

SYDNEY COASTAL COUNCILS GROUP Inc.  
PO Box 999, Manly NSW 1655  
Email: [info@sydneycoastalcouncils.com.au](mailto:info@sydneycoastalcouncils.com.au)  
Web: [www.sydneycoastalcouncils.com.au](http://www.sydneycoastalcouncils.com.au)  
ABN: 39 638 876 538



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Wednesday, 22 September 2021

EP&A Regulation review  
Dept Planning, Industry and Environment  
Email: [regulation.review@planning.nsw.gov.au](mailto:regulation.review@planning.nsw.gov.au)  
Via: Planning Portal

To whom it may concern

**Re: Submission on the Draft Environmental Planning & Assessment Regulation**

Thank you for the opportunity for the Sydney Coastal Councils Group (SCCG) to comment on the Draft Environmental Planning & Assessment Regulation (Draft EP&A Reg).

The SCCG is a regional organisation of councils, established in 1989 to promote collaboration among member councils on environmental issues relating to the sustainable management of the urban coastal and estuarine environment. The group comprises nine councils adjacent to Sydney marine and estuarine environments and associated waterways and represents nearly 1.3 million Sydneysiders.

We are guided by the [SCCG's 2019-2029 Strategic Plan](#) which includes six goals, four of which are highly relevant to the Draft EP&A Reg:

- People and places adapt to a changing climate and future shocks and stressors.
- Waterways and the foreshore are protected and healthier.
- Marine biodiversity is protected in the bioregion.
- The SCCG is comprised of sustainable, livable and 'smart' cities.
- There is a collaborative, effective and consistent approach to coastal and estuarine management.

I understand that the Draft EP&A Reg is intended to replace the Environmental Planning and Assessment Regulation 2000 (EP&A Reg 2000) and is proposed to commence on 1 March 2022. The Draft EP&A Reg has been developed following consultation on the 'Review of the Environmental Planning and Assessment Regulation 2000' issues paper released in September 2017 and generally retains the provisions of the EP&A Reg 2000 but with key changes to:

- reduce administrative burden
- simplify the planning system
- establish a modern and transparent planning system.

The SCCG has reviewed relevant parts of the Draft EP&A Reg, Regulatory Impact Statement and fact sheets on the Department's website. I offer the following comments on critical areas of interest to coastal and estuary management.



Sutherland Shire  
COUNCIL



INNER WEST



WAVERLEY  
COUNCIL



Bayside Council

northern  
beaches  
council



WILLOUGHBY  
CITY COUNCIL  
City of Diversity



Randwick City Council  
a sense of community



## Designated development

I note the revisions to the development categories and definitions, in particular the proposed alterations to location-based triggers to:

- *standardise wetland buffers to 100 metres (current buffers range from 40 – 100 metres). This supports adequate protections for wetlands from higher risk development types and aligns better with the State Environmental Planning Policy (Coastal Management) 2018.*
- *revise the drinking water catchment definition. The improved definition will help manage risks to water quality, focus on water utility operations, remove ambiguity of the term 'potable', and ensure relevant groundwater works are included.*

The SCCG strongly supports the above changes to location-based triggers, recognising the benefits to coastal and estuarine biodiversity, water quality and waterway health.

The new category of Desalination plants for Designated Development is an important addition, with thresholds specified in the proposed Schedule 2. It is noted that such plants have a capacity to impact on water quality of local waterways and the marine environment due to concentrated effluent.

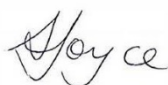
## Planning certificates

The SCCG strongly supports the proposed inclusions on Planning certificates that improve clarity and consistency and that ensure interested parties can readily access information on land that is relevant, accurate and easy to interpret.

I note especially the proposed update to the provisions related to hazard risk restrictions to explicitly include coastal hazard and sea level rise in the list of risks. Currently this information is included on some planning certificates but not others, at the discretion of the relevant council. This requirement will drive the necessity for councils to have access to the latest coastal hazard and sea level rise assessments to ensure credible information is provided on Planning certificates. It will also potentially drive much needed regional consistency of coastal hazard and sea level rise information.

I trust the above information is helpful feedback on the Draft EP&A Reg. If you have any queries, please contact me on M.0407 733 075 or by email at [executiveofficer@sydneycoastalcouncils.com.au](mailto:executiveofficer@sydneycoastalcouncils.com.au)

Yours sincerely,



Sarah Penny Joyce  
**Executive Officer**



Sutherland Shire  
COUNCIL



**INNER WEST**



WAVERLEY  
COUNCIL



**Bayside Council**

northern  
beaches  
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