



Your ref: PP-2023-2568
Our ref: DOC24/166489-14

Matthew Borsato
Senior Strategic Planner
Port Stephens Council

By email: Matthew.Borsato@portstephens.nsw.gov.au

Dear Matthew,

Request for advice – Planning Proposal PP-2023-2568 – Coastal Risk Planning Clause to the Port Stephens Local Environmental Plan 2013

I refer to your email, dated 4th March 2024, requesting input from the Department of Climate Change, Energy, the Environment and Water (DCCEEW) into Planning Proposal (the Proposal) PP-2023-2568 for inserting a Coastal Risk Planning Clause and subsequent coastal risk mapping in the Port Stephens Local Environmental Plan 2013.

The DCCEEW Biodiversity and Conservation Division (BCD) has reviewed the planning proposal in relation to coastal management.

BCD's detailed comments are provided in **Attachment A**. BCD have no comments with respect to biodiversity or flooding. If you have any further questions about this issue, please contact Neil Kelleher, Senior Team Leader Water, Floodplains and Coast, at huntercentralcoast@environment.nsw.gov.au.

Yours sincerely

Joe Thompson
**Director Hunter Central Coast Branch
Biodiversity and Conservation Division**

24/4/24

Enclosure: Attachment A

BCD's comments

Coastal Risk Planning Clause Port Stephens Council LEP

1. BCD considers that the justification for not mapping a Coastal Vulnerability Area (CVA) is inadequate.

As per the Coastal Management (CM) Act 2016, the best means of achieving the objects of this planning proposal amendment is to map the coastal risk areas identified in a Coastal Management Program (CMP) as the Coastal Vulnerability Area (CVA). This has not been stated in the response to Question 2: *"Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?"*

Recommendation 1

Amend response to Q2 to explain why the CVA mapping methodology was not adopted.

2. BCD considers that the Coastal Risk Planning Map is unclear in portraying the specific coastal risks.

The coastal risk planning maps currently combine coastal inundation, coastal erosion and tidal inundation into one mapped area (dune transgression is mapped separately). While the coastal risk planning clause will apply to all these risks, the practical response from a developer will be different for each coastal risk. Therefore, it is recommended to additionally include separate mapping of coastal inundation, coastal erosion, and tidal inundation to ensure clarity regarding the extent of risk exposure for any proposed development.

Recommendation 2

Provide separate mapping of coastal inundation, tidal inundation, and coastal erosion in addition to the overarching Coastal Risk Planning Map.

3. BCD considers that the NSW coastal design guidelines checklist does not include detailed supporting evidence confirming compliance with the guidelines.

The NSW Coastal Design guidelines are designed to improve decision-making, built outcomes and environmental performance in coastal places through strategic planning and urban design. The checklist is a new tool that can be used to support compliance with the guidelines. The completed checklist in this planning proposal (Attachment 2) does not provide any supporting evidence confirming compliance with the NSW coastal design guidelines.

Recommendation 3

Apply more rigour and provide more detail in the NSW Coastal Design guidelines checklist to demonstrate compliance with the guidance material.