

Coffs Harbour DCP 2015 – Draft Amendment No. 21 (Coastal Vulnerability Area)

Summary of changes outlined in Coffs Harbour Development Control Plan 2015 - Draft Amendment No. 21

Since the introduction of Coffs Harbour DCP 2015, Chapter E2 (Coastal Hazards) has been deferred pending the progression of suitable planning controls for inclusion into that chapter. Following the development of such planning controls, DCP Amendment No. 21 includes a number of changes to DCP 2015 that will outline development application requirements for the Coastal Vulnerability Area. The proposed changes outlined in DCP 2015 Amendment No. 21 include:

- New definitions to be added to Part A Introduction - Chapter A6 Definitions;
- New name and content for Part E Environmental Controls – Chapter E2 Coastal Vulnerability Area;
- Removal of Appendix 1 Coastal Hazard Development Scenarios and Report Guidelines (Deferred) from Part H Appendices and renumbering of the remaining appendices; and
- Renumbering of Appendices that are referred to in a number of other chapters of DCP 2015.

The proposed amendments are outlined in more detail below.

PART A Introduction

A6 Definitions

[1] 2100 “unlikely” coastal erosion and recession line

Insert a definition of the 2100 “unlikely” coastal erosion and recession line as the first entry in chapter A6 Definitions. The new definition should read as follows:

2100 “unlikely” coastal erosion and recession line is a hazard likelihood probability line identified in the *Coffs Harbour Coastal Processes and Hazards Definition Study (2011)* as being the combination of future long term recession due to predicted sea level rise of 0.9 m by 2100, the harbour impact over this timeframe, plus the maximum beach erosion hazard extent.

[2] Coastal vulnerability area

Insert a definition of the coastal vulnerability area to support its inclusion in DCP 2015, to occur in alphabetical order within chapter A6 Definitions. The new definition should read as follows:

Coastal vulnerability area is the land identified as such by the Coastal Vulnerability Area Map within [State Environmental Planning Policy \(Coastal Management\) 2018](#).

[3] Coffs Harbour Coastal Zone Management Plan (2019)

Insert a definition of the Coffs Harbour Coastal Zone Management Plan (2019), to occur in alphabetical order within chapter A6 Definitions. The new definition should read as follows:

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Coffs Harbour Coastal Zone Management Plan (2019) is a document prepared under Part 4A of the (repealed) [Coastal Protection Act 1979](#) that provides strategic guidance on the future management and strategic land use planning of the Coffs Harbour coastline affected by coastal hazards, and the protection of fragile coastal environments into the future.

[4] Coffs Harbour Coastal Zone Management Study (2013)

Insert a definition of the Coffs Harbour Coastal Zone Management Study (2013), to occur in alphabetical order within chapter A6 Definitions. The new definition should read as follows:

Coffs Harbour Coastal Zone Management Study (2013) is a supporting document to the Coffs Harbour Coastal Zone Management Plan which identifies and evaluates management options, considering the technical and financial viability and the social, economic, aesthetic, recreational and ecological costs and benefits of those options.

[5] Coffs Harbour Coastal Processes and Hazards Definition Study (2011)

Insert a definition of the Coffs Harbour Coastal Processes and Hazards Definition Study (2011), to occur in alphabetical order within chapter A6 Definitions. The new definition should read as follows:

Coffs Harbour Coastal Processes and Hazards Definition Study (2011) is a supporting document to the Coffs Harbour Coastal Zone Management Plan which outlines a summary of coastal processes and provides the methodology and outcomes for the definition of the eight coastal hazards on the Coffs Harbour LGA coastline.

PART E Environmental Controls

E1.2 Compensatory requirements

[6] Change Appendix number

Changes to Appendix numbers required as CHCC no longer requires Appendix 1 – Coastal Hazard Development Scenarios and Report Guidelines (deferred).

Change reference to Appendix 2 - Guideline for Preparing Vegetation Management Plans in requirement (5)(b) to: Appendix 1 - Guideline for Preparing Vegetation Management Plans, as follows:

- (5) Native old growth or hollow bearing tree (s) are to be retained on the land at the highest priority, however where the loss of such trees is unavoidable, the following mitigation measures are to be applied:
 - (b) artificial hollow replacement in accordance with the following table when natural hollow resources cannot be remounted (also refer to the guideline for preparing Vegetation Management Plans in ~~Appendix 2~~ **Appendix 1** of this Plan).

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E1.5 Application requirements

[7] Change Appendix number

Changes to Appendix numbers required as CHCC no longer requires Appendix 1 – Coastal Hazard Development Scenarios and Report Guidelines (deferred).

Change reference to Appendix 2 - Guideline for Preparing Vegetation Management Plans in requirements (2) & (12) to: Appendix 1 - Guideline for Preparing Vegetation Management Plans, as follows:

- (2) Where adverse impacts are likely to result on high conservation value land that cannot be avoided, tree permit applications are to be accompanied by an ecological assessment report prepared in accordance with relevant survey and assessment guidelines endorsed by the NSW Department of Planning, Industry and Environment and vegetation management plan for the continued protection and long term maintenance of this land (Refer to the [Guideline for Preparing Vegetation Management Plans](#) in ~~Appendix 2~~ **Appendix 1** of this Plan).
- (12) Where development and/or subdivision proposals are likely to result in adverse impacts on high conservation value land that cannot be avoided, development applications are to be accompanied by a vegetation management plan, prepared by a suitably qualified professional with demonstrated experience in bush regeneration, for the continued protection and long term maintenance of such values (Refer to the [Guideline for Preparing Vegetation Management Plans](#) in ~~Appendix 2~~ **Appendix 1** of this Plan).

[8] Rename Chapter E2 of DCP 2015

Rename Chapter E2 of DCP 2015 in the following manner:

~~**E2 COASTAL HAZARDS – DEFERRED**~~

E2 COASTAL VULNERABILITY AREA

[9] Insert content into Chapter E2 of DCP 2015

Insert E2.1 Coastal Vulnerability Area Application Requirements into Chapter E2 of DCP 2015 as follows:

E2.1 COASTAL VULNERABILITY AREA APPLICATION REQUIREMENTS

Applies to Land

This control applies to land shown on the Coffs Harbour LEP 2013 Land Application Map that is within the [Coastal Vulnerability Area](#).

Objectives

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- To manage development in the Coastal Vulnerability Area and protect the environmental assets of the coast.
- To establish a framework for land use planning to guide decision-making in the Coastal Vulnerability Area.
- To ensure that development is compatible with coastal risks.
- To minimise the risk to life and property from coastal hazards associated with development within the Coastal Vulnerability Area.

Requirements

- (1) Development applications for development in the Coastal Vulnerability Area must be accompanied by a Coastal Risk Management Report that has been prepared by an appropriately qualified and experienced coastal and / or structural engineer.
- (2) The Coastal Risk Management Report must demonstrate that:
 - (a) if the proposed development involves the erection of a building or works, the building or works will be located to avoid (or engineered) to withstand current and projected coastal hazards for the expected design life of the building or works, and
 - (b) the proposed development:
 - i. is not likely to alter coastal erosion and recession to the detriment of the natural environment or other land, and
 - ii. is not likely to reduce the public amenity, access to and use of any beach, foreshore, rock platform or headland adjacent to the proposed development, and
 - iii. incorporates appropriate measures to manage risk to life and public safety from coastal hazards, and
 - (c) measures are in place to ensure that there are appropriate responses to, and management of, anticipated coastal erosion and recession and current and future coastal hazards, and
 - (d) any protection works deemed necessary and the maintenance thereof over the life of the development are adequately detailed, and
 - (e) any protection works are demonstrated to meet conventional engineering practice and industry standards for design, construction and maintenance over the life of the works.
- (3) The Coastal Risk Management Report must also address the following additional matters:
 - (a) the location of the proposed development with respect to the “unlikely” 2100 coastal erosion and recession line of the Coffs Harbour Coastal Zone Management Plan (2019), and
 - (b) identification of the current and projected coastal hazards, excluding coastal inundation, that affect the land, and

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- (c) relevant provisions of the Coffs Harbour Coastal Zone Management Plan (2019) and associated Coffs Harbour Coastal Zone Management Study (2013), and
- (d) an assessment of the zone of reduced foundation capacity as it applies to the progression of the coastal erosion and recession escarpment towards the subject land, and
- (e) recommendations for the structural design and construction of the total development, including foundation design, protection measures and the structural status of any existing structures to be retained, and
- (f) recommendations on the monitoring and maintenance of all coastal protection and hazard mitigation measures proposed for the total development (including any existing structures to be retained) for the expected design life of the development, and
- (g) recommendations on all measures and precautions to minimise risk to personal safety of occupants and the risk of property damage for the development (including any existing structures to be retained) from a design storm event (100 ARI event) for the expected design life of the development, and
- (h) architectural/engineering plans on which the assessment is based, and
- (i) date/s of inspection, and
- (j) professional qualifications and experience of the authors.

Exceptions:

- The requirements of this control may not apply to minor buildings, structures and activities (at the discretion of Council) on land within a residential zone that will be sited seaward of the 2100 “unlikely” coastal erosion and recession line as shown in the Coffs Harbour Coastal Zone Management Plan (2019).
- The requirements of this control do not apply to minor buildings, structures and activities on land within a residential zone that have a relatively short design life and are likely to require replacement before the year 2050 or can easily be relocated.

Notes:

- Refer to the Coastal Management Act 2016 for requirements relating to the granting of development consent for coastal protection works.
- Where existing structures to be retained include approved coastline protection structures, these must be certified as being structurally adequate for withstanding a design storm event (100 ARI event).
- Minor buildings, structures and activities considered acceptable seaward of the 2100 “unlikely” coastal erosion and recession line may include (but are not necessarily limited to) the following:
Aquaculture; Boat building and repair facilities; Boat launching ramps; Boat sheds; Charter and tourism boating facilities; Coastal protection Works; Emergency services facilities required for the operations of Surf Life Saving New South Wales or Volunteer Marine Rescue NSW; Environmental facilities; Environmental protection works; Flood mitigation works; Flood protection Works; Freight transport facilities; Jetties; Kiosks (temporary/relocatable); Marinas; Markets; Mooring pens; Moorings; Oyster Aquaculture; Passenger transport facilities; Port facilities; Recreation area; Roads; Signage; Water recreation structures; Wharf or boating facilities as defined by the Coffs Harbour Local Environmental Plan 2013.

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- The process of developing coastal management options is directly related to reducing or eliminating intolerable risks where possible. Management options are to be designed to reduce the likelihood of the risks (e.g. planning setbacks to reduce the likelihood of shoreline recession impacts), reduce the consequence of the risk (e.g. emergency management to reduce the consequence of shoreline recession) or both.
- Council is unlikely to support development proposals for buildings or works that are proposed to be sited seaward of the 2100 “almost certain” coastal erosion and recession line as shown in Council’s adopted Coastal Zone Management Plan (2019). Exceptions to this position may include structures and works that by their nature require location within or adjacent to a waterway such as boat launching ramps, jetties, emergency services facilities required for the operations of Surf Life Saving New South Wales or Volunteer Marine Rescue NSW, coastal protection works and the like.
- [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) and [Coffs Harbour LEP 2013](#) prescribe certain types of development as [exempt development](#).

PART F General Development Controls

F3.1 Landscaping requirements - general

[10] Change Appendix number

Changes to Appendix numbers required as CHCC no longer requires Appendix 1 – Coastal Hazard Development Scenarios and Report Guidelines (deferred).

Change reference to Appendix 3 - Landscaping Species and Undesirable Weed Species in requirement (2)(a) & (7) to: Appendix 2 - Landscaping Species and Undesirable Weed Species, as follows:

- (2) Soft landscaping is to comprise:
- (a) species that are sensitive to local climate, topography and natural features (see [Appendix 3](#) [Appendix 2](#) of this Plan for a list of recommended landscaping species and non-desirable weed species); and ...
- (7) Where development or subdivision proposals comprise or adjoin high conservation value vegetation, plant species selection for additional soft landscaping is to comprise a mix of bushland friendly species (see [Appendix 3](#) [Appendix 2](#) of this Plan) and native vegetation where possible.

[11] Change Appendix number

Changes to Appendix numbers required as CHCC no longer requires Appendix 1 – Coastal Hazard Development Scenarios and Report Guidelines (deferred).

Change reference to Appendix 3 - Landscaping Species and Undesirable Weed Species in requirement (7) to: Appendix 2 - Landscaping Species and Undesirable Weed Species, as follows:

- (7) Where development or subdivision proposals comprise or adjoin high conservation value vegetation, plant species selection for additional soft landscaping is to

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comprise a mix of bushland friendly species (see ~~Appendix 3~~ Appendix 2 of this Plan) and native vegetation where possible.

F3.6 Application requirements

[12] Change Appendix number

Changes to Appendix numbers required as CHCC no longer requires Appendix 1 – Coastal Hazard Development Scenarios and Report Guidelines (deferred).

Change reference to Appendix 3 - Landscaping Species and Undesirable Weed Species in requirement (4)(h) to: Appendix 2 - Landscaping Species and Undesirable Weed Species, as follows:

(4) Landscape Concept Plans are to contain the following information:

(h) proposed tree species and proposed plant species palette (refer to ~~Appendix 3~~ Appendix 2 of this Plan).

F6.2 Waste requirements – low density residential development

[13] Change Appendix number

Changes to Appendix numbers required as CHCC no longer requires Appendix 1 – Coastal Hazard Development Scenarios and Report Guidelines (deferred).

Change reference to Appendix 4 - Waste Management Examples in requirement (3) and Notes (first dot point) to: Appendix 3 - Waste Management Examples, as follows:

(3) Development applications are to be accompanied by a Demolition and Construction Waste Management Plan (Refer to F6.5 and ~~Appendix 4~~ Appendix 3 Waste Management Examples, of this Plan).

Notes:

- The Demolition and Construction Waste Management Plan detailed in ~~Appendix 4~~ Appendix 3 of this Plan is not suited for development with a capital investment greater than \$1 million dollars as these proposals require a more detailed analysis.

F6.3 Waste storage requirements

[14] Change Appendix number

Changes to Appendix numbers required as CHCC no longer requires Appendix 1 – Coastal Hazard Development Scenarios and Report Guidelines (deferred).

Change reference to Appendix 4 - Waste Management Examples in the Notes (first dot point) to: Appendix 3 - Waste Management Examples, as follows:

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Notes:

- Refer to ~~Appendix 4~~ **Appendix 3** *Waste Management Examples* of this Plan for design guidelines relating to bin wash/storage areas, available bin sizes, dry basket arrestors and roof overhang.

F6.4 Access and design requirements

[15] Change Appendix number

Changes to Appendix numbers required as CHCC no longer requires Appendix 1 – Coastal Hazard Development Scenarios and Report Guidelines (deferred).

Change reference to Appendix 4 - Waste Management Examples in the Notes to: Appendix 3 - Waste Management Examples, as follows:

Notes:

Refer to Council's current waste collection contractor for access design details and ~~Appendix 4~~ **Appendix 3** *Waste Management Examples* of this Plan for a sample Section 88B Instrument and/or sample Clauses for inclusion within a management statement or by-law.

F6.5 Demolition and construction waste management requirements

[16] Change Appendix number

Changes to Appendix numbers required as CHCC no longer requires Appendix 1 – Coastal Hazard Development Scenarios and Report Guidelines (deferred).

Change reference to Appendix 4 - Waste Management Examples in the Notes to: Appendix 3 - Waste Management Examples, as follows:

Notes:

Refer to ~~Appendix 4~~ **Appendix 3** *Waste Management Examples* of this Plan for further details in relation to Demolition and Construction Waste Management Plans.

F6.7 Application requirements

[17] Change Appendix number

Changes to Appendix numbers required as CHCC no longer requires Appendix 1 – Coastal Hazard Development Scenarios and Report Guidelines (deferred).

Change reference to Appendix 4 - Waste Management Examples in the Notes (first and second dot point) to: Appendix 3 - Waste Management Examples, as follows:

Notes:

- Refer to ~~Appendix 4~~ **Appendix 3** *Waste Management Examples* of this Plan for an example Waste Minimisation and Management Plan.

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- The Waste Minimisation and Management Plan detailed in ~~Appendix 4~~ **Appendix 3** of this Plan is not suited for development with a capital investment greater than \$1 million dollars as such proposals require a more detailed analysis.

PART H Appendices

[18] Remove Appendix 1 and renumber remaining Appendices

Changes to Appendix numbers required as CHCC no longer requires Appendix 1 – Coastal Hazard Development Scenarios and Report Guidelines (deferred).

Remove Appendix 1 - Coastal Hazard Development Scenarios and Report Guidelines and renumber remaining Appendices in the following manner:

~~Appendix 1 Coastal Hazard Development Scenarios and Report Guidelines (Deferred)~~

~~Appendix 2~~ **Appendix 1** Guideline for Preparing Vegetation Management Plans

~~Appendix 3~~ **Appendix 2** Landscaping Species and Undesirable Weed Species

~~Appendix 4~~ **Appendix 3** Waste Management Examples