



New South Wales

Environmental Planning and Assessment Amendment (Coastal Policy) Regulation 1997

under the

Environmental Planning and Assessment Act 1979

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Environmental Planning and Assessment Act 1979*.

CRAIG KNOWLES, M.P.,
Minister for Urban Affairs and Planning

Explanatory note

At present, the *Environmental Planning and Assessment Regulation 1994* requires certain councils to take into account, when determining a development application, the Draft Revised Coastal Policy published in 1994. That Regulation is amended as a consequence of the adoption of a new Government Coastal Policy. The amendments include some additional councils that must take the Coastal Policy into consideration for the purposes of determining a development application relating to land to which the Policy applies.

This Regulation is made under the *Environmental Planning and Assessment Act 1979*, including section 157 (the general regulation-making power) and section 90 (1) (s).

1997 No 685

Clause 1 Environmental Planning and Assessment Amendment (Coastal Policy) Regulation 1997

**Environmental Planning and Assessment
Amendment (Coastal Policy) Regulation 1997**

1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Coastal Policy) Regulation 1997*.

**2 Amendment of Environmental Planning and Assessment
Regulation 1994**

The *Environmental Planning and Assessment Regulation 1994* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 65 What additional matters must a consent authority take into consideration in determining a development application?

Insert “to which that Policy applies and that is” after “land” in clause 65 (b).

[2] Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Areas affected by Government Coastal Policy

(Clause 65, Dictionary)

Ballina
Bega Valley
Bellingen
Byron
Coffs Harbour
Copmanhurst
Eurobodalla
Gosford*
Great Lakes
Greater Taree
Hastings
Kempsey
Kiama
Lake Macquarie*
Lismore
Maclean
Maitland
Manly*

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Schedule 1 Amendments

Nambucca
Newcastle*
Pittwater*
Port Stephens
Randwick*
Richmond River
Shellharbour*
Shoalhaven
Sutherland*
Tweed
Ulmarra
Warringah*
Waverley*
Wollongong*
Woollahra*
Wyong*

***Note.** The areas marked with asterisks are only affected by the seaward part of the Government Coastal Policy, being the area extending 3 nautical miles seaward from the open coast high water mark.

[3] Schedule 6 Savings and transitional provisions

Insert after clause 1:

2 Environmental Planning and Assessment Amendment (Coastal Policy) Regulation 1997

A development application lodged before the commencement of the *Environmental Planning and Assessment Amendment (Coastal Policy) Regulation 1997* is to be considered and determined as if this Regulation had not been amended by that Regulation.

[4] Dictionary

Omit “*Draft Revised Coastal Policy*, as published in April 1994” from the definition of ***Government Coastal Policy***.

Insert instead “*NSW Coastal Policy 1997: A Sustainable Future for the New South Wales Coast*, as published by the Government (and including any maps accompanying that publication and any amendments to those maps that are publicly notified)”.