



WAVERLEY COUNCIL

Waverley Council

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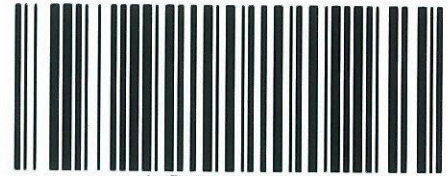
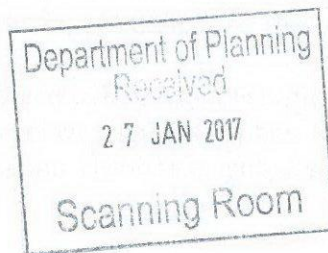
Customer Service Centre

55 Spring Street, Bondi Junction NSW 2022

ABN: 12 502 583 608

Our ref: A12/0147

18 January 2017



PCU069227

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

RE: SUBMISSION ON DRAFT COASTAL MANAGEMENT SEPP AND STANDARD INSTRUMENT CHANGES

Dear Sir / Madam,

Thank you for the opportunity to provide comment on the *Draft State Environmental Planning Policy (Coastal Management) 2016* (draft SEPP). This submission is the opinion of Council Officers and not that of the elected Council.

Waverley is generally supportive of the coastal management reforms and supports the aim of the draft SEPP to provide an integrated and co-ordinated approach to land use planning in the coastal zone. A detailed submission is being made by the Sydney Coastal Councils Group (SCCG) of which Waverley is a member Council. The draft SEPP and associated documentation has been reviewed and the following matters have been identified for further consideration:

1. A regional coordinated approach

Waverley supports the coordinated and integrated approach to coastal management in accordance with the objects of the new *Coastal Management Act*, particularly:

h) to promote integrated and co-ordinated coastal planning, management and reporting, and

(j) to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities,

To achieve these objects it is necessary that consistent data is included within the draft SEPP and the mapping that supports it. To assist in this, detailed mapping developed at a regional scale should be included in the draft SEPP mapping series. In particular, the impact of future storms and future inundation which is not clearly shown in the current mapping should be an inclusion.

The SCCG in conjunction with the SCIRO has developed mapping for the Sydney Coastal region through the 'Mapping and Responding to Coastal Inundation Project' that should be considered for inclusion in the SEPP mapping. As further work is undertaken these hazard lines can be further refined and evolved.

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2. Exempt and Complying Development

Existing Waverley coastal hazards have been correctly identified within the Local Government Hazard Map layer of the Draft Coastal Management SEPP maps.

Amendments to the Standard Instrument LEP, as included below, propose alterations to what can be approved via the Exempt and Complying Development process but do not appear to consider these hazard areas, thus potentially undermining the aims of the *Coastal Management Act*.

Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

Omit paragraph (c) from the definition of environmentally sensitive area for exempt or complying development in clause 3.3 (2).

Insert instead:

(c) land within the coastal wetlands and littoral rainforests area (within the meaning of the Coastal Management Act 2016),

The 'Waverley Coastal Risk Management Policy' has identified property lots where a geotechnical risk or inundation risk exists. Under the *State Environmental Planning Policy (Exempt and Complying Development) 2008* it is possible for a development to be undertaken on these lots through exempt and complying development without consent from council and for this coastal risk not to be properly considered. The proposed change to the Standard Instrument does not properly consider this situation and this issue is likely to continue as a result.

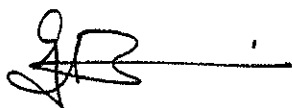
It is recommended that the Department consider the inclusion of Coastal Vulnerability Areas and Local Government Hazard Areas in clause 3.3 (2) of *the Standard Instrument (Local Environmental Plans) Order 2006* so that coastal risks are properly considered and exempt and complying development is able to satisfy the aims and objects of the Coastal Management Act.

3. Removal of clause 5.5 from LEPs

The removal of clause 5.5 from Standard Instrument LEPs as proposed may cause confusion and lead to misunderstanding. It is recommended that the Department issue a circular and host a number of industry and community workshops prior to the release of the draft SEPP so that the community and industry groups understand its application and the rationale for the removal of clause 5.5. Any misunderstanding could lead to a failure to properly consider coastal management.

We appreciate you taking the time to consider our submission. If you have any questions about this submission, please contact Sam McGuinness, Senior Environment Officer, on (02) 9083 8176 or Daniel Starreveld, Principal Strategic Planner, on (02) 9083 8053.

Best regards,



George Bramis

Executive Manager, Shaping Waverley