases protection of connected bushland and strengthens green infrastructure. Item 22 (Tyagarah Nature Reserve) rezones land into C1 National Parks and Nature Reserves, enhancing long-term ecological connectivity and reserve boundaries. Item 33, although enabling infill zoning, does not change height, FSR, or clearing provisions; and Gateway-required consultation with DCCEW ensures any ecological connectivity issues are addressed in the exhibition stage.

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	Y	Y. Several amendments occur within or adjacent to mapped Coastal Management Areas (CEA, CUA, CWLRA proximity), where green infrastructure supports biodiversity, recreation, and climate resilience. The housekeeping amendments do not remove or diminish any green infrastructure such as vegetated corridors, reserves, riparian areas, or natural coastal open spaces.
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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	Y	Y. Several amendments occur within mapped Coastal Environment Areas (CEA), Coastal Use Areas (CUA), Coastal Wetlands/Littoral Rainforest proximity areas (CWLRA proximity), and other coastal hazard overlays identified in the planning proposal (Items 20, 22, 26, 27, 29, 32, 33). The housekeeping proposal does not alter coastal processes, enables no new works, and in some cases improves alignment with environmental zoning,
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	Y	Y. No amendment in the proposal introduces or permits development in any area currently or potentially affected by coastal hazards. The Gateway Determination identifies that coastal hazard issues will undergo agency consultation (DCCEEWS/SES), ensuring independent verification before exhibition, further supporting compliance with E.1b.
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	Y.	Y. Multiple items (20, 22, 26, 27, 29, 32, 33) are located within mapped Coastal Environment Areas (CEA), Coastal Use Areas (CUA), or CWLRA Proximity Areas. No items introduce or permit new development in areas exposed to coastal hazards. Future proposals in affected areas remain subject to: - Byron LEP 2014 coastal hazard and flood clauses, - the Resilience & Hazards SEPP, and - the Coastal Management Act, ensuring that any DA must demonstrate that

			development is located safely outside hazard areas or appropriately mitigated.
E.1d Do not increase development potential or intensify land uses in a coastal hazard or risk area.	CWLRA, CVA, CEA, CUA	Y	Y. Multiple items (20, 22, 26, 27, 29, 32, 33) are located within mapped Coastal Environment Areas (CEA), Coastal Use Areas (CUA), or CWLRA Proximity Areas. No amendments increase development potential in any mapped coastal hazard or risk area. Future proposals in affected areas remain subject to: • Byron LEP 2014 coastal hazard and flood clauses, • the Resilience & Hazards SEPP, and • the Coastal Management Act, ensuring that any DA must demonstrate that development is located safely outside hazard/risk areas or appropriately mitigated.
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	Y	Y. Several amendments occur within mapped coastal hazard areas (Coastal Environment Area, Coastal Use Area, CWLRA Proximity Area), and the Gateway Determination notes that coastal hazard issues require agency consultation. No amendment introduces or permits new development in any identified hazard area.
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	Y	Y The planning proposal contains multiple items located within coastal hazard areas and areas affected by other natural hazards flagged in the Gateway Determination—namely flooding, bushfire, and acid sulfate soils. The Gateway Determination requires consultation with the SES, RFS, and DCCEEW, ensuring: • coastal hazards, • flooding,

			• bushfire behaviour, • and other natural hazard interactions are independently reviewed before exhibition. All future development is subject to hazard controls in the Resilience & Hazards SEPP and Byron LEP 2014, ensuring detailed multi-hazard assessment at DA stage.
E.2c Manage natural hazard risk within the development site. Avoid using public space or adjoining land to lessen risk.	CWLRA, CVA, CEA, CUA	Y	Y. The housekeeping proposal does not intensify development, does not create new hazard-affected development envelopes, and does not externalise hazard management to public or neighbouring land.
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	Y	Y. Several amendments occur within mapped coastal hazard areas (Coastal Environment Area, Coastal Use Area, CWLRA Proximity Area), All future development on affected land will be assessed under the Resilience & Hazards SEPP and Coastal Management Act, both of which require consideration of: • projected 2100 sea-level rise, • increased storm surge intensity, • erosion hazard lines, • and cumulative multi-hazard interactions over at least a 100-year planning horizon. As a housekeeping amendment, the planning proposal does not weaken or alter any existing LEP controls that implement long-term hazard planning (e.g., coastal hazard clauses, flooding clauses, foreshore setback controls).
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	Y	Y. Several items within the planning proposal fall inside areas affected by multiple natural hazards, including coastal hazards, flooding, bushfire, and acid sulfate soils, all of which are sensitive to worsening conditions under climate change.

			The Gateway Determination requires consultation with DCCEEW and the SES, providing an additional safeguard to ensure that amplified climate risks such as increased storm intensity, rainfall patterns, and coastal processes are considered in the exhibition stage.
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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	Y	Y. Several items in the planning proposal occur within mapped Coastal Environment Areas (CEA), Coastal Use Areas (CUA), and CWLRA Proximity Areas, where natural coastal defences—such as dunes, vegetation, wetlands, and floodplains—play a critical hazard-mitigation role. No amendments propose or enable development on dunes, wetlands, floodplains, or other natural coastal buffers.
E.4b If natural defences are not possible, reduce exposure to coastal hazards without significantly degrading: - 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	Y	Y. The planning proposal neither enables development nor requires non-natural hazard mitigation approaches.
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	Y	Y. The housekeeping proposal does not introduce or modify essential infrastructure Any future DA or infrastructure planning is still subject to: - Resilience & Hazards SEPP (coastal hazards, flooding, bushfire, landslip, erosion, storm impacts) - Coastal Management Act hazard planning principles - Byron LEP 2014 hazard and flood clauses - NSW Government's 100-year coastal hazard planning horizon, including: - projected sea-level rise - erosion hazard lines - storm surge

			- intensification - o cumulative and multi-hazard effects over time All future essential infrastructure remains governed by appropriate hazard and climate-risk controls.
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	N	N/A
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	Y	Y. Several items in this housekeeping proposal occur within mapped Coastal Management Areas (CEA, CUA, CWLRA proximity), and the Gateway Determination explicitly requires agency consultation. Item 33, involving TBLALC-owned land, is recognised by the Gateway as requiring additional cultural and environmental review.
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	Y	Y. No amendment in the planning proposal introduces new development or intensifies land use in coastal hazard areas which would later rely on coastal protection works (seawalls, revetments, groynes, dune-stabilisation structures, or beach nourishment) 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	Y	Y. The proposal does not introduce development that could create long-term burdens - No new development, subdivision, or intensification is created by any amendment. - No item increases exposure to coastal hazards, flooding, bushfire, erosion, or other natural hazards that could impose future costs on the community.
E.6c Consider if the proposed change of land use could remove redundant legacy infrastructure or reduce existing legacy effects.	CWLRA, CVA, CEA, CUA	Y	Y. The proposal removes potential future conflicts associated with legacy uses. By aligning zoning more closely with actual environmental constraints and land capability, the planning proposal reduces:

			• pressure to upgrade or maintain unnecessary accessways, • legacy drainage issues in former or mis-zoned land, • unrealistic expectations of development on flood-prone or coastal hazard land, • administrative burdens associated with managing outdated SP2 or Deferred Matter zones. No new infrastructure is introduced that could create future legacy burdens The planning proposal: • does not expand development footprints, • does not allow additional essential or service infrastructure, • does not create any asset demand requiring long-term management or renewal.
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