

Explanatory Document

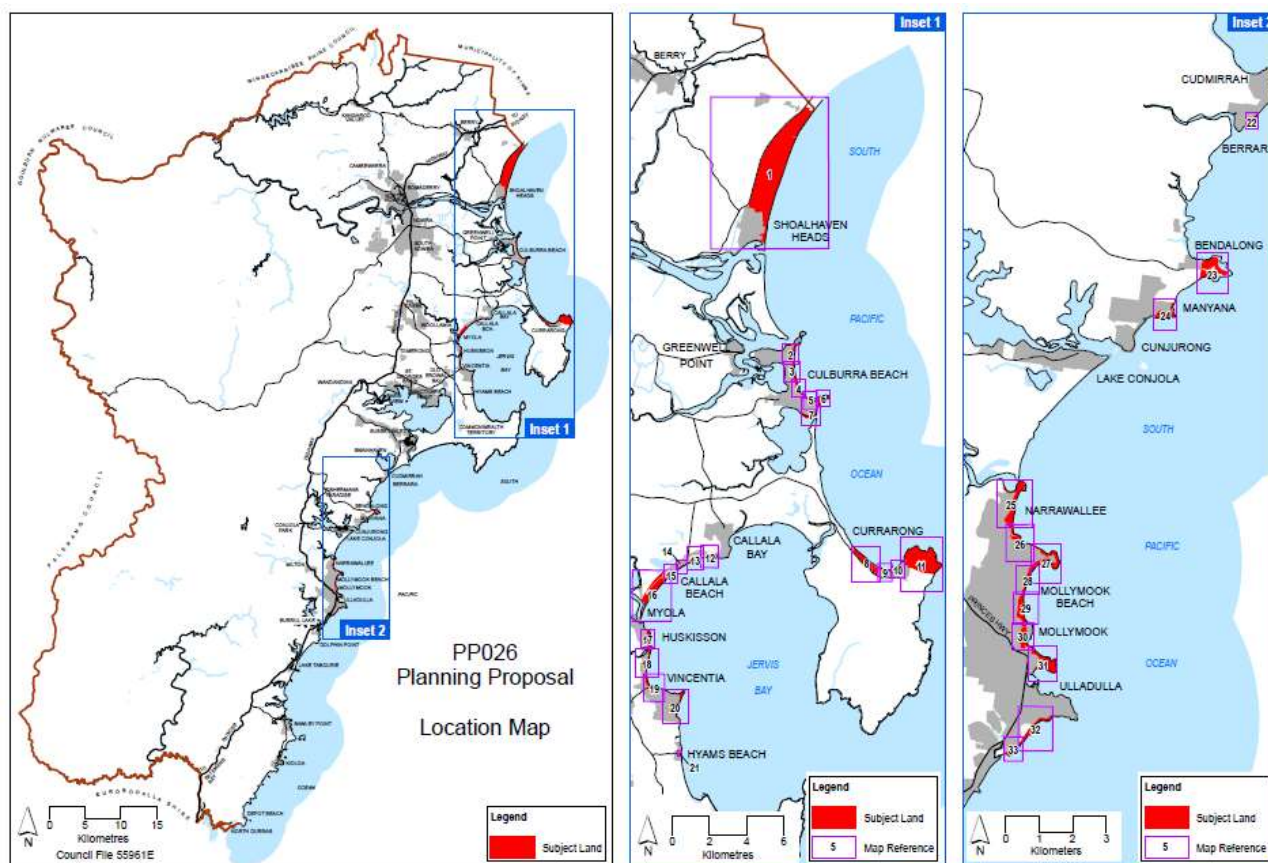
Planning Proposal (PP026)

Coastal Hazards Review (*revised approach*)

Proposed amendment to Shoalhaven Local Environmental Plan 2014

Affected Land

This Planning Proposal (PP) applies to land within Shoalhaven that has been identified as being at risk from coastal hazards. Refer to the PP for detailed mapping information.



Overview

This PP seeks to amend Shoalhaven Local Environmental Plan 2014 (SLEP 2014) by amending the Coastal Risk Planning (CRP) Map to reflect the most up to date and accurate coastal hazard data that Council holds. The PP also proposes to amend State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (SEPP) to remove eleven (11) maps sheets in Schedule 5 'Land excluded from the Housing Code, Inland Code or Low

Rise Housing Diversity Code', which are based on Council's outdated coastal hazard data.

Background

Notable history of the Coastal Hazards Review Planning Proposal (PP026) is outlined below. Refer to the PP for further detail.

- The CRP Map is based on the data available at the time SLEP 2014 commenced (22 April 2014), however new studies have since been completed and as such, the CRP Map has become outdated.
- An original version of PP026 sought to remove the CRP Maps from SLEP 2014 with the intention that the mapping would be replaced with detailed coastal hazard mapping that is publicly available on Council's website. An amendment to Clause 7.4 Coastal Risk Planning in SLEP 2014 was also proposed.
- The original PP026 received endorsement from Council, followed by a favourable Gateway determination from the former Department of Planning and Environment (DP&E). The original PP026 was on public exhibition from 6 February 2019 to 8 March 2019. A Community Information Session was held on 26 August 2019.
- On 30 June 2020, Council received formal advice from the Department of Planning, Infrastructure and Environment (DPIE) that PP026 in its previous form, which had been supported by DP&E, could not proceed, as the proposed removal of the CRP Maps from SLEP 2014 was inconsistent with its own policy position.
- On 6 October 2020 Council's Development & Environment Committee resolved (MIN20.715) to amend PP026 which has resulted in this revised PP. The present version of PP026 maintains the general intent of the original version but does not seek to remove the CRP Maps from SLEP 2014.
- A favourable (new) Gateway determination was issued on 26 May 2021 for this revised approach. Agency consultation in accordance with the Gateway requirements has been completed allowing PP026 to proceed to public exhibition.

Proposed Changes

The following amendments are proposed:

- Amend SLEP 2014 by amending the CRP Maps. The new CRP Maps will identify land that is affected by any of the following three categories of coastal hazard: Beach Erosion Hazard, Cliff/Slope Instability Hazard, and Coastal Hazard Areas.

Intent: This will enable SLEP 2014 to reflect the most up to date and accurate coastal hazard data that Council holds and align with the Shoalhaven Development Control Plan 2014 and eventual s10.7 Planning Certificate terminology.

- The PP also proposes to amend State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (SEPP) to remove eleven (11) maps sheets in Schedule 5 'Land excluded from the Housing Code, Inland Code or Low Rise Housing Diversity Code'.

Intent: This is because the SEPP maps are based on Council's outdated coastal hazard data and clause 1.19 of the SEPP already restricts complying development on land

identified in a LEP as a coastline hazard, a coastal hazard or a coastal erosion hazard (i.e., duplication is not necessary).

The PP is not introducing any new information – no changes to the data in the underlying coastal hazard studies have been made. The majority of land affected by the PP will only have a minor administrative change to how the mapping data is presented. Some land will be included for the first time and some land excluded, as we move to update the Shoalhaven LEP 2014 to reflect all current coastal hazard studies. The PP provides detail regarding changes for each parcel of land. Refer also to the Frequently Asked Questions document for further information.

Exhibition Documents

Coastal Hazards Review (revised approach) (PP026) is on public exhibition from **Wednesday 17 November until Friday 17 December 2021** (inclusive) and available for viewing online at www.shoalhaven.nsw.gov.au/MyCouncil/Public-exhibition/Documents-on-exhibition. Subject to the COVID-19 Public Health Orders at the time, electronic copies of the exhibited package may be available at Council's City Administration Centre (Bridge Road, Nowra) and at the Ulladulla Administration Building (Deering Street, Ulladulla) during business hours (9am-5pm) for the duration of the exhibition period.

The exhibition package includes:

1. Explanatory Document
2. Planning Proposal – Coastal Hazards Review (PP026)
3. Frequently Asked Questions (FAQs)
4. Public Notice
5. Gateway Determination (26 May 2021)

Request For Comment

Submissions relating to Coastal Hazards Review (PP026) are invited during the exhibition period and should be made in writing, and addressed to:

Post: The Chief Executive Officer, Shoalhaven City Council, PO Box 42, Nowra NSW 2541

E-mail: council@shoalhaven.nsw.gov.au

Website: via the form on the Exhibition page at:
<http://shoalhaven.nsw.gov.au/My-Council/Publicexhibition/Documents-on-exhibition>

All submissions must be received in writing by **5pm Friday 17 December 2021**, quoting Council's reference **55961E**.

Please note that correspondence submitted to Council on this matter may be open to public inspection without notifying the correspondents. Pre-printed form letters, which have been individually signed will be considered but not formally acknowledged. All persons who lodge a

submission are required to declare any relevant political, donations and/or gifts in accordance with Section 10.4(5) of the Environmental Planning and Assessment Act 1979.

Enquiries should be directed to Richard Carter on (02) 4429 3482, quoting Council's reference **55961E**.