



Our ref: DOC19/647173

Mr James Flockton
Flood and Drainage Engineer
Byron Shire Council
PO Box 219
Mullumbimby NSW 2482

Dear James

Subject: Draft Belongil Catchment Issues Study

Thank you for your email of 5 July 2019 requesting comments from the Department of Planning, Industry and Environment (the Department) on the Byron Shire Council (Council) draft Belongil Catchment Issues Study prepared by Alluvium Consulting, dated May 2019.

Upon review of the document, it appears that Council may be commencing a process to develop a Belongil Creek 'catchment management plan' outside of the NSW Coastal Management Framework, which comprises (in-part) the NSW Coastline Management Manual (2018).

The Department strongly encourages Council to prepare a Coastal Management Program (CMP) for the Belongil Creek estuary and catchment in accordance with the NSW coastal management framework, and with funding and technical support provided through the NSW Coastal and Estuary Program. Completion of a CMP via this framework will:

- provide an exemption from liability under Section 733 of the Local Government Act 1993 for advice furnished or actions undertaken in good faith in accordance with a certified CMP (refer - <https://www.legislation.nsw.gov.au/#/view/act/1993/30/chap17/part3/div2/sec733>)
- Provide funding for the project
- set the long-term strategy for the coordinated management of the estuary, with a focus on achieving the objects and objectives of the *Coastal Management Act 2016*
- ensure integration and coordination of relevant state agencies and key stakeholders in managing the estuary and catchment
- secure strong project management collaboration, technical, and policy guidance from department staff
- align the CMP with local and state-wide priorities and ensure all key values, issues, and risks are considered and appropriately dealt with in accordance with the requirements and recommendations of the NSW Coastal Management Manual
- ensure actions in the CMP (once certified by the Minister) are eligible for funding through the NSW Governments Coastal and Estuary Grants Program.

We understand that Council may have concerns regarding resource availability, and complexities associated with developing a CMP under the coastal management framework and appreciate your willingness to discuss the management of Belongil Estuary and its catchment with you in our scheduled meeting on Wednesday 7 August 2019 at Council's offices.



We hope that we can better assist Council towards developing and implementing a CMP for the Belongil Creek estuary. If you have any queries please do not hesitate to contact Ms Sara Cuthbertson, Coast and Estuary Officer, via sara.cuthbertson@environment.nsw.gov.au or 02 8289 6332.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Toong Chin'.

Toong Chin

**Senior Team Leader
Water, Floodplain and Coast (North East)**

2/8/19.