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Interim Policy - Areas of Coastal Management

Policy Number: POL10/112 • **Adopted:** [Click here to enter date] • **Minute Number:** [Click here to enter Minute number] • **File:** 35859E • **Produced By:** Development & Environmental Services Group • **Review Date:** 18/12/2010

1. PURPOSE

This Interim Policy aims to guide development in areas of coastal instability in the interim period until such time that draft Development Control Plan (DCP) No 118 – Areas of Coastal Management is adopted by Council.

2. LAND TO WHERE THIS INTERIM POLICY APPLIES

This Interim Policy applies to land affected by coastal instability as follows:

2.1. Beach Erosion and/ or Oceanic Inundation (see maps in Appendix 1)

- Collers Beach
- Shoalhaven Heads
- Culburra Beach
- Warrain Beach
- Currarong Beach
- Callala Beach
- Collingwood Beach
- Narrawallee Beach
- Mollymook Beach

2.2. Cliff/ Slope Instability (see maps in Appendix 2)

- Penguin Head and Culburra Beach
- Plantation Point
- Hyams Point
- Berrara Bluff
- Inyadda Point
- Bannisters Point
- Collers Beach Headland
- Rennies Beach
- Racecourse Beach

2.3. Other areas of potential coastal instability

- Properties identified but studies not yet undertaken (shown hatched in maps in Appendices 1 and 2); and
- Other areas subjected to coastal instability not previously identified.

Note: Maps shown in Appendices 1 and 2 of this Interim Policy are only a guide. More detailed mapping is available at:

<http://www.umwelt.com.au/shoalhaven-coastline/planning-for-climate-change.php>

Detailed advice and/ or co-ordinates are available by contacting Council's Development and Environmental Services Group on 44293122 or Council's Strategic Planning and Infrastructure Group on 44293503.

3. **PLANNING CRITERIA FOR PROPOSED DEVELOPMENT IN AREAS OF COASTAL INSTABILITY** (Source: NSW Coastal Planning Guideline: Adapting to Sea Level Rise – August 2010)

Development Application (DA) in coastal instability areas must demonstrate that the proposal satisfies these planning criteria. The information detailed in Attachment 1 is also required to be submitted with the application as part of the Statement of Environmental Effects (SEE), as appropriate to the scale and location of the proposal.

- Development avoids or minimises exposure to immediate coastal risks (within the immediate hazard area or floodway).
- Development provides for the safety of residents, workers or other occupants on-site from risks associated with coastal processes.
- Development does not adversely affect the safety of the public off-site from a change in coastal risks as a result of the development.
- Development does not increase coastal risks to properties adjoining or within the locality of the site.
- Infrastructure, services and utilities on-site maintain their function and achieve their intended design performance.
- Development accommodates natural coastal processes including those associated with projected sea level rise.
- Coastal ecosystems are protected from development impacts.
- Existing public beach, foreshore or waterfront access and amenity is maintained.

4. PROVISIONS

4.1. For beach erosion and/ or oceanic inundation (Refer Figure 1)

4.1.1. High Risk - Seaward of the 2025 Zone of Reduced Foundation Capacity (ZRFC):

- i) No new development is permitted.
- ii) Internal fitouts, minor alterations, additions or extensions to existing buildings or structures that are landward of the seaward alignment of existing buildings or structures are subjected to:
 - merit assessment against the planning criteria in Clause 3 of this Interim Policy;

- submission of relevant coastal engineering report prepared by a professional geotechnical engineer addressing DA information requirements outlined in Attachment 1; and
 - net increase in floor area for that part of the building in the high risk area is to be a maximum of 10%. In some circumstances it may not be possible to increase the floor area due to the specific site risks.
- iii) Proposals to include management responses and adaption strategies relevant to the proposal to address the planning criteria (eg, planned retreat, relocatable structures, lightweight construction etc);
- iv) Submission of a dilapidation/ defects report¹ for the existing building prepared by a suitably qualified person² addressing the following:
- The general condition of the building;
 - The presence of any building defects associated with or due to deterioration of building members or materials or pests such as subterranean termites; and
 - Non-compliances with current Building Code of Australia requirements, including footings, slabs, termite barriers, subfloor, walls and roof framework, structural steel, and any other structural elements such as posts or columns.

4.1.2. Moderate Risk – Land between 2025 and 2100 ZRFC:

- i) Any proposed development needs to include management responses and adaption strategies relevant to the proposal that address the planning criteria set out in Clause 3 of this Interim Policy; eg, planned retreat, relocatable structures, lightweight construction, etc.
- ii) Foundations for new development to be designed by a professional structural engineer to carry all foundation loads into the 2100 ZRFC except where inappropriate due to management responses and adaption strategies incorporated into design.
- iii) Internal fitouts, minor alterations, additions or extensions to existing buildings or structures are subject to merit assessment against the planning criteria as set out in Clause 3 of this Interim Policy.
- iv) Additional Coastal Engineering studies are unlikely to be required for development landward of 2050 ZRFC.

¹ The dilapidation/ defects report is to specifically address those parts of the existing building that are proposed to be retained.

² See definition of “suitably qualified person”

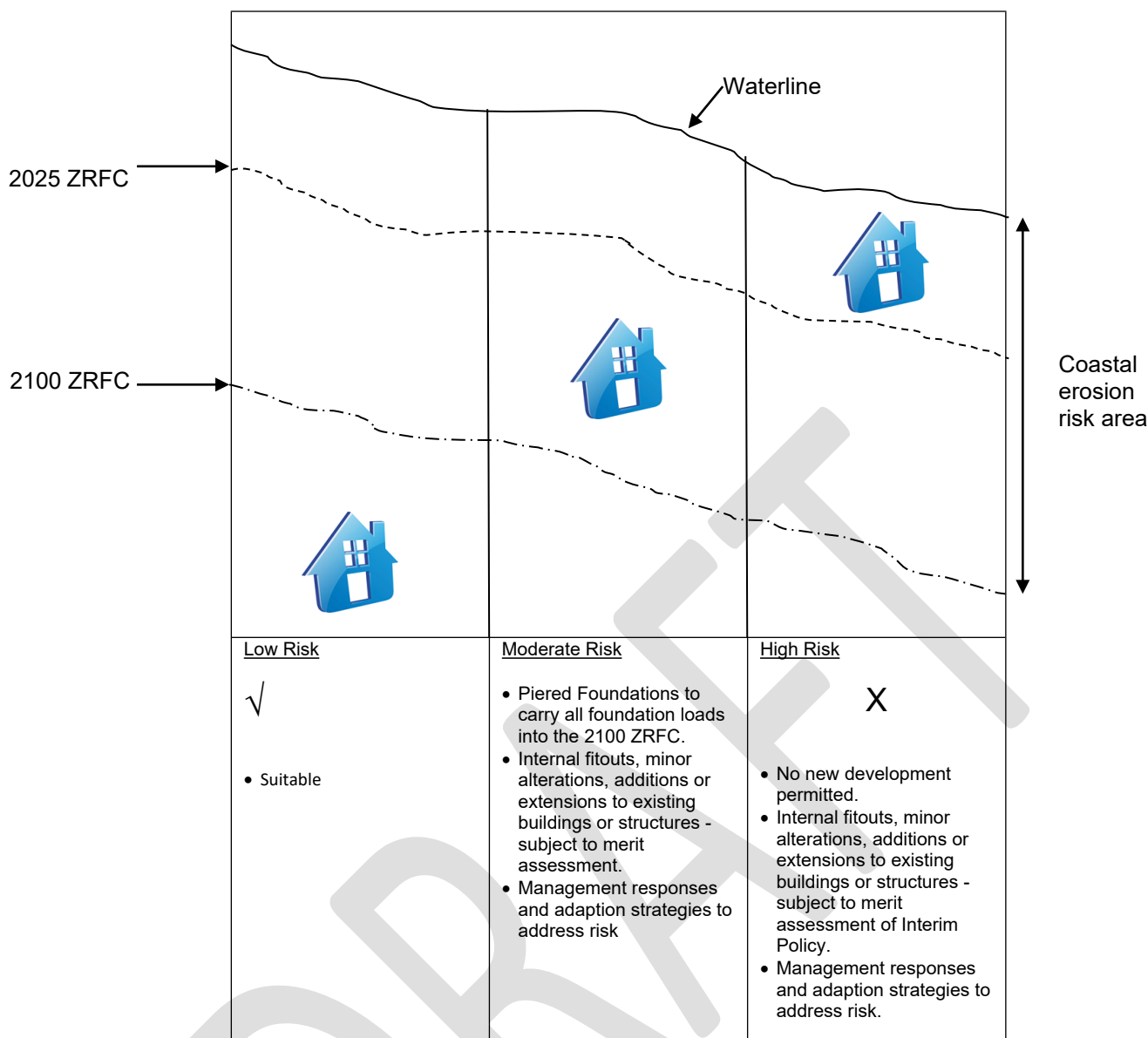


Figure 1 – Provisions for beach erosion and/ or oceanic inundation areas

Note: Where buildings lie partly in both high risk and moderate risk areas, the provisions that relate to that particular risk area shall apply to that part of the building within that area.

4.2. For cliff/ slope instability (Refer Figure 2)

- 4.2.1. High Risk – Seaward of the 50 year 50% line - No development is permitted.
- 4.2.2. Moderate Risk - Landward of 50 year 50% line - Any development in this area requires a geotechnical report prepared by a professional geotechnical engineer. The geotechnical report shall:
 - i) analyse the existing site stability and the suitability of the proposed development and its likely impact on that site stability, making reference to , Shoalhaven City Council Coastal Slope Instability Hazard Study – Final Report (SMEC, August 2008);
 - ii) provide recommendations for engineering design of the proposal including building foundation design and stormwater drainage design; and
 - iii) be prepared in accordance with the Guideline for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning Accompanying Commentaries and Practice Note (Australian Geomechanics Society, 2007).

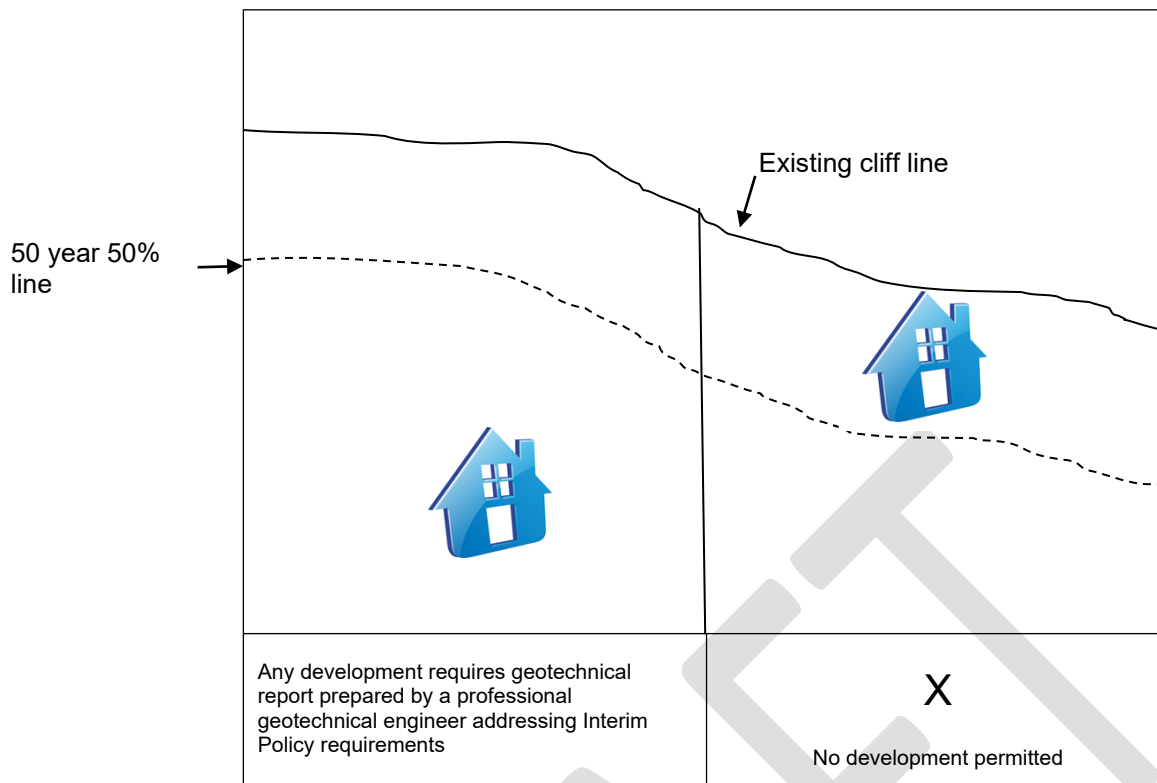


Figure 2 – Provisions for cliff/ slope instability areas

4.3. For development in other areas of potential coastal instability

- 4.3.1. Site specific coastal hazard studies and/ or geotechnical reports are required to be carried out to identify the coastal instability risks and to enable the DA to be assessed against the Planning Criteria as set out in Clause 3 of this Interim Policy.

5. IMPLEMENTATION

This Interim Policy will be implemented by the Development and Environmental Services Group.

6. REVIEW

This Interim Policy will be reviewed as part of the further consideration of draft DCP 118.

7. APPLICATION OF ESD PRINCIPLES

This Interim Policy has regard to Ecologically Sustainable Development principles. It aims to mitigate the harmful effects of development and enhance the built and natural environment.

8. DEFINITIONS

Additions for the purposes of this Interim Policy, means an addition to an existing building, including attached new rooms, decks, balconies, carports, garages, new roof structures and the like.

Dilapidation/ defects report means a report prepared by a “suitably qualified person” (as defined below) detailing the existing condition of a building and indentifying building defects and non-compliances with current building requirements, including the Building Code of Australia and associated Australian Standards.

Floor area for the purposes of this Interim Policy, means all habitable and non-habitable areas including decks and detached structures excluding exempt development under the State Environmental Planning Policy (Exempt & Complying Development Codes) 2008.

Minor alterations for the purposes of this Interim Policy, means

- a) Re-cladding/re-lining of existing walls, ceilings, floors and roofs;
- b) Modifications to or construction of new roof structure;
- c) Replacement of existing windows and doors in external walls;
- d) Modifications to existing external walls (other than replacement of existing windows and doors) limited to 30% of the combined total length of existing external walls measured in plan view;
- e) Modification, demolition and construction of new internal walls limited to 30% of the combined total length of existing internal walls measured in plan view;
- f) Refurbishment, replacement or relocation of existing kitchens, bathrooms or laundries; and
- g) New kitchen, bathroom and laundry in a new location.

Professional engineer means a person:

- (a) who is a registered professional engineer in the relevant discipline who has appropriate experience and competence in the relevant field; or
- (b) who is:
 - i. A Corporate Member of the Institute of Engineers, Australia; or
 - ii. Eligible to become a Corporate Member of the Institute of Engineers, Australia, and has appropriate experience and competence in the relevant field.

Suitably qualified person means any of the following:

- (a) Professional engineer as defined above,
- (b) Licensed Builder
- (c) Level 1 or 2 Accredited Certifier – Building Surveying
- (d) Registered Architect

ATTACHMENT 1

DA information requirements

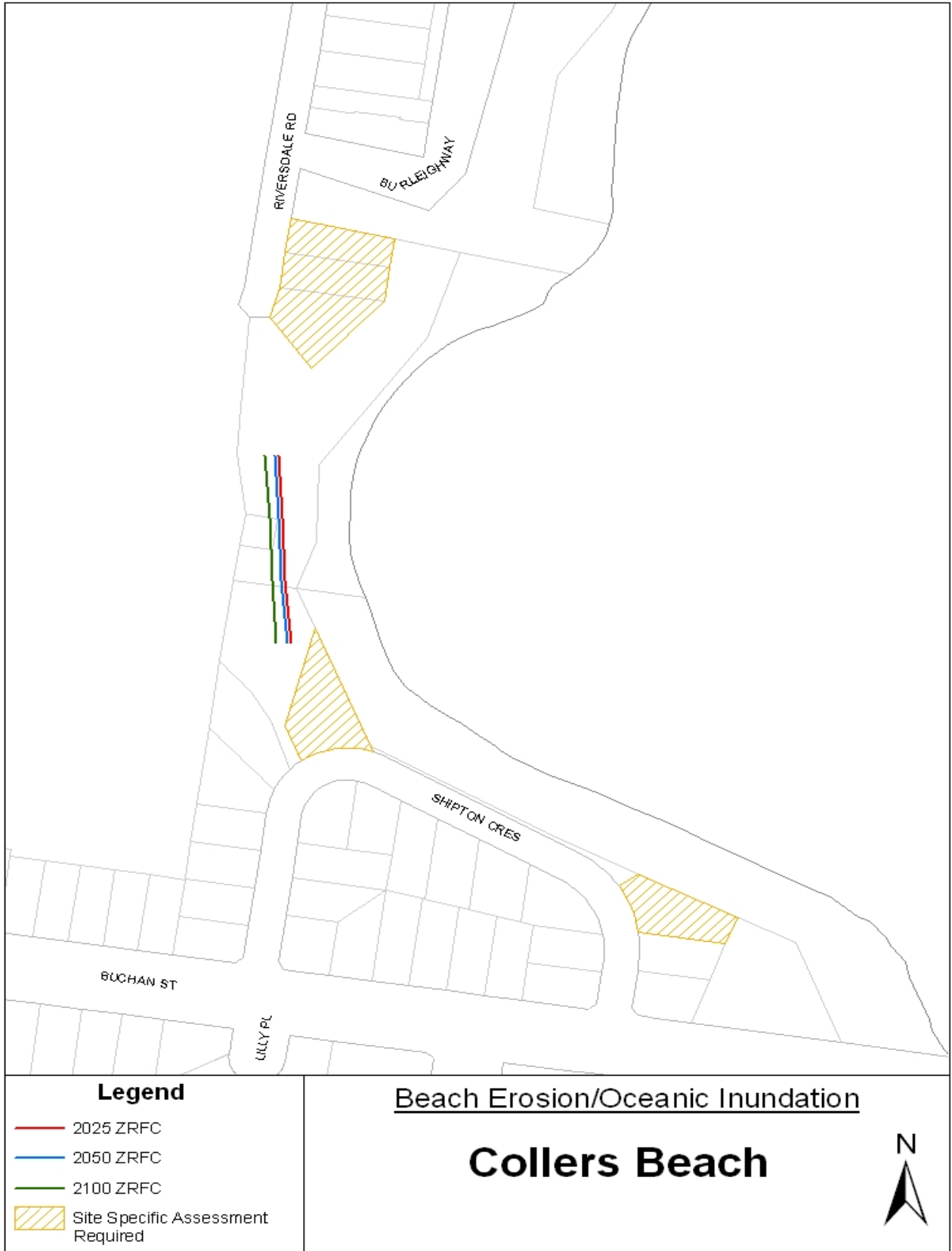
Applicants submitting DAs for development in areas of coastal instability must demonstrate that the proposal satisfies the Planning Criteria in Clause 3 of this Interim Policy. In order to do so, the following information is to be submitted with the DA, as part of the SEE, as appropriate to the scale and location of the proposal:

- Information outlining the type of proposed development including:
 - nature, bulk, scale and location of proposed development; and
 - proposed use and occupation of buildings, and those on adjoining land.
- Plans illustrating the position and configuration of the proposed development in relation to coastal risks including:
 - position of the existing and proposed buildings;
 - existing ground levels in AHD around the perimeter of the building;
 - existing or proposed floor levels in AHD;
 - foundation type; and
 - topographic levels of the site to an accuracy of 0.1m, and structures to an accuracy of 0.01m, showing relative levels in AHD.
- A report addressing the following issues relating to sea level rise as they relate to the development site, where relevant:
 - increase in sea level and increased tidal range;
 - soft coast erosion – beach and foredune loss and/or migration, shoreline recession, beach realignment;
 - coastal flooding;
 - coastal entrance behaviour;
 - reconfiguration of intermittently open and closed lakes and lagoons;
 - cliff and slope instability;
 - wetland migration; and
 - groundwater elevation and/or salinisation.
- Information that demonstrates whether the development proposal:
 - is consistent with the relevant coastline or flood risk management plan;
 - is consistent with any relevant DCP that relates to coastal or flood issues;
 - meets the coastal protection and flood risk management requirements of the LEP; and
 - incorporates appropriate management responses and adaptation strategies.

APPENDIX 1 – Coastal Instability Areas and Restricted Development Sites Affected by Beach Erosion/ Oceanic Inundation Hazard

Source: SMEC, July 2009, Shoalhaven Coastal Zone Management Plan: Coastal Hazard Study Summary Report

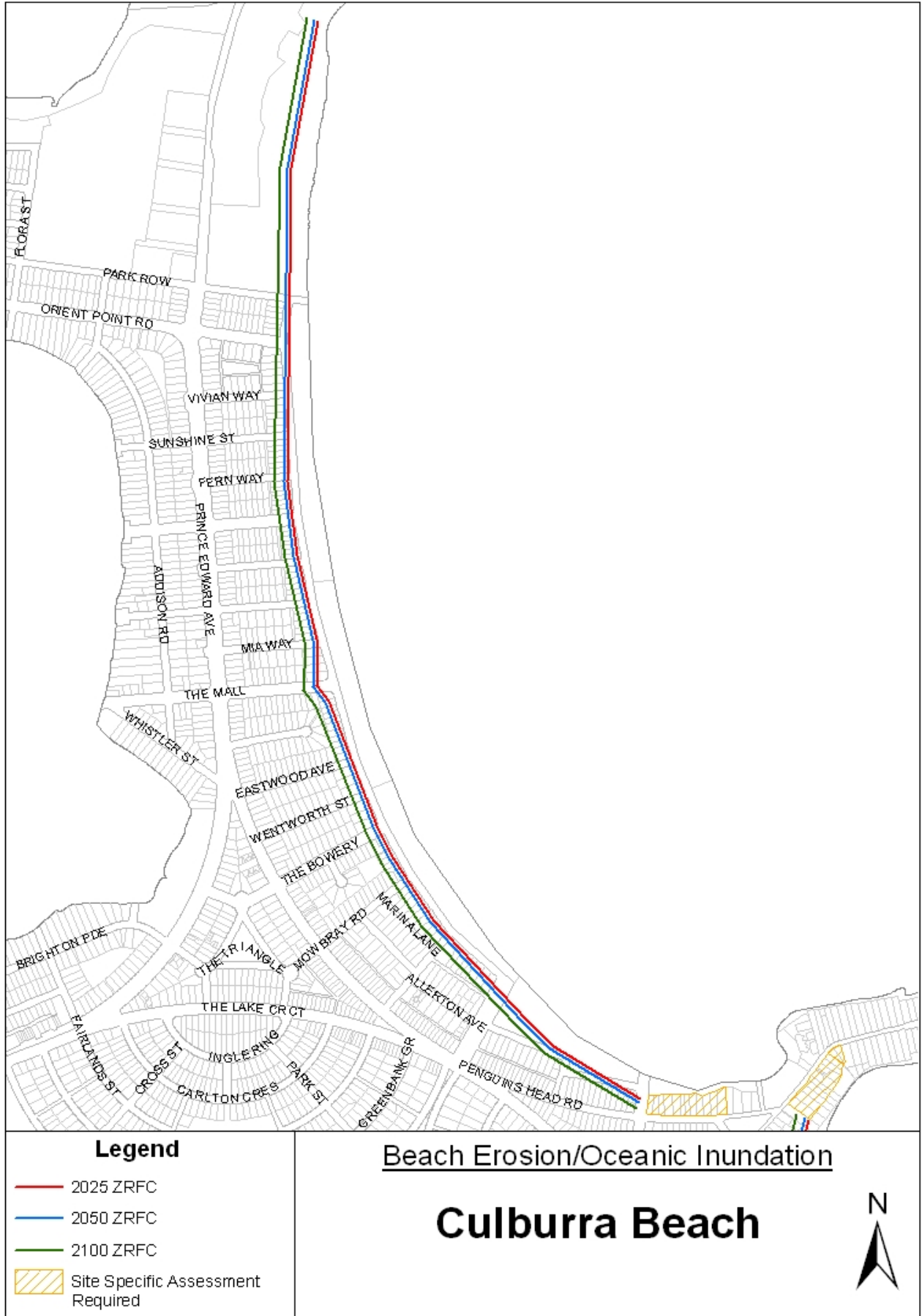
1. Collers Beach



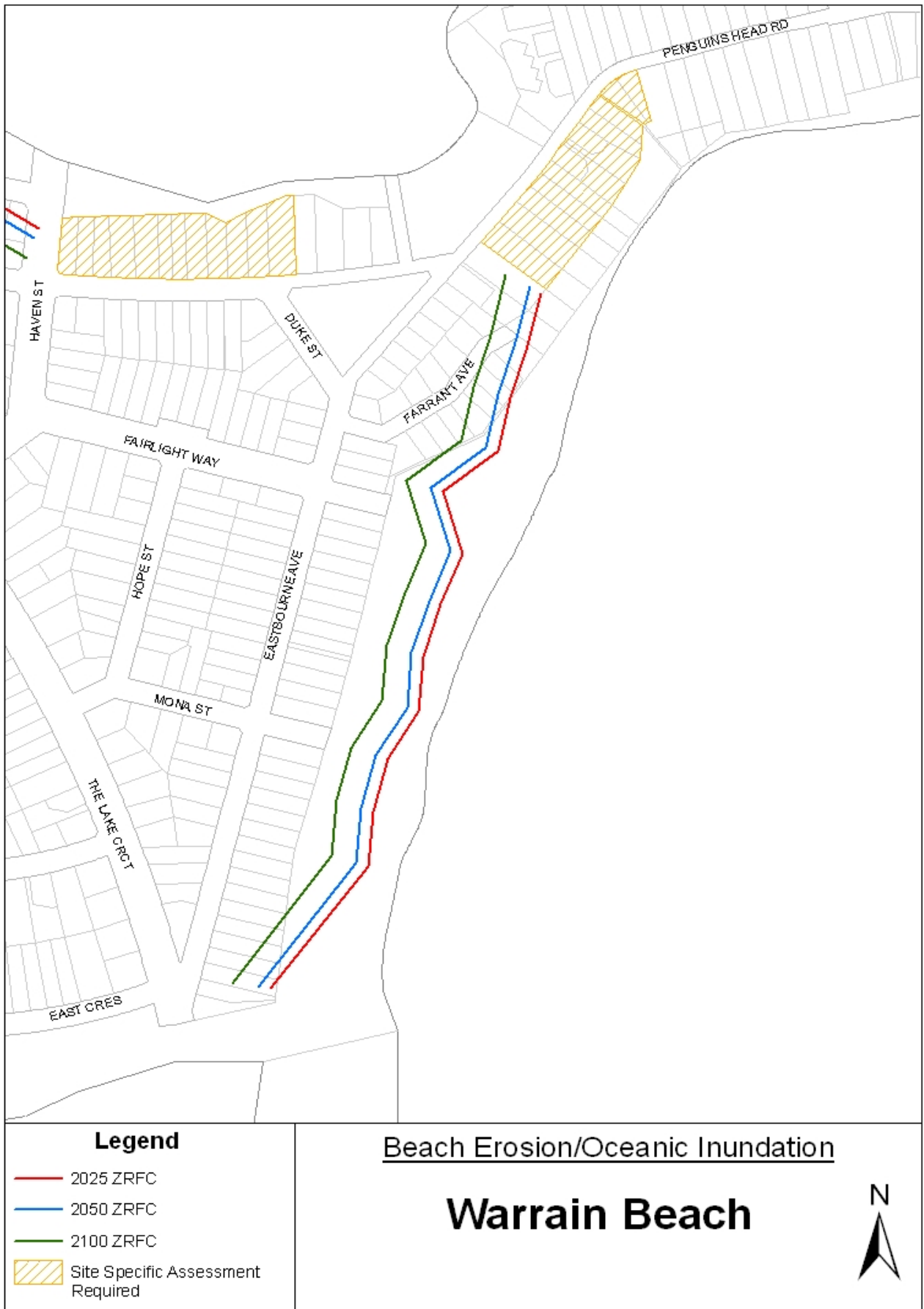
2. Shoalhaven Heads



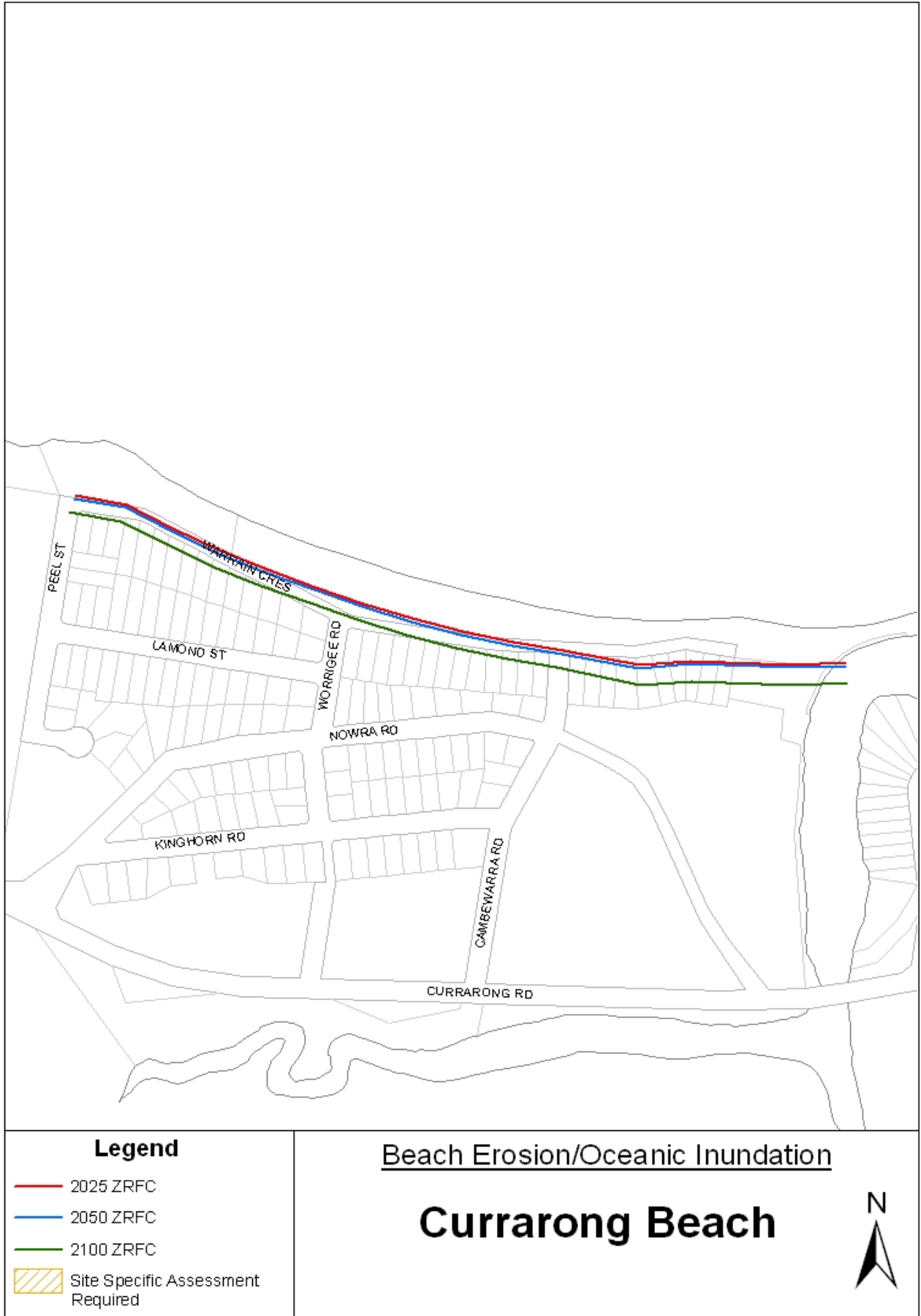
3. Culburra Beach



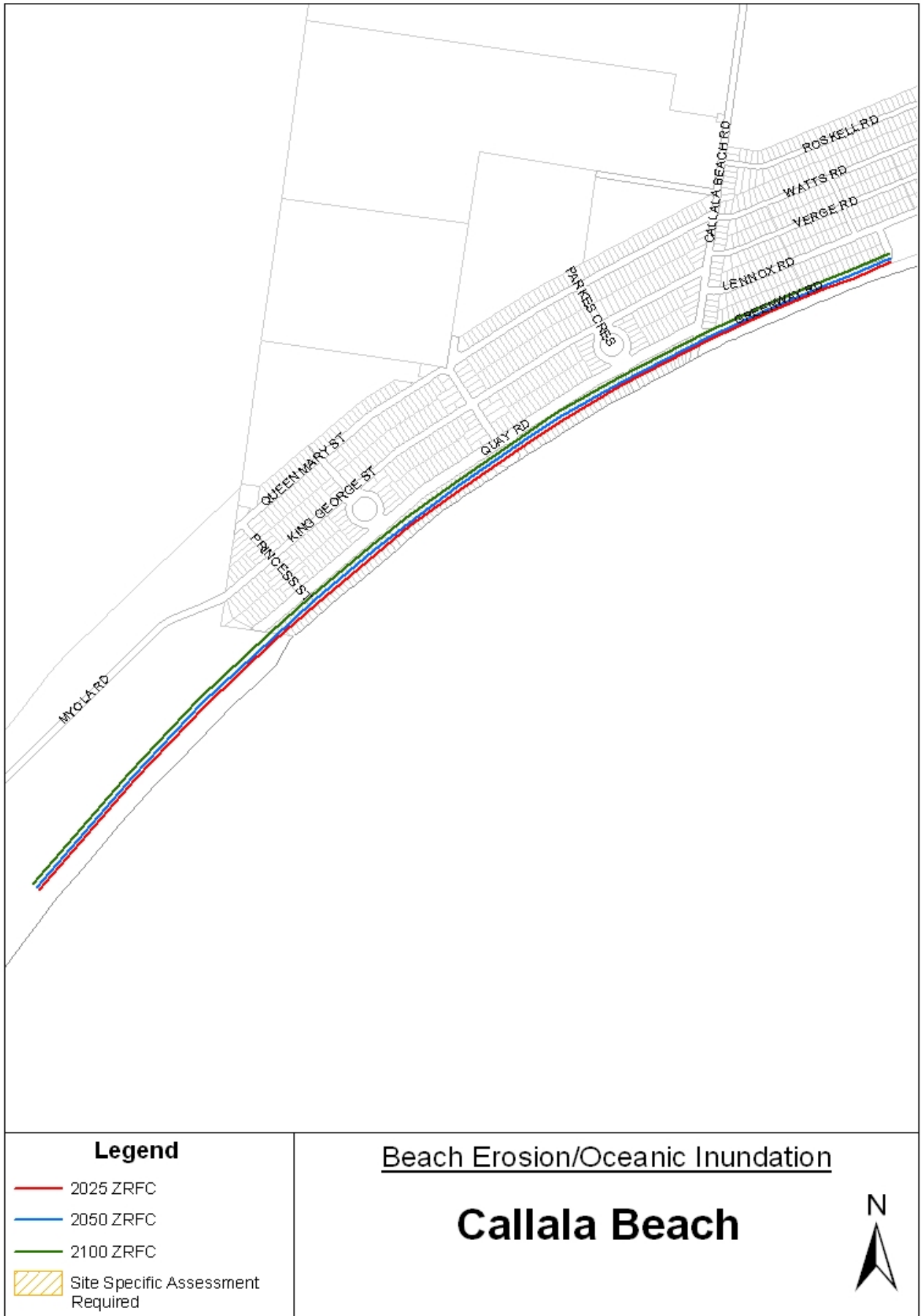
4. Warrain Beach



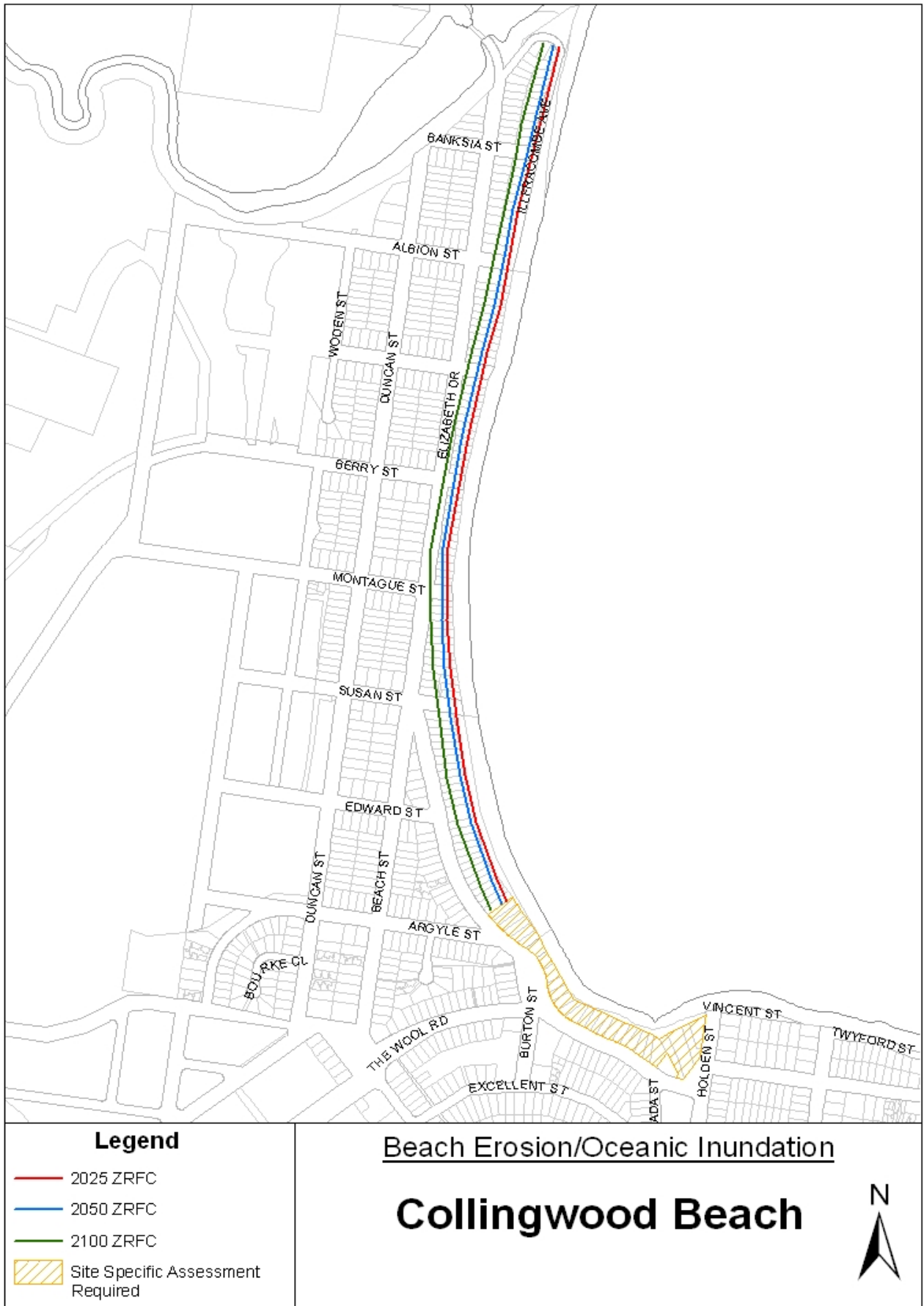
5. Currarong Beach



6. Callala Beach



7. Collingwood Beach



8. Narrawallee Beach



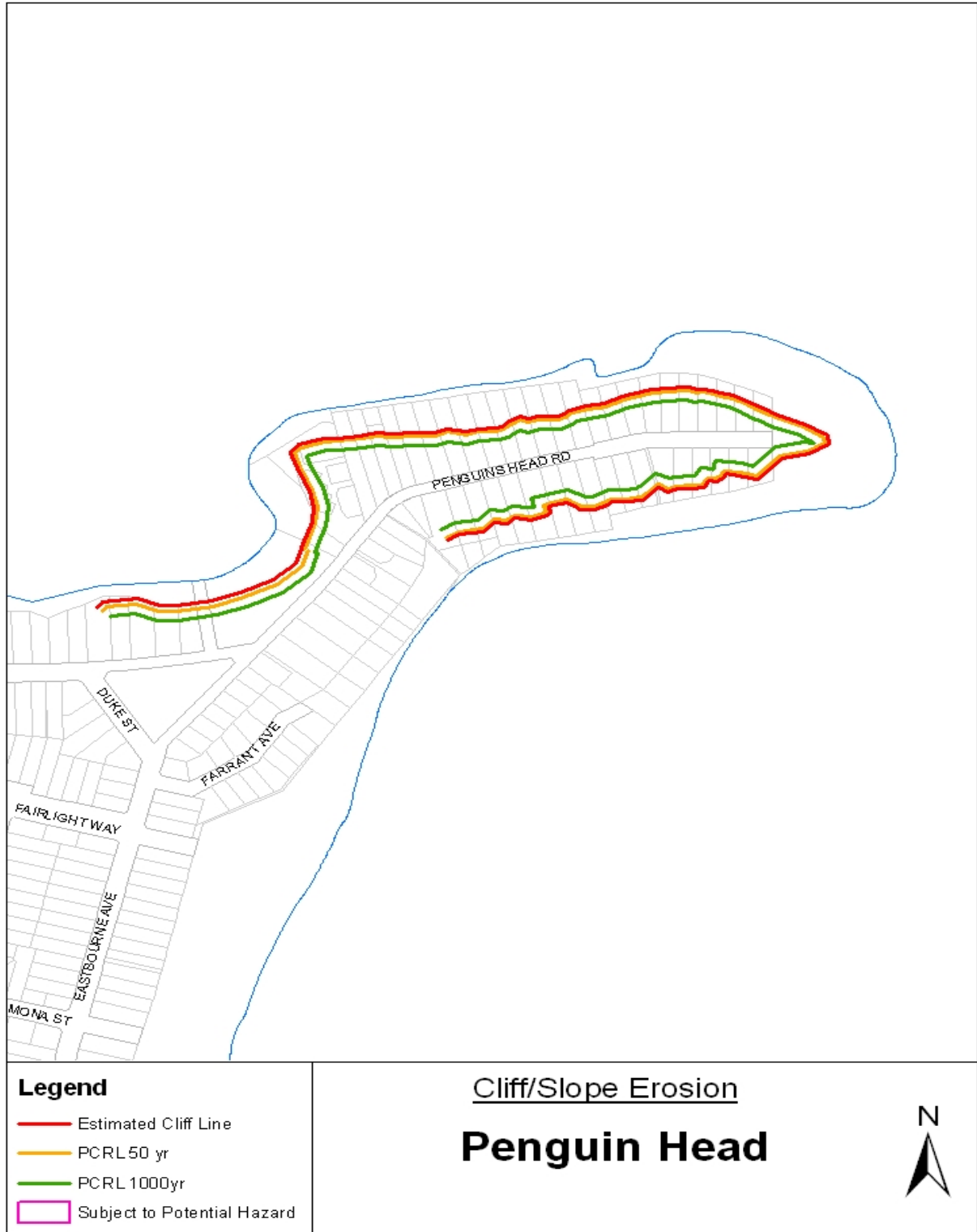
9. Mollymook Beach



APPENDIX 2 – Coastal Instability Areas and Restricted Development Sites Affected by Cliff/ Slope Erosion Hazard

Source: SMEC, August 2008, Shoalhaven City Council Coastal Slope Instability Hazard Study – Final Report

1. Penguin Head and Culburra Beach



2. Plantation Point



3. Hyams Point



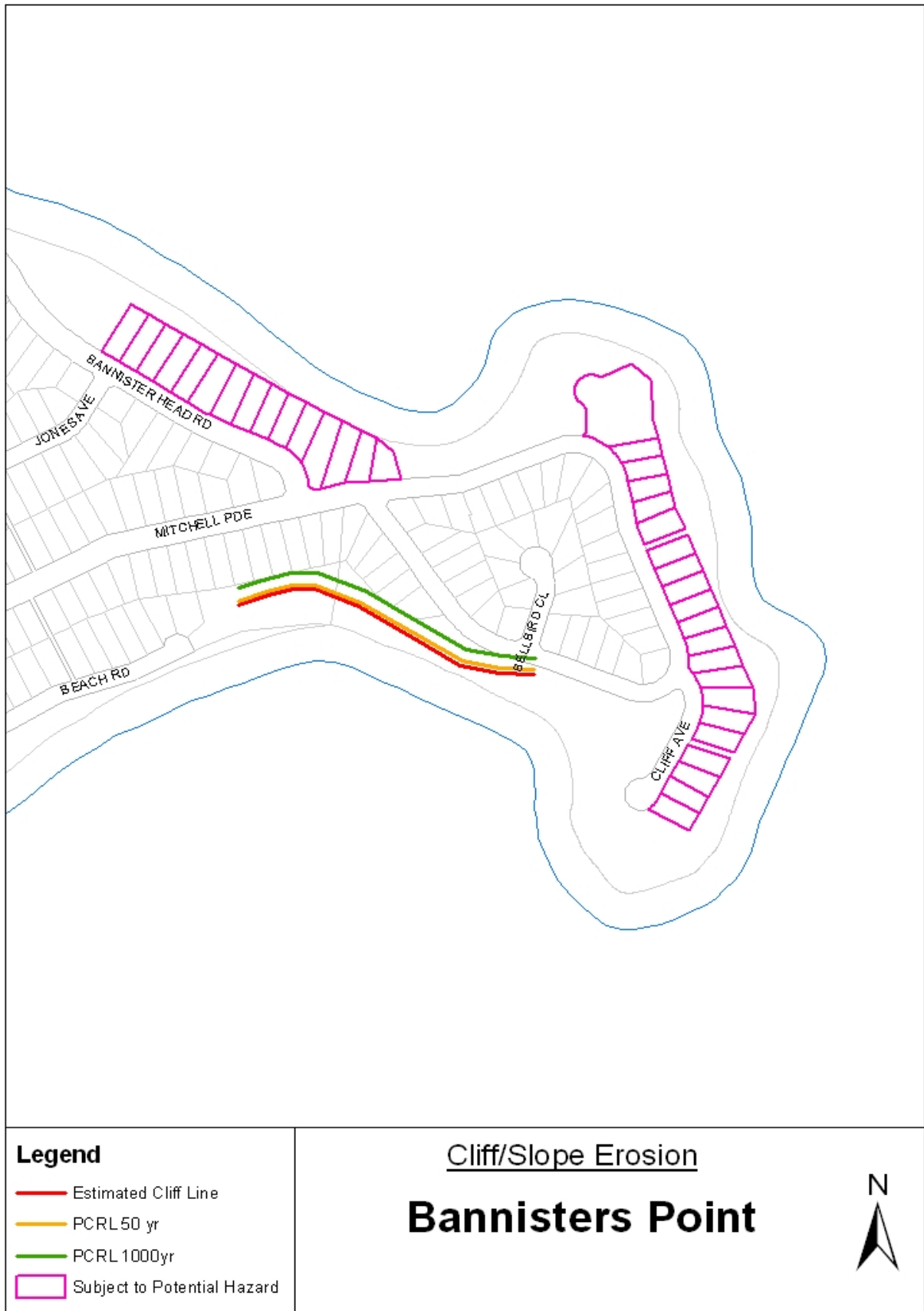
4. Berrara Bluff



5. Inyadda Point



6. Bannisters Point



7. Collers Beach Headland



8. Rennies Beach



9. Racecourse Beach

