

3 March 2014

Planning & Infrastructure
23 - 33 Bridge Street
SYDNEY NSW 2000

Dear Sir / Madam

Draft planning circular: advice on coastal hazards

Thank you for the opportunity to provide comment on the draft planning circular.

Warringah Council supports the intent of Planning & Infrastructure in providing advice to councils on how current and future hazards should be articulated on s149 Planning Certificates.

The most significant impact for Warringah in implementing the proposed changes outlined in the draft planning circular, relates to the required changes to the s149(2) Planning Certificate. It is critical that councils receive clarification on the criteria to be used to define future hazards.

To assist councils to implement the proposed changes, we make the following recommendations:

- Planning & Infrastructure must provide direction to councils, such as Warringah who answer 'yes' or 'no' to questions 7 and 7A on s149(2) Planning Certificates, on how the proposed changes (the requirement to clearly identify the type of hazard, and identify whether the land has a current or future exposure to the hazard) should be implemented. For example:
 - How does the draft planning circular impact upon the way in which councils answer upon other hazards in question 7 and other flooding risks in question 7A?
 - Will there be an amendment to Schedule 4 of the Environmental Planning & Assessment Regulation 2000 to reflect the requirements of the draft planning circular? Warringah strictly applies Schedule 4 when formulating and answering questions on 149(2) Planning Certificates.
- In relation to future hazards and s149(5) Planning Certificates, Planning and Infrastructure and the Office of Environment and Heritage need to develop a clear criteria that councils can apply to demonstrate "that the information is





sufficiently accurate, complete and reliable, and supported by a competent process of assessment”.

There is a need for Planning and Infrastructure to provide guidance in relation to specific wording on s149(2) and 149(2&5) certificates to ensure consistency between coastal councils and regulatory compliance. This cannot be achieved by each council seeking their own legal advice.

We look forward to reviewing the revised version of the planning circular.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. Robinson'.

Peter Robinson
Group Manager Strategic Planning

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