PLANNING & NATURAL SYSTEMS

ATTACHMENT B

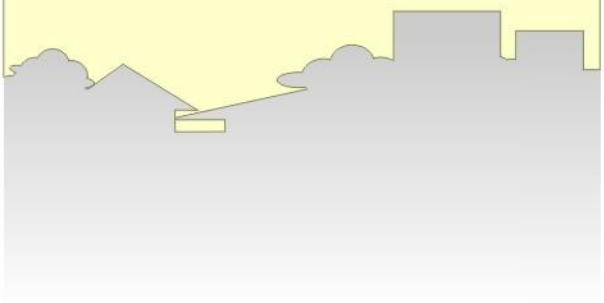
AMENDMENTS TO GREATER TAREE DEVELOPMENT CONTROL PLAN 2010

ORDINARY MEETING

19 APRIL 2017

Part D

Environmental Requirements



PART D ENVIRONMENTAL REQUIREMENTS

Contents

D1 Coastline management

About this part:

This part identifies land subject to development constraints within areas identified as having risks and hazards associated with coastal processes.

Applies to:

Land within the former Greater Taree Local Government Area identified as mapped in this part.

Date adopted by Council:

Effective date:

Related Policy / Technical Manual:

Manning Region Coastal Zone Management Plan 2017

D1.1 River Street East, Cundletown

Introduction

Hazard mitigation works and structures include works such as revetments and rock fillets. Boating structures include development such as jetties and boat ramps.

Coastal foreshores, whether ocean, estuary, coastal lake, river or creek are subject to dynamic processes. Development along the foreshore can accelerate erosion of the foreshore and result in flooding. Protection of the coastal hazard areas aims to ensure protection of the coastal lands/ environment and of development in the vicinity.

Objective

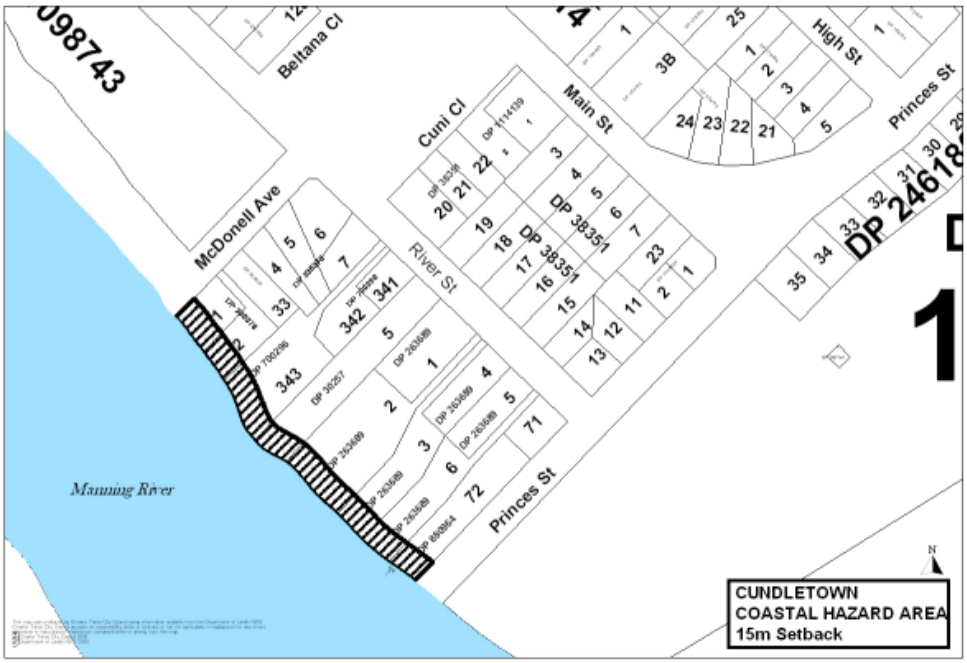
To minimise the construction of structures within areas affected by erosion.

Performance criteria

Where a setback is identified for a 'Coastal Hazard Area', development will not be permitted within this setback with the exception of hazard mitigation works and structures or boating structures.

Land affected by the part

The requirements of this part apply to land as identified in the following Map 1.



Map 1: River Street East Coastal Zone Hazard Area Setback

D1.2 Manning coastline (excluding Old Bar to Manning Point)

For the purposes of assessment, the design life of any building or structure is taken to be 50 years, in accordance with the Building Code of Australia and Australian Standard 2870-2011.

The **Coastal Planning Area** is shown on the maps in D1.2 and represents the area affected by the **Zone of Reduced Foundation Capacity** (ZRFC) for the stability of structures. This area could be affected by coastal processes based on a sea level rise increase of 50cm from the year 1990 to 2060.

Ocean wave run-up refers to the height above ocean levels (including tide and storm surge) reached by the waves along our beaches.

Introduction

The Coastal Planning Area, as depicted on Maps 2 – 7, can be affected by coastal processes such as erosion and wave run-up usually experienced during storm events or king tides. Climate change factors such as sea level rise are likely to exacerbate these risks in the future.

Objectives

- To ensure that development is designed and located in response to potential coastal hazards and does not adversely impact neighbouring properties or public land.
- To ensure that development, where possible, avoids the need for physical structures or emergency works to protect the development from potential damage caused by coastal hazards.

Performance criteria

Subdivision:

1. All proposed allotments are to include a nominated building envelope that is located outside of the Coastal Planning Area.
2. Public services and infrastructure including sewer, water, drainage, electricity and roads are to be located outside of the Coastal Planning Area and landward of any building envelope.

New buildings:

Checklist - what do I need to address in the Coastal Risk Management Report for my new building?

Key Question:	No	Yes
Is the new building proposed in the Coastal Planning Area	A report is not required for the new building - see item 1 below	A report certifying the building is required - see item 2 below
Is the primary road access located in the Coastal Planning Area	A report is not required for the road access	A report may be required on the road access - see item 3 below
Are the service connection points located in the Coastal Planning Area	A report is not required for the service connection points	A report may be required on the service connections - see item 4 below

1. New buildings are to be located entirely outside of the Coastal Planning Area wherever possible. If this can be achieved, a report by a coastal engineer certifying the structure is not required.
2. New buildings within the Coastal Planning Area (in whole or part) must be accompanied by a Coastal Risk Management Report from a coastal engineer to certify that:
   a) the foundations and footings of the building are designed to achieve safe bearing into the stable foundation zone; and

b) the building has been designed with a minimum habitable floor level that provides adequate protection from inundation by ocean wave run-up.

An alternative method to address coastal hazards is to propose development that is able to be relocated, modified or easily removed when the risk becomes unacceptable. Such development requires certification from an engineer that the structure meets these functions and details of how it can be removed from the land or modified if/when required.

3. New buildings on properties where the primary road access is located within the Coastal Planning Area (in whole or part) are to be designed so that that driveway access to the building:
   a) is provided outside of the Coastal Planning Area wherever possible;
   b) access is not located between the building and the Coastal Planning Area if an alternative location is available;
   c) is provided from the secondary road frontage on a corner allotment;

   Where access cannot be designed to meet one of these requirements, evidence is to be submitted that the occupants of the dwelling can evacuate the property if the road access or driveway is damaged as a result of a coastal hazard.
4. New buildings are to be designed so that new connections to public services and infrastructure such as sewer, water, drainage and electricity:
   a) are located outside of the Coastal Planning Area wherever possible;
   b) are not located between the building and the Coastal Planning Area if an alternative connection point is available.

Additions and alterations:

Checklist - do I need to provide a Coastal Risk Management Report with my additions and alterations?

Key Question:	**No**	**Yes**
Is my addition within the Coastal Planning Area?	A report is not required - see item 1 below	A report is required - see item 2 below
Are my building alterations within the Coastal Planning Area	A report is not required - see item 1 below	A report is required - see item 3 below

1. Additions and alterations are to be located entirely outside of the Coastal Planning Area wherever possible. If this can be achieved, a report by a coastal engineer certifying the structure is not required.
2. Additions that are proposed within the Coastal Planning Area (in whole or part), are to be accompanied by a Coastal Risk Management Report from a coastal engineer to certify that the foundations are designed to ensure safe bearing into the stable foundation zone.

   An alternative method to address coastal hazards is to propose development that is able to be relocated, modified or easily removed when the risk becomes unacceptable. Such development requires certification from an engineer that the structure meets these functions and details of how it can be removed from the land or modified if/when required.

3. Alterations to an existing building within the Coastal Planning Area (in whole or part), other than those permitted as exempt development, are to be accompanied by a Coastal Risk Management Report from a coastal engineer to certify that:
    a) the alterations do not place any additional load on the existing footings of the building; or
    b) the existing foundations are capable of carrying the additional load and provide safe bearing into the stable foundation zone; or
    c) additional foundations have been designed to carry the additional load and will ensure safe bearing into the stable foundation zone.

An alternative method to address coastal hazards is to propose development that is able to be relocated, modified or easily removed when the risk becomes unacceptable. Such development requires certification from an engineer that the structure meets these functions and details of how it can be removed from the land or modified if/when required.

Ancillary structures:

Checklist - do I need to provide a Coastal Risk Management Report with my ancillary structures?

Key Question:	**No**	**Yes**
Are masonry structures proposed in the Coastal Planning Area	A report is not required	A report is required - see item 3 below
Are coastal protection works proposed in the Coastal Planning Area	Not applicable	A report is required - see item 4 below

1. Ancillary structures are to be located entirely outside of the Coastal Planning Area wherever possible. If this can be achieved, a report by a coastal engineer certifying the structure is not required.
2. Lightweight structures such as sheet metal garden sheds and detached timber pergolas do not require a report from a coastal engineer certifying the structure.
3. Masonry structures such as swimming pools and retaining walls are permitted within the Coastal Planning Area if they are accompanied by a Coastal Risk Management Report from a coastal engineer to certify that the structure is designed:
    a) so that it is structurally separate from existing building/s; and
    b) to ensure safe bearing into the stable foundation zone.
4. Any proposed coastal erosion protection structures must be accompanied by a Coastal Risk Management Report from a coastal engineer to certify that the structure is designed and located wholly on private land and must not cause damage to, or otherwise adversely impact, an adjacent, neighbouring or public property.

Note:

1. Certain applications for development within the Coastal Planning Area must be accompanied by a report from a coastal engineer certifying the structure. A 'coastal engineer' is a suitably qualified and registered engineer with specialist experience in geotechnical and/or coastal marine processes.
2. A report from a coastal engineer is a Coastal Risk Management Report that addresses the proposed development in relation to the *Coastal Risk Management Guide - Incorporating sea level rise benchmarks in coastal risk assessments* (2010), produced by the NSW Office of Environment and Heritage and available at: www.environment.nsw.gov.au/resources/water/coasts/10760CoastRiskManGde.pdf
3. For the purposes of this DCP the ***stable foundation zone*** is to be regarded as natural dune material occurring ***landward and/or below*** the ***zone of reduced foundation capacity*** as defined in the Coastal Risk Management Guide. A copy of the Guide is available at: www.environment.nsw.gov.au/resources/water/coasts/10760CoastRiskManGde.pdf

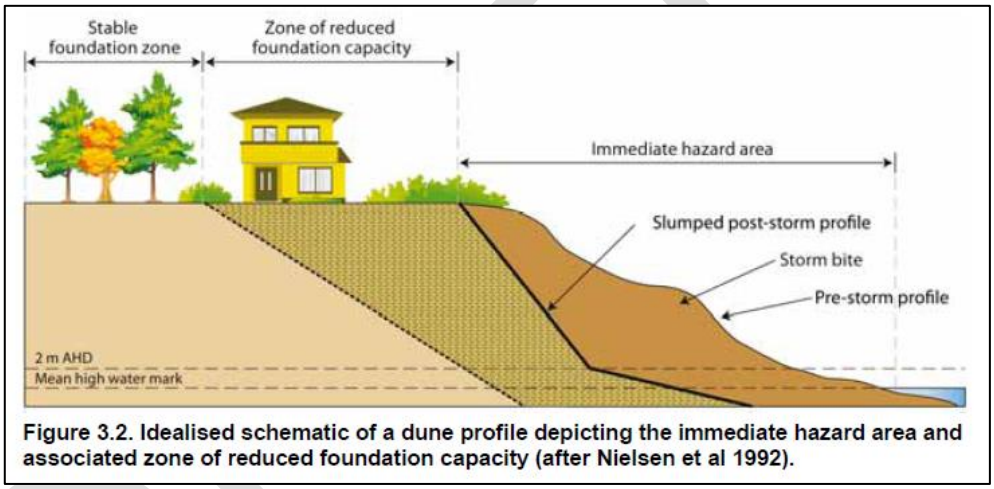


Figure 3.2. Idealised schematic of a dune profile depicting the immediate hazard area and associated zone of reduced foundation capacity (after Nielsen et al 1992).

Figure 1: Diagram from NSW Office of Environment & Heritage *Coastal Risk Management Guide* (2010)

4. Additional information can be found at the following links:

   http://www.environment.nsw.gov.au/resources/water/coasts/10760CoastRiskManGde.pdf

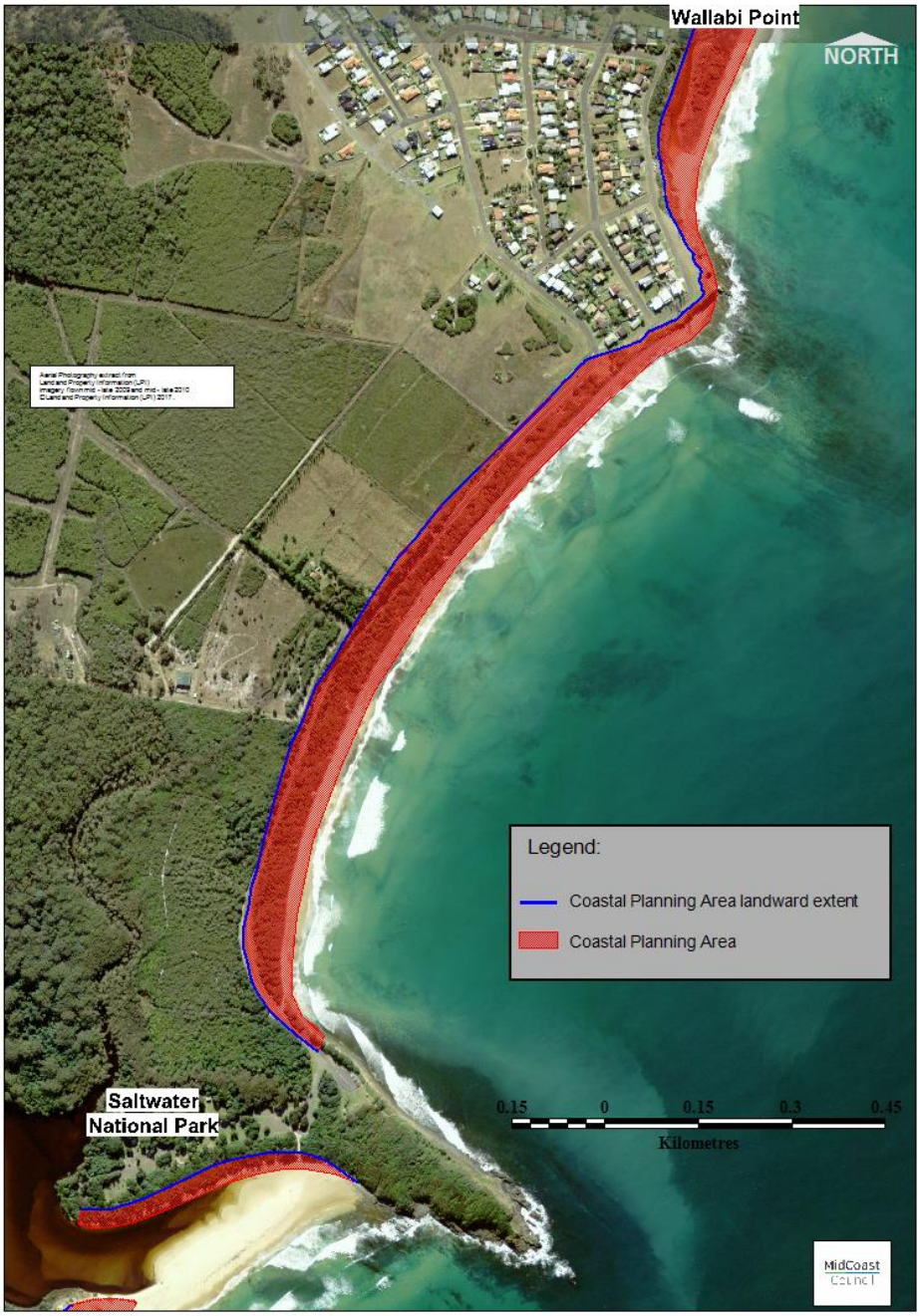
   http://www.environment.gov.au/archive/coasts/publications/nswmanual/index.html

   http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+572+2008+cd+0+N

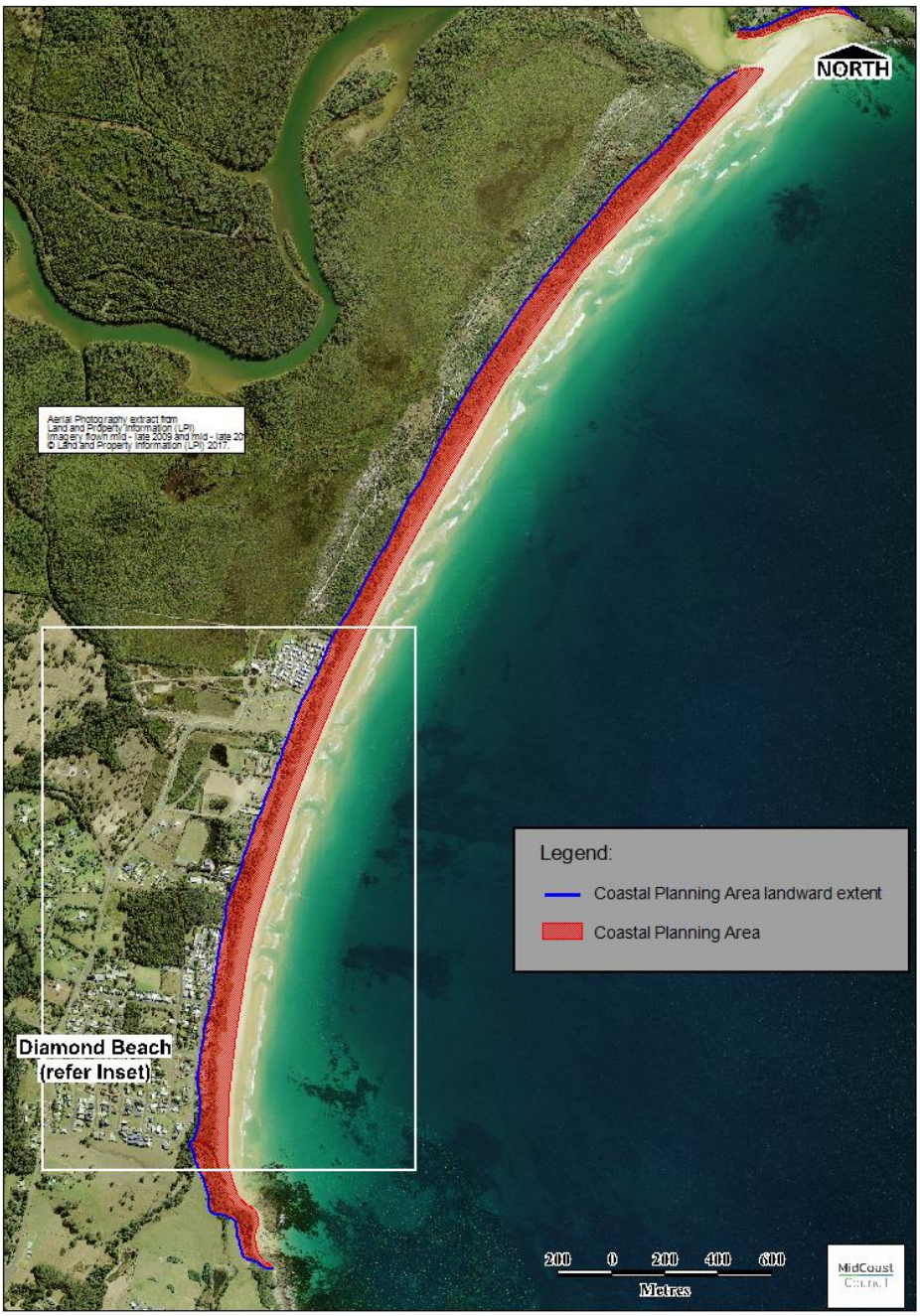
Land affected by the part

The requirements for this part apply to land as identified on the following maps as the Coastal Planning Area.

Map 2: Harrington to Crowdy Head



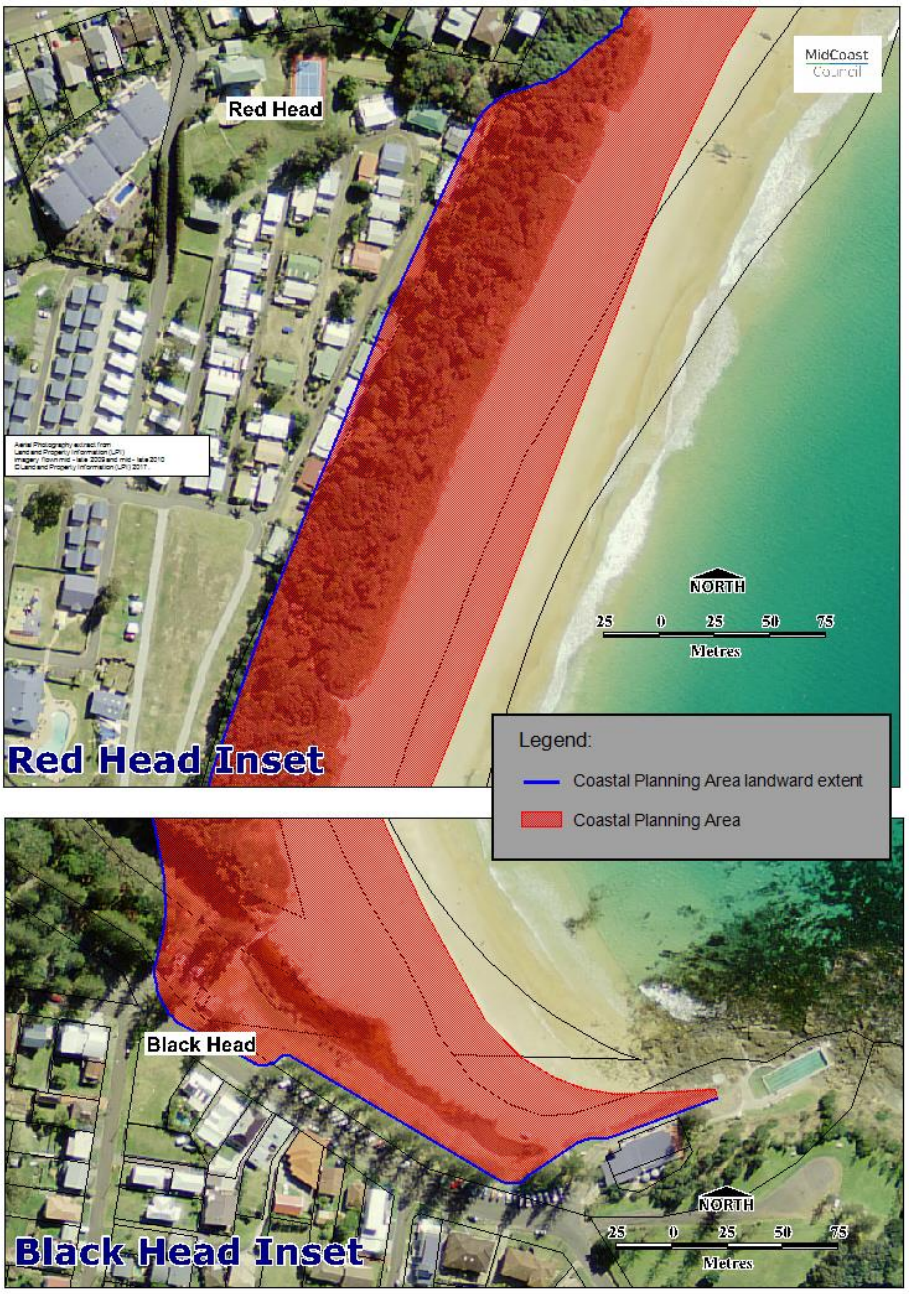
Map 3: Saltwater to Wallabi Point



Map 4: Diamond Beach to Saltwater

Map 5: Diamond Beach Inset

Map 6: Black Head to Red Head



Map 7: Black Head and Red Head Insets

D1.3 Old Bar to Manning Point

Introduction

This area is an actively eroding coastline which is likely to experience continued beach erosion, particularly during storm events. Climate change impacts such as anticipated sea level rise is likely to exacerbate this situation.

For the purposes of coastal management these areas have been mapped and development controls identified to manage the risk posed from building in these areas. It is also important to have the landowners accept that this risk could mean the eventual removal of these structures from the land.

Objectives

- To ensure that development is designed and located in response to potential coastal hazards and does not adversely impact neighbouring properties or public land.
- To allow development, despite coastal hazards, where risks associated with these hazards are accepted.

Performance criteria

Development seaward of the Immediate Hazard Line

Government agencies can undertake construction in this area, as permitted under relevant legislation.

1. Construction of structures is to occur landward of this line.
2. Coastal management measures can be undertaken in this area (e.g. sand replenishment and revetments) as long as they do not unreasonably affect neighbouring properties or public land and have mechanisms in place for the maintenance or removal of these following storm events.
3. Subdivision in this area shall not result in the creation of additional development lots.

Note: The Immediate Hazard Line is shown on the maps later in this part. The line represents the landward extent of foreshore erosion that could occur in very large storms, such as those experienced in the early 1970s along the NSW coastline. Development should be avoided in this area.

Development between the Coastal Hazard Line and the Immediate Hazard Line

A **Risk Management Plan** must be submitted for all development within this area.

1. All development applications must be accompanied by a Risk Management Plan that demonstrates that the landowner is aware of the risks applicable to the land. The complexity of the Risk Management Plan will be dependent on the size and location of the development. The Risk Management Plan must include:
   a) An acknowledgement of the risk of developing in this area.
   b) Details indicating how the identified risks will be managed [this could be as simple as detailing how the structure can be demolished or removed in the future].
   c) If the development is of a scale that has the potential to generate offsite impacts, evidence of how these impacts have been considered and addressed.
2. Subdivision in this area shall not result in the creation of additional development lots.

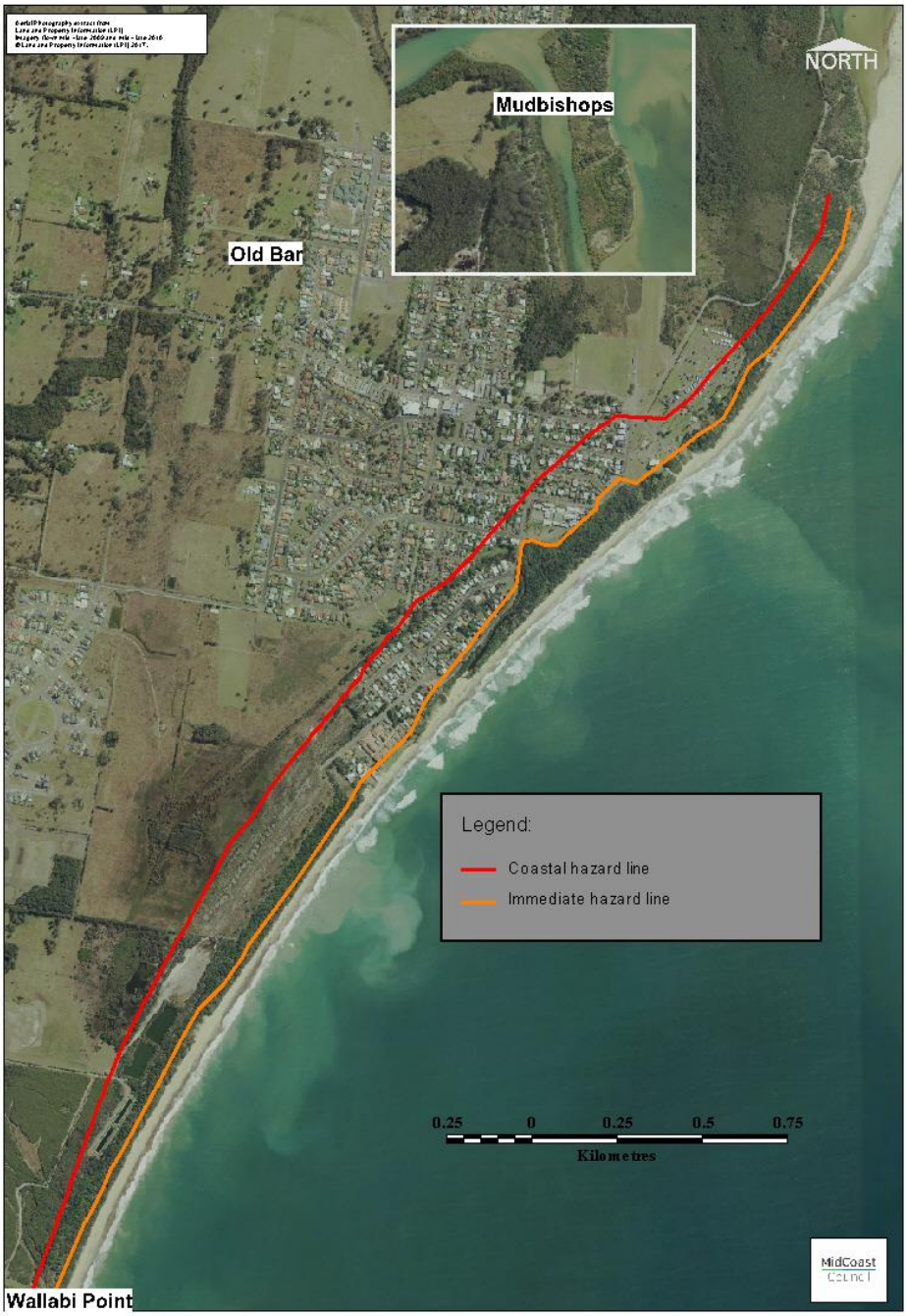
Definitions:
1. **Coastal Hazard Line** – land which has a Zone of Reduced Foundation Capacity for structures during the design life of the building.
2. **Immediate Hazard Line** – landward extent of the foreshore potentially lost during a major storm event.

Note:
1. By developing in this area, landowners accept that they may ultimately have to demolish or remove the structure if the coastline continues to recede.
2. For development landward of this area no development controls apply from this part.
3. Any consent for development in this area will have a condition imposed pursuant to section 88E of the *Conveyancing Act 1919* imposing a public positive covenant that serves as a mechanism to link the approved Risk Management Plan outcomes to the land in perpetuity and additionally make future purchasers aware of the coastal risks to development constructed on this land [if structures are reassessed in the future as being landward of the Coastal Hazard Line, following a reassessment of the coastal erosion hazard, then this public positive covenant can be removed].

Land affected by the part

The requirements for this part apply to land as identified on the following maps.

Map 8: Farquhar Park to Manning Point



Map 9: Old Bar to Farquhar Inlet

Map 10: Old Bar Inset