

Proposed re-organisation of Coastal Management Bill 2016

Part 1 Preliminary

Section 1 Name of Act

Section 2 Commencement

Section 3 Objects of this Act

Section 4 Definitions

Part 2 – Coastal zone and management objectives for coastal management areas

Section 5 - re-name three of the four proposed ‘coastal management areas’ and

Section 6 – ‘coastal conservation area’

Section 7- ‘coastal vulnerability area’

Section 8 - coastal water bodies and environs’

Section 9 – ‘coastal development area’

Section 10 -- Matters relating to identification of coastal management areas

Part 3 Coastal management manual, plans and programs

Part 3 Division 1 – Application of Part

Section 11 - Part applies to local councils in coastal zone - stet

Part 3 Division 2 -- Coastal Management Manual

Section 12 Insert draft section 21 re Manual

Part 3 Division 3 -- Coastal Management Planning Policy

Section 13 Insert new section to refer to SEPP for coastal management made under *EP & A Act 1979*

Part 3 Division 4 – coastal zone management plans

[See Appendix 2 for provisions re CZMPs -- ss 55A - 55L of *CP Act 1979* updated as ss 13 – 26]

Section 14 Purpose of Coastal Zone Management Plan

Section 15 Minister to act consistently with objects of Act

Section 16 Requirement for [coastal zone management plans](#)

Section 17 Matters to be dealt with in [coastal zone management plans](#)

Section 18 Guidelines for preparation of draft [coastal zone management plans](#)

Section 19 Public consultation

Section 20 Submissions

Section 21 Certification by Minister

Section 22 Gazettal and commencement of [coastal zone management plans](#)

Section 23 Amendment and repeal of [coastal zone management plans](#)

Section 24 Availability of [coastal zone management plans](#)

Section 25 Breach of [coastal zone management plan](#): offence

Section 26 Breach of [coastal zone management plan](#): restraint

Part 3 Division 5 -- coastal management programs - CMPs

[Insert current provision re CMPs -- ss 12 -20 as ss 27 – 35]

Section 27 Insert draft section 12 re purpose of CMPs

Section 28 Insert draft section 13 re requirement for CMPs

Section 29 Insert draft section 14 re preparation of CMP

Section 30 Insert draft section 15 re Matters to be dealt with in CMP

Section 31 Insert draft section 16 re Consultation

Section 32 Insert draft section 17 re Certification, adoption and gazettal of CMP

Section 33 Insert draft section 18 re Review, amendment and replacement of CMPs

Section 34 Insert draft section 19 re Availability of CMPs

Section 35 Insert draft section 20 re Minister to prepare CMPs in certain circumstances

Part 3 Division 6 -- Obligations of local councils and other public authorities

Section 36 Insert draft section 22 re Implementation of CMP by local councils

Section 37 Insert draft section 23 re Other public authorities shall liaise, negotiate with and assist

Part 4 NSW Coastal Management Council

Section 38 Insert draft section 24 re Establishment of Council

Section 39 Insert draft section 25 re Role and Functions of NSW Coastal Management Council

Section 40 Insert draft section 26 re Performance audit of implementation of CMP

Part 5 Application of current law re water boundaries

Section 41 Insert draft section 28 re Modification of doctrine of accretion

Section 42 Insert new section re Codification of common law rules

Part 6 Miscellaneous

Section 43 Insert draft section 27 re Granting of development consent to coastal protection works

Section 44 Insert draft section 30 re Establishment of Council

Section 45 Insert draft section 31 re Regulations

Section 46 Insert draft section 32 re Delegation

Section 47 Insert draft section 33 re Review of Act

Section 47 Insert draft section 34 re Act to bind Crown

Section 49 Insert draft section 35 re Repeal

Schedule 1 insert draft Schedule 2 Constitution and Procedure of NSW Coastal Management Council

Schedule 2 insert draft Schedule 3 Savings, transitional and other provisions

Schedule 3 insert draft Schedule 4 Amendments of Acts and instruments