



KIAMA MUNICIPAL COUNCIL

Phone Enquiries:

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Reference:

(17/3899)

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Director Environment and Building Policy
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam

Draft Coastal Management SEPP

Thank you for the opportunity to provide comment on the draft State Environmental Planning Policy (Coastal Management 2016).

Council is generally supportive of consolidating the existing Coastal Protection, Coastal Wetland and Littoral Rainforest SEPP's into one document and returning the approval powers for certain works back to local Councils, provided sufficient objective assessment criteria is available to all involved to make consistent determinations. Council is also fully supportive for existing technical expertise built up by the NSW Government to be retained and such expertise being made freely available to Local Government for advice and assistance.

After reviewing the draft document, Kiama Council provides the following comments:

Maps

- It is not clear how some of the coastal wetlands have been identified and mapped, as it appears inconsistent. For example, Spring Creek coastal wetlands have greatly increased in area from the current SEPP 14 mapping.

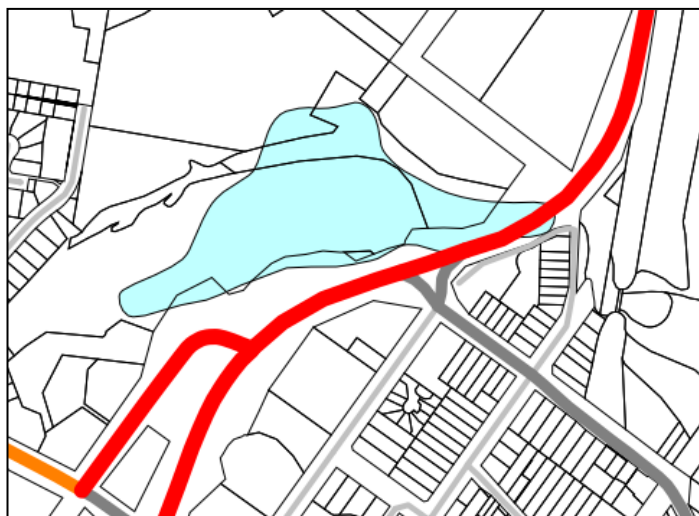


Figure 1: Current SEPP 14 mapping

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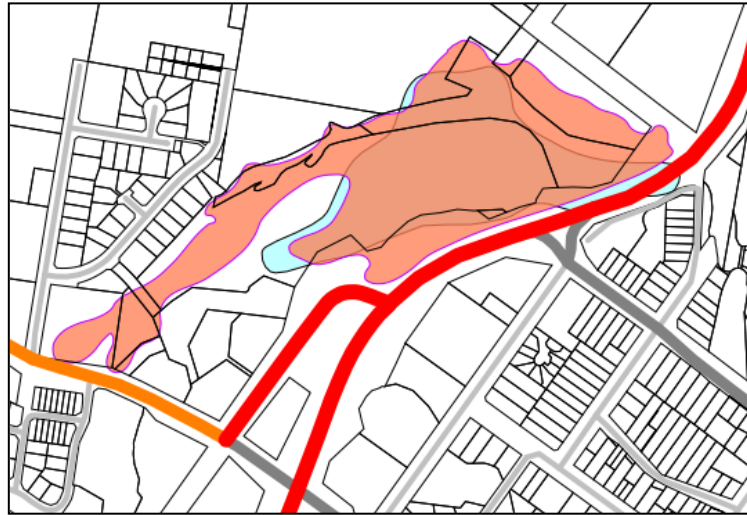


Figure 2: Draft Coastal SEPP Wetlands Mapping

The extent of the coastal wetlands appears to now cover the freshwater dam and also the freshwater area upstream of the rock weir which would be the tidal extent of the waterway.

This is compared with the Crooked River, which is a tidal waterway up its entire reach with what would classify as SEPP 14 wetlands and the only part of Crooked River mapped under the Draft SEPP Coastal Wetlands is below:

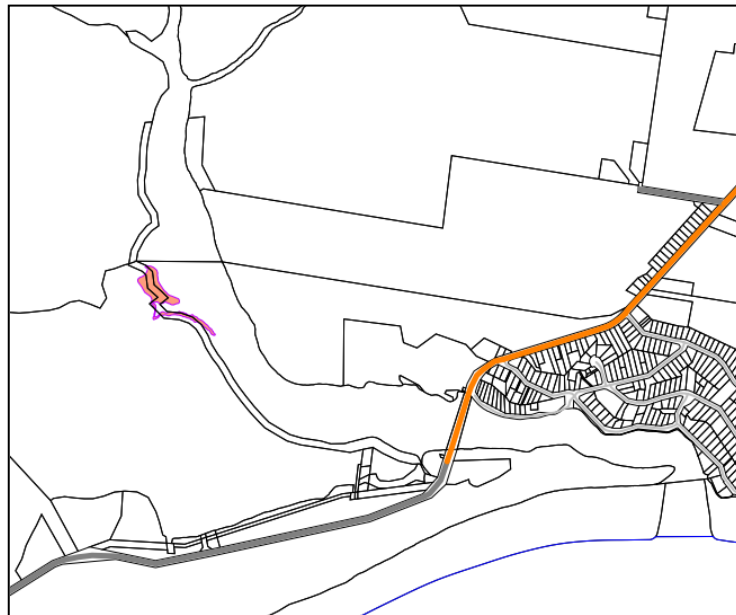


Figure 3: Draft Coastal Wetlands Area (Crooked River near Gerroa)

Coastal Vulnerability Area

Information provided as part of the consultation states that '*local coastal hazards modelling and mapping exists for the majority of coastal council areas*'. It is expected that all councils that have not yet undertaken local coastal hazard mapping will do so over the next 5 years. This will be in line with the Coastal Management Manual which provides a toolbox and overarching methodology. Whilst Council is supportive of such mapping, the cost burden on local communities could be significant and Council requests Government to put forward what funding arrangements are to be put forward in order that Local Government can specifically comment on this aspect. In this regard, there may be cost savings available utilising such things as joint appointments, Regional studies or the like.

In addition to the above, Council is aware that Regional Hazard mapping has been carried out and this information should be made available to Local Government to assist in formulating baseline data.

SEPP 71 vs Coastal Management SEPP Land Application Area

It is clear that there are some properties that will not be included in the Land Application area which were previously mapped in the SEPP 71 area, and also examples of properties which will now be mapped within the Land Application area which were not previously in the SEPP 71 mapping. The reason for these anomalies within the mapping is unclear and should be clarified.

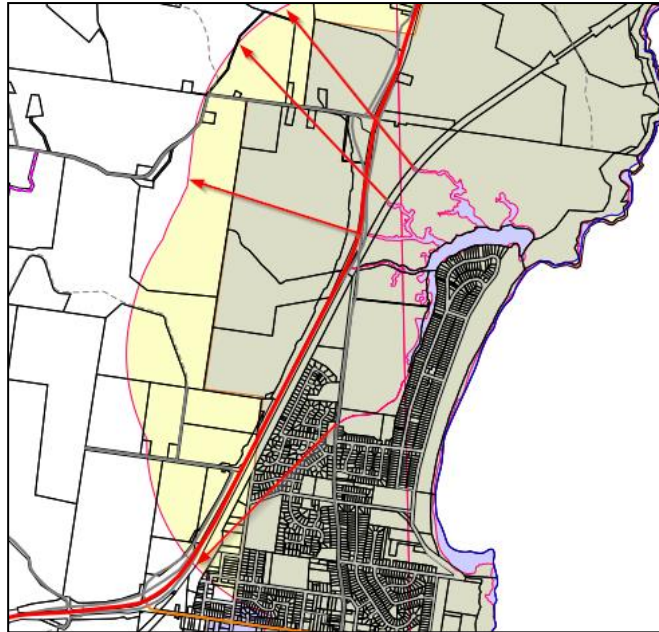


Figure 4: SEPP 71 mapping (grey) v Land Application Area (yellow) - Gerringong

The mapping above shows the area around Werri Beach and Werri Lagoon. The Draft CM SEPP Land Application area (pale yellow) shows increased properties to be included under the Coastal Management Act 2016. There seems to be a buffer greater than 1km (around 1100 – 1200m denoted by red arrows), from the tidal extent of Werri Lagoon, which is assumed to be where the 1km buffer extends from. The extent of the mapping appears to be questionable unless there is some other explanation.

It is noted that clause 7(a) from SEPP 71 which requires the matters for consideration in clause 8 of the SEPP to be taken into account when preparing draft local environmental plans was not carried across into the draft SEPP. It is assumed that this is because the draft Section 117 Direction - Coastal Management, will be a mandatory consideration in the assessment of Planning Proposals and should ensure the aims and objectives of the draft SEPP are taken into consideration.

Council would be happy to provide further clarification regarding the above if necessary, and in this regard feel free to contact Council's Manager of Strategic Planning, Mark Lyndon on 42320444.

Yours faithfully

Phil Costello
Director of Environmental Services