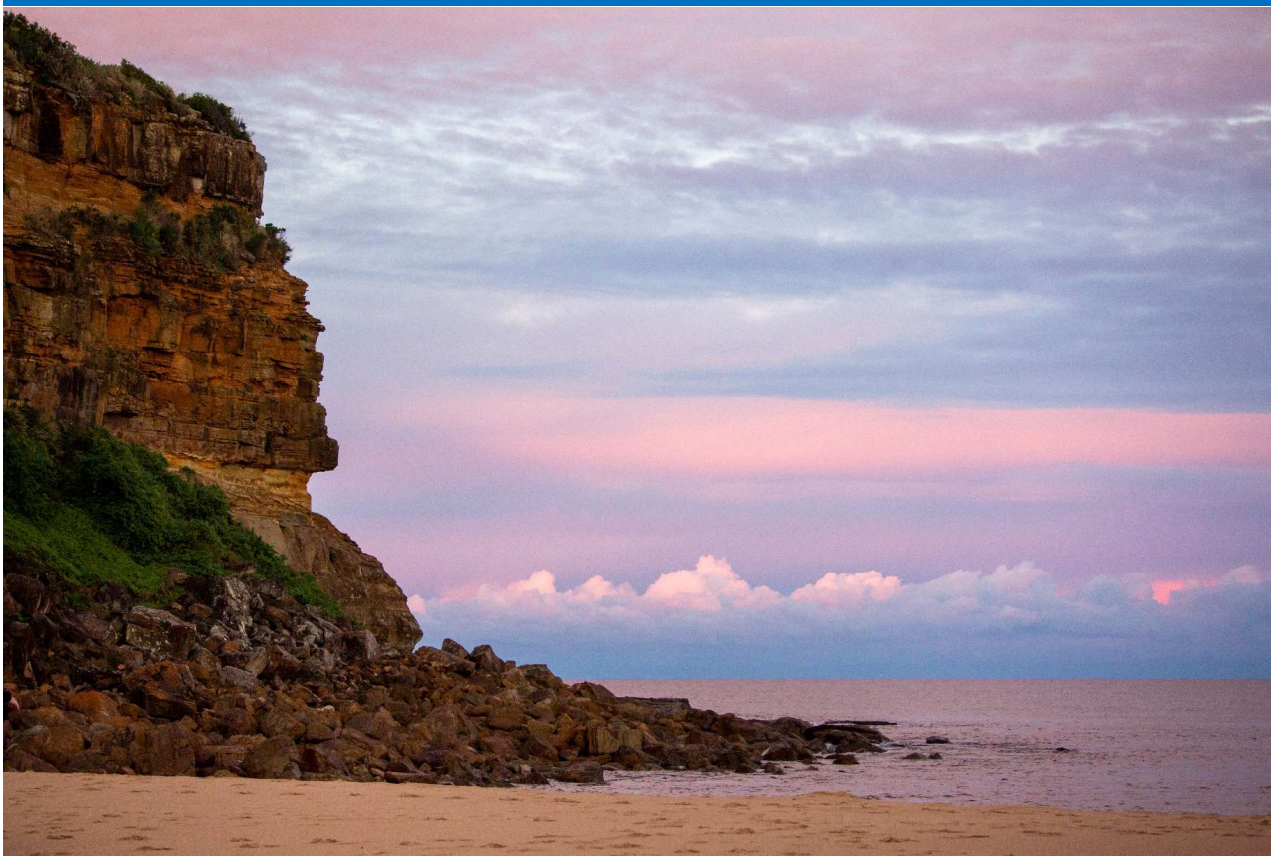
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Planning Proposal PP-2026-2417

Coastal Vulnerability Area Amendment to SEPP (Resilience and Hazards) 2021



RESPECT INNOVATION INTEGRITY TEAMWORK EXCELLENCE

Planning Proposal PP-2026-2417 to amend SEPP (Resilience and Hazards) 2021 Coastal Vulnerability Area Map

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Coastal Vulnerability Area Map

Authorisation

Responsible Officer	Manager Planning and Development
Department	Strategies and Communities
Date prepared	October 2026
Council Resolution number	[INSERT NUMBER]

Version control

October 2026	PP Report for lodgement on Planning Portal and endorsement by Council	

Planning Proposal PP-2026-2417 to amend SEPP (Resilience and Hazards) 2021 Coastal Vulnerability Area Map

The Planning Proposal seeks to amend the State Environmental Planning Policy (Resilience and Hazards) 2021 *Coastal Vulnerability Area Map* to introduce the Coastal Vulnerability Area identified in the Kiama Coastline Coastal Management Program Stage 4: Coastal Management Program.

Background

This planning proposal has been prepared in accordance with the Environmental Planning and Assessment Act 1979 and the LEP Making Guideline (NSW DPHI, 2026).

This planning proposal explains the intended effects of:

- An amendment to State Environmental Planning Policy (Resilience and Hazards) 2021, that will introduce Coastal Vulnerability Area mapping to the SEPP (Resilience and Hazards) 2021 as it applies to the Kiama Municipal Council Local Government Area (LGA)

The Kiama Coastal Management Plan Stages 1 – 3 Reports have been completed by BMT, involving a scoping study, technical studies, and the identification and evaluation of potential actions.

The Kiama Coastal Management Plan Stage 4 outlines the processes required to finalise, exhibit, certify and adopt the CMP. BMT have completed a report that provides all necessary information on the Management Actions for the Kiama Coastline to enable certification of the CMP under the CM Act, therein achieving the Objects of the CM Act.

Chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021 relates to Coastal management, and its aims include establishing a framework for land use planning within the coastal zone, in a manner consistent with the objects of the Coastal Management Act 2016. The Coastal Management Act defines coastal hazards and established principle-based management objects for land identified within the coastal vulnerability area, which is land subject to coastal hazards.

As Council developed the Kiama Coastline Coastal Management Program (2024), land has been identified that is subject to one or more of the defined coastal hazards. This land forms the scope of this planning proposal to be considered for inclusion in the Coastal Vulnerability Area (CVA) mapped under the SEPP.

1.0 Statement of objectives

The Planning Proposal (PP) applies to the Kiama coastline throughout the Kiama LGA (see Image 1), from the Minnamurra River at the north (where it meets the Shellharbour LGA) to 2km south of Black Head (where it meets the Shoalhaven LGA to the south). The Kiama coastline and its adjacent lands are located within the NSW Coastal Zone and are subject to the provision and objectives of the NSW *Coastal Management Act 2016* (CM Act).

The objective of the PP is to amend the State Environmental Planning Policy (Resilience and Hazards) 2021 by introducing Coastal Vulnerable Area mapping to the SEPP as it applies to the Kiama LGA.

The provisions of Clause 2.9 of the Resilience and Hazards SEPP in association with the Coastal Vulnerability Area mapping and Development Control Plan provisions will ensure that Kiama Municipal Council considers a range of coastal hazard issues when it is assessing new development.

The Planning Proposal seeks to amend the following SEPP (Resilience and Hazards) 2021 map:

- Coastal Vulnerability Area Map (Attachment 1)

<u>Development Control Plan amendments</u>

The proposed changes are also supported by proposed amendments to the Kiama Development Control Plan (DCP) 2020, Chapter 2 Site Considerations, Topic 2.6 Coastal Vulnerability Area. The proposed DCP amendments are attached to this report (Attachment 2).

Proposed DCP Amendments include:

- Coastal Risk Management Report
- Development Consent for Coastal Works
- Risk Reduction

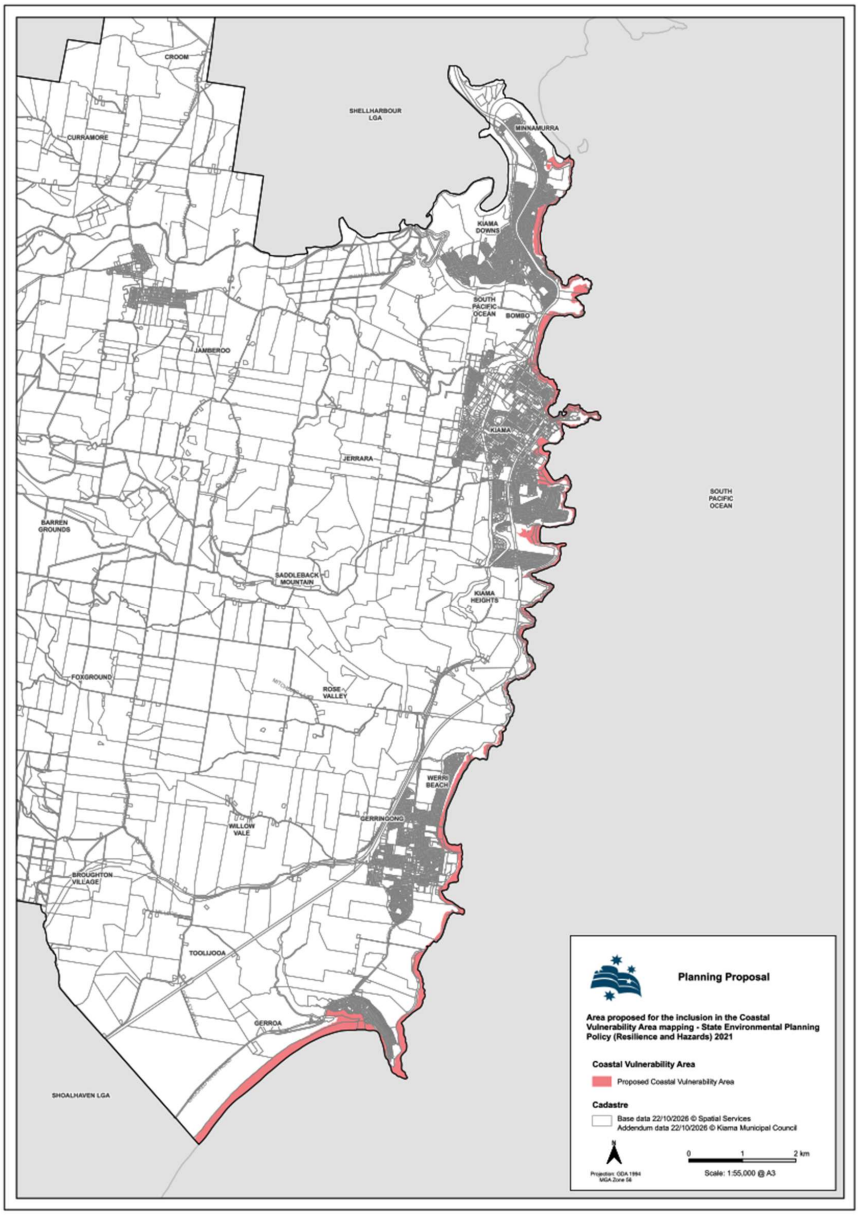


Image 1 Kiama Coastal Vulnerability Area Map

2.0 Explanation of provisions (proposed changes to instrument)

2.1 Introduce Coastal Vulnerability Area mapping to the Kiama Coastline

Background

In August 2020, the NSW Government issued guidance for introducing Coastal Vulnerability Area mapping to the Coastal Management SEPP (Now the State Environmental Planning Policy (Resilience and Hazards) 2021. Mapping of the coastal vulnerability area needs to be informed by local coastal hazard modelling and mapping undertaken by or on behalf of councils when preparing their coastal management program (CMP) or as identified within a coastal zone management plan (CZMP) preserved under Schedule 3 of the Coastal Management Act 2016.

The intended outcomes of the proposed amendments will be achieved by amending the State Environmental Planning Policy (Resilience and Hazards) 2021.

Resilience and Hazards SEPP Amendments:

- Insert a new map described as the "Coastal Vulnerability Area Map" into the SEPP (Resilience and Hazards) 2021, that will identify land that is located to the seaward side of the 2120 unlikely beach erosion and coastal inundation hazard line. As identified by the adopted Kiama Coastline Coastal Management Program (2024), this land is projected to be affected by coastal processes by the year 2120.

Strategic Justification

The Kiama Coastline Coastal Management Program (2024) was endorsed by Council in 2024 and certified by the Minister on 23rd September 2024, and identified the following:

- Erosion risk, Coastal inundation risk and Tidal inundation risk
- Actions to address the identified risks

Planning Proposal

This Planning Proposal seeks to amend the State Environmental Planning Policy (Resilience and Hazards) 2021. In line with the CMP (2024), the Hazards and Resilience SEPP and the CM Act, it is proposed to update the Coastal Vulnerability Area Map within Chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021. This map will impact future development on the land within the coastal vulnerability area as per State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 2.9 Development on land within the Coastal Vulnerability Area.

3.0 Justification of strategic and site-specific merit

3.1 Is the planning proposal a result of a LSPS, strategic study or report?

Yes, this PP is a result of the Kiama Coastline Coastal Management Program and the Kiama Local Strategic Planning Statement 2020 (Updated 2025).

Kiama Municipal Council has been following the NSW Government's prescribed process for investigating and managing its coastline. Council adopted the Kiama Coastline Coastal Management Program (2024) in September 2024 which has been prepared to extend for a 10-year period from 2024 to 2034, and defines the long-term strategy for the coordinated, sustainable management of the estuaries and land within the surrounding coastal zone.

The Kiama Municipal Council Coastal Management Plan recognises that planning controls at all levels are an important too in the long-term management of a coastline affected by coastal hazards. The Kiama Municipal Council Coastal Management Plan is included as an attachment to this PP (Attachment 3).

The CMP seeks to achieve the objectives of the Coastal Management Act 2016 by preserving the social, cultural, economic and environmental values of the coast. The CMP considers a range of timeframes (immediate, 20 years, 50 years, 100 years) where appropriate, as required by the CM Act 2016. Longer-term pressures, such as climate change and population growth, have been considered in the formulation of Management Actions, to ensure resilience against future threats and the conservation of the values of the coastline for future generations.

The CMP has been prepared in accordance with mandatory requirements specified in the CM Act, and the accompanying NSW Coastal Management Manual. The CMP is prepared through a five-stage risk management process as described in the NSW Coastal Management Manual. The Manual defines mandatory requirements for CMP's, and provides guidance regarding their preparation, development, adoption, implementation and review.

Stage 1 of the Kiama Coastline CMP was completed in 2020, and review relevant background information, undertook a first pass risk assessment, and provided a data gap analysis. Stage 2 of the Kiama Coastline CMP built on the Stage 1 report to undertake detailed studies to help Council to identify, analyse and evaluate risks, vulnerabilities and opportunities affecting the environmental, social and economic assets and values of the coastline. Stage 3 confirmed the values and objectives to be adopted in the CMP, and then identified, objectively and defensibly assessed, and finally priorities potential management options to address the objectives of the CMP.

Stage 4 provides all necessary information on the Management Actions for the Kiama Coastline to enable certification of the CMP under the CM Act, therein achieving the Objectives of the CM Act.

As outlined in the Manual, Stage 4 covers:

- Preparation and exhibition of the draft CMP;
- Submission report on the draft CMP;
- Confirmation of public authority commitments;
- Certification by the Minister; and
- Gazettal of the CMP

The CMP seeks to define a CVA for the open coastline of the Kiama LGA based on the detailed information presented as part of Stage 2 via a formal planning proposal. The proposed CVA covers coastal lands potentially affected by 1% exceedance of coastal erosion by 2120, or 5% exceedance of tidal inundation by 2120, or 5% exceedance of coastal inundation by 2120. These

represent the upper limits for erosion and inundation estimates in approximately 100 years (considered to be a reasonable planning horizon) that were determined in the Stage 2 CMP.

3.2 Will the planning proposal give effect to the state land use plan and relevant region plan (including any exhibited draft plans or strategies)?

The proposed SEPP amendment demonstrates consistency with the relevant objectives and strategies of the Illawarra-Shoalhaven Regional Plan (ISRP) 2041:

- **Objective 11: Protect important environmental assets**
  - Strategy 11.6: Align local plans with any certified Coastal Zone Management Plan or certified Coastal Management Program

The ISRP states that strategic planning and local plans should consider:

- the proximity of new development, including urban release areas, in relation to areas of flooding hazards or coastal erosion/inundation to protect the community from natural hazards.

- **Objective 12: Build resilient places and communities**
  - Strategy 12.2: Reduce exposure to bushfire and natural hazards
  - Strategy 12.3: Reduce the region's exposure to natural coastal hazards through implementing the NSW Government's Coastal Management Framework

The ISRP continues, stating that strategic planning and local plans should consider opportunities to:

- Transition existing certified coastal zone management plans to coastal management programs
- Implement and review certified coastal management programs to enable the sustainable use of coastal land for infrastructure and development and to improve resilience of the region's coastal settlements to existing and future coastal hazards
- Ensure areas identified for development are consistent with limitations and agreed long-term management strategies in any certified coastal zone management plan or certified coastal management program
- Enable effective consideration of coastal hazards including consideration of climate change, with any certified coastal zone management plan or certified coastal management program.

The PP actively delivers the objectives of the ISRP by establishing a land use planning framework that guides future development and decision making. The framework ensures that development requiring approval or consent is compatible with identified coastal hazards and contributes to minimising risk to life and property associated with coastal processes.

The PP should be considered consistent with the Illawarra-Shoalhaven Regional Plan, as the introduction of a Coastal Vulnerability Area map via the Resilience and Hazards SEPP will achieve the intended results of this.

The Planning Proposal has also been assessed against the Draft Illawarra Shoalhaven Plan and is consistent with the relevant Priorities and Responses.

Regional Priorities & Responses	Justification
Priority: Resilient	The implementation of the CVA mapping will guide development in coastal areas identified as to be impacted by ... Legislative requirements and DCP provisions will ensure that development within the CVA will result in an increase to resilience and promote sustainable built environments.
Response 9: Protect the region's natural places so both people and nature can thrive as the climate changes	The implementation of the CVA mapping will target land that is susceptible to natural hazards and provide a clear pathway to make communities safer and adjust to tolerate risk. Legislative requirements and DCP provisions will ensure that development within the CVA will avoid locations which are sensitive to environmental changes, encouraging both people and nature to thrive as the climate changes.

3.3 Is the planning proposal consistent with any other applicable State and regional studies, plans or strategies?

NSW Coastal Management Framework.

The framework aims to have thriving and resilient coastal communities living and working on a healthy coast, now and into the future.

The framework comprises:

Coastal Management Act 2016

- The CMP seeks to achieve the objects of the CM Act by preserving the social, cultural, economic and environmental values of the coast. The CMP considers a range of timeframes (immediate, 20 years, 50 years, 100 years) where appropriate, as required by the CM Act.

SEPP (Resilience and Hazards) 2021

- The SEPP provides development controls for each of the management areas, along with state-wide mapping of the areas, with the exception of CVA. Chapter 2 of the SEPP gives effect to the objectives of the CM Act and delivers the statutory management objectives of the act by specifying how development proposals are to be assessed if they fall within the coastal zone.

NSW Coastal Management Manual

- The Manual sets forth mandatory requirements and provides guidance to coastal councils in connection with the preparation, development. Adoption, implementation, amendment, and review of CMPs. The CMP has been prepared in accordance with the NSW Coastal Management Manual, and will be implemented following the guidelines within the Manual.

Draft NSW Coastal Management Manual (2026)

- The Manual sets forth mandatory requirements and provides guidance to coastal councils in connection with the preparation, development. Adoption, implementation, amendment, and review of CMPs. The Draft NSW Coastal Management Manual has been considered in this PP and will be able to demonstrate consistency should the draft manual be approved.

Coastal Management Programs

- A five-stage coastal management process intended to set the long-term strategy for the coordinated of the coastal zone for a given region.

NSW Coastal Council

- Responsible for providing independent advice to the Minister on coastal issues.

Coastal Estuary Grants Program

- Provides technical and financial supports to local government to help manage the coastal zone.

Kiama Development Control Plan (2020)

- An additional topic will be introduced to the DCP. The Coastal Vulnerability Area Topic will include controls to guide future development within the identified CVA. The proposed DCP amendments will be on public exhibition alongside the proposed CVA amendment.

The PP seeks to implement a Coastal Vulnerability Area map, which supports the objectives of the NSW CM Framework by identifying areas vulnerable to coastal hazards and ensuring that future land use planning and development decisions appropriately consider coastal risks. The proposal gives effect to the objectives of the CM Act by helping to protect the environmental, social and economic values of the coast and promoting long-term resilience of coastal communities.

The proposal is also consistent with Chapter 2 of the R&H SEPP, which provides the statutory framework for assessing development within the coastal zone. The introduction of a CVA will assist in identifying land affected by coastal hazards and ensure that future development is assessed in accordance with the coastal management objectives of the SEPP.

Further, the proposal aligns with the principles of the NSW CM Manual and the coastal management planning process by providing a strategic planning tool that supports coordinated and evidence-based management of coastal hazards over the short, medium and long term. By improving the identification and management of vulnerable coastal land, the proposal contributes to the overarching aim of the NSW CM Framework of fostering thriving and resilient communities now and into the future.

The PP should be considered consistent with the NSW Coastal Management Framework

3.4 Is the planning proposal consistent with a council LSPS or local strategy or strategic plan?

The proposed LEP amendment is consistent with the relevant themes and planning priorities of the Kiama Local Strategic Planning Statement 2020 (Updated 2025):

- **Theme 4: Mitigate and adapt to climate change and protect our environment**
  - PP 12: Plan for and adapt to the impacts of natural hazards and the changing climate

The introduction of the CVA map will ensure that coastal hazards and the impacts of climate change are appropriately identified and considered in future land use planning and development assessment processes. This will support informed decision-making, improve community resilience to coastal risks, minimise exposure to natural hazards, and assist Council in adapting to the long-term impacts of climate change.

The Kiama Local Strategic Planning Statement 2020 (Updated 2025) gives effect to the Illawarra-Shoalhaven Regional Plan implementing the directions and actions at a local level.

The PP should be considered consistent with the LSPS, as the introduction of a Coastal Vulnerability Area map via the Resilience and Hazards SEPP will achieve the intended results of this.

3.5 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Ministerial Direction – Local Plan Making Priorities) or key government priority?

The proposal is consistent with all applicable Section 9.1 Ministerial Directions issued by the Minister for Planning and Public Spaces on 29 June 2026.

Ministerial Direction	Assessment
Priority 1: Aboriginal Outcomes	
P1.1 – Aboriginal Land Planning	The PP does not alter land containing any identified Aboriginal cultural heritage values. Therefore, this direction does not apply.
P1.2 Cultural Guidance	Consistent. This PP proposes to implement the Kiama Coastal Management Program (CMP) which was endorsed by Council in September 2024. The PP proposes to introduce the Coastal Vulnerability Are to the SEPP (Resilience and Hazards) 2021 to recognize the vulnerability of the area and ensure that any works are engineered to withstand current and projected coastal hazards. Stage 4 of the CMP lists actions to provide Traditional Owners a voice in CMP implementation, promote the cultural significance of the coastline, and support Indigenous Ranger Groups to enable First Nations people to care for their land and sea Country. Consultation and Cultural Guidance has occurred and will continue throughout the progress of the CMP project.
Priority 2: Housed	
P2.1 – Housing	Consistent. The implementation of this PP will not negatively affect, alter or reduce existing or proposed residential zones. The creation of the Coastal Vulnerability Area map layer will introduce additional requirements for future proposed development on residential zoned land within the CVA to ensure that any works are engineered to withstand current and projected coastal hazards as per the State Environmental Planning Policy (Resilience and Hazards) 2021.
Priority 3: Prosperous	
P3.1 – Employment	This direction does not apply to the PP.
P3.2 – Rural	Consistent. The implementation of this PP will not rezone any identified rural or conservation zone. The implementation of this PP will not negatively affect the protection of rural operations. The creation of the Coastal Vulnerability Area map layer will introduce additional requirements for future proposed development on rural and conservation zoned land within the CVA to ensure that any works are engineered to withstand current and projected coastal

Ministerial Direction	Assessment
	hazards as per the State Environmental Planning Policy (Resilience and Hazards) 2021.
P3.3 – Airport Safeguarding	This direction does not apply to the PP.
P3.4 – Mining and Petroleum Production	This direction does not apply to the PP.
P3.5 – Oyster Aquaculture	This direction does not apply to the PP.
P3.6 – Mine Subsidence and Unstable Land	This direction does not apply to the PP.
Priority 4: Connected	
P4.1 – Integrating Land Use and Infrastructure	This direction does not apply to the PP.
Priority 5: Resilient	
P5.1 – Strategic Conservation Planning	This direction does not apply to the PP.
P5.2 – Conservation	The PP is considered consistent with Direction P5.2. This PP proposes to implement the Kiama Coastal Management Program (CMP) which was endorsed by Council in September 2024. The PP proposes to introduce the Coastal Vulnerability Are to the SEPP (Resilience and Hazards) 2021 to recognize the vulnerability of the area and ensure that any works are engineered to withstand current and projected coastal hazards. The PP seeks to protect vulnerable areas of the Kiama coastline. The PP does not seek to rezone land.
P5.3 – Foreshore and Water Catchment Areas	This direction does not apply to the PP.
P5.4 – Contaminated Lands	This direction does not apply to the PP.
P5.5 – Acid Sulfate Soils	This direction does not apply to the PP.
P5.6 – Threatened species, threatened ecological communities and their habitats	The PP is considered consistent with Direction P5.6
P5.7 – Flooding	This direction does not apply to the PP.
P5.8 – Coastal Management	The PP is considered consistent with Direction P5.8 The PP seeks to implement a Coastal Vulnerability Area map across the coastline of the Kiama LGA to achieve the objectives

Ministerial Direction	Assessment
	of the Coastal Management Act 2016, and Chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021. The PP demonstrates consistency with the above-mentioned legislation and is supported by evidence in the Kiama Coastal CMP, adopted by Council in September 2024. The PP includes provisions that gives effect to, and are consistent with the CM Act, the CMP and all other relevant legislation, guidelines and directions from the NSW Department of Planning, Housing and Infrastructure, and the NSW Department of Climate Change, Energy, the Environment and Water. The PP does not propose to rezone land.
P5.9 – Planning for Bush Fire Protection	The PP is considered consistent with Direction P5.9
Priority 6: Liveable	
P6.1 – Reserving Land for Public Purposes	This direction does not apply to the PP.
P6.2 – Willandra Lakes Region	This direction does not apply to the Kiama LGA.
Priority 7: Coordinated	
P7.1 – High pressure dangerous goods pipeline	This direction does not apply to the PP.

3.6 Is the planning proposal consistent with SEPPs?

Yes. The proposal is consistent with all applicable SEPPs:

SEPP	Direction
SEPP (Housing) 2021	Principle 'e' of the Housing SEPP aims at minimising adverse climate and environmental impacts of new housing development. The implementation of the CVA as outlined in this PP will ensure that all future residential development will need to address additional criteria to ensure development and legislative compliance prior to approval being granted.
SEPP (Transport and Infrastructure) 2021	This SEPP is not directly relevant to this planning proposal and nothing in this planning proposal will compromise the efficient application of this SEPP to any future development.
SEPP (Biodiversity and	This SEPP is not directly relevant to this planning proposal and nothing in this planning proposal will compromise the efficient application of this SEPP to any future development.

Conservation) 2021	
SEPP (Resilience and Hazards) 2021	The land affected by this planning proposal that is to be identified within Coastal Vulnerability Area mapping is entirely within the coastal zone, as identified in the Resilience and Hazards SEPP. The aim of the Resilience and Hazards SEPP Coastal Management Chapter is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objectives of the Coastal Management Act 2016, including the management objectives for each coastal management area, by – a) managing development in the coastal zone and protecting the environmental assets of the coast, and b) establishing a framework for land use planning to guide decision-making in the coastal zone, and c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016. The PP is consistent with the aim of the Resilience and Hazards SEPP.
SEPP (Industry and Employment) 2021	This SEPP is not directly relevant to this planning proposal and nothing in this planning proposal will compromise the efficient application of this SEPP to any future development.
SEPP (Planning Systems) 2021	This SEPP is not directly relevant to this planning proposal and nothing in this planning proposal will compromise the efficient application of this SEPP to any future development.

3.7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The PP will not alter any land use zones or development controls in a manner such that there could be adverse impacts on threatened species, populations, or ecological communities. This PP will introduce a Coastal Vulnerability Area mapping to the Resilience and Hazards SEPP that will require assessment of coastal hazards and processes in relation to development that is currently already permitted under the Kiama LEP 2011. It will not create additional development opportunities or prohibit development.

3.8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No. The introduction of Coastal Vulnerability Area mapping to the Resilience and Hazards SEPP will not create opportunities for development that is not already permitted under the Kiama LEP 2011. It cannot therefore be considered to have any other likely environmental effects.

3.9 Has the planning proposal adequately addressed any social and economic effects?

This PP is a recommendation of the adopted and endorsed Kiama Coastline Coastal Management Plan (2024). The Kiama CMP was publicly exhibited, and a series of community consultation events were held to inform the community of the work that had been undertaken to

inform the Plan. Throughout the life of the project, Council has made this information available on its website and in public exhibition locations.

It is widely recognised that there will be socio-economic effects as a result of this planning proposal. Where a development is proposed within the coastal vulnerability area, Council will require information about the potential for the proposed development to:

- Alter coastal processes to the detriment of the natural environment or other land, and
- Reduce public amenity, access to and use of any beach, foreshore, rock platform or headland adjacent to the proposed development, and
- Incorporate appropriate measures to manage risk to life and public safety from coastal hazards

Council will require any development within the Coastal Vulnerability Area to acknowledge the hazard and incorporate a level of resilience in its design, layout and function, such that it will avoid or minimise adverse effects from the impact of coastal processes and the exposure of coastal hazards. Council will assess development in proportion to its level of coastal hazard, the likely life of the development and its use. Some of these factors can increase the cost of development by increasing the information the applicant needs to compile and by impacting on the location, design and construction of the development. These costs reflect the nature of the hazard and are reasonable to enable Council to consider development applications in a responsible and sustainable manner.

In ensuring that new development is more resilient to coastal processes, Council is reducing the burden to future generations of inappropriate development that would generate the pressure for major public expenditure, if it affected by coastal hazards at a future date. Resilient development that is responsive to known and predicted risk will also provide a better outcome for landowners in terms of risk to life and property.

3.10 Is there adequate infrastructure (physical and social) for the planning proposal?

The adoption of this PP will not in itself generate the need for public infrastructure as it does not alter the underlying land use zones or the permitted land uses. In the long term, the PP may influence or inform decision making on some public infrastructure that will save public money and increase the lifespan and the usefulness of that infrastructure.

4.0 Mapping

Proposed mapping amendments, as described in Part 2 of this Planning Proposal, will be achieved by amending the SEPP (Resilience and Hazards) 2021 as follows:

State Environmental Planning Policy (Resilience and Hazards) 2021 Map:

- Insert a new map described as the “Coastal Vulnerability Area Map”.

5.0 Community Consultation

Community consultation has occurred throughout Stage 3 of the CMP via public drop-in sessions and on-line surveys throughout May 2023.

Further community consultation will occur as part of the Planning Proposal process.

If a Gateway Determination is made, the Planning Proposal would be placed on public exhibition to enable community, stakeholder and state agency consultation to occur.

It is suggested that the planning proposal be exhibited for a period of 28 days and include:

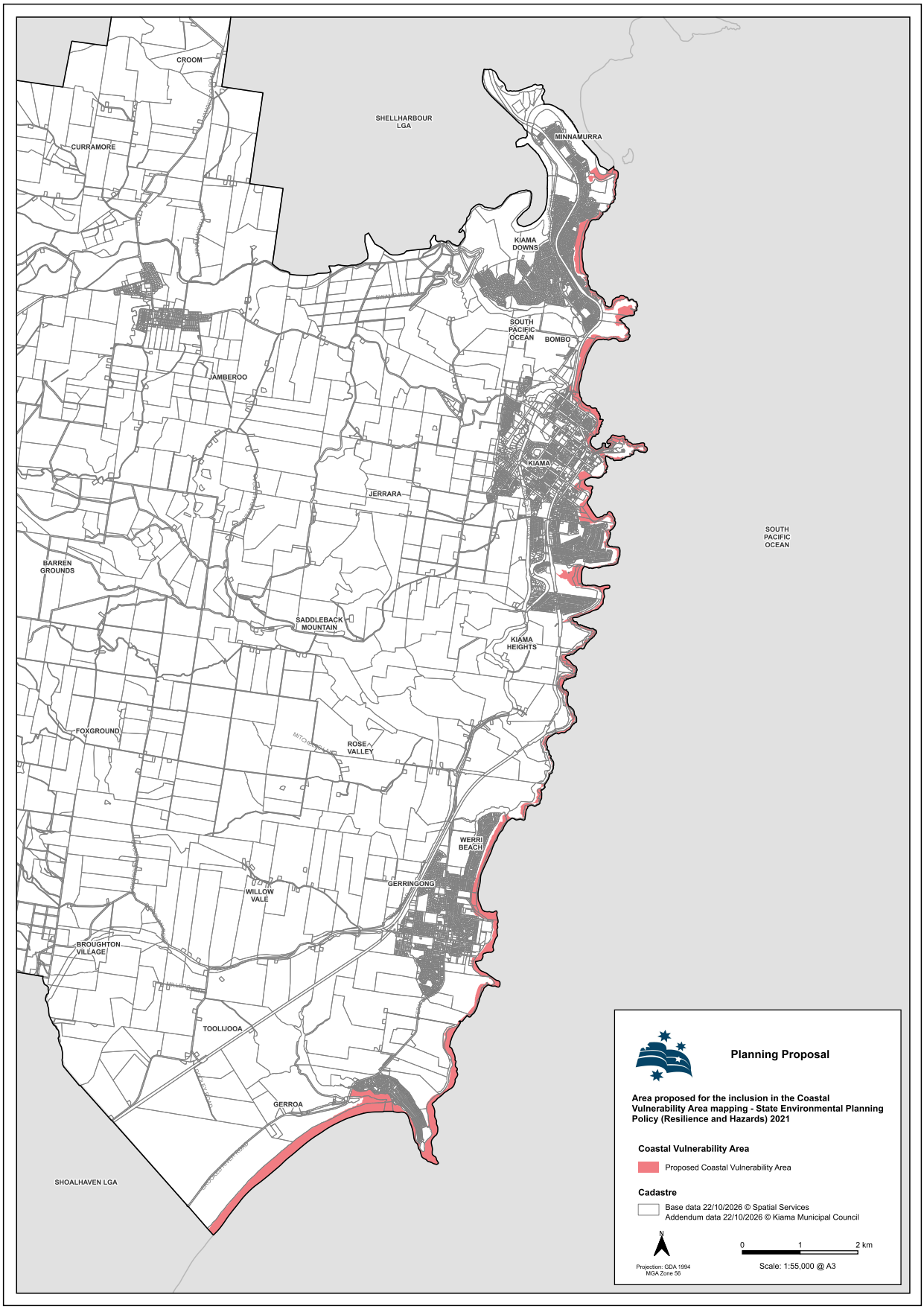
- Information available on the NSW Planning Portal.
- A link to the NSW Planning Portal from Council's Your Say website.
- Notification letters to affected land owners.
- Notification to State agencies and as required by the Gateway Determination.

6.0 Project Timeline

The timeframe for the Planning Proposal is that, from date of Gateway determination to date of submission to the Department of Planning, Housing and Infrastructure (DPHI), to finalise the LEP is a period of nine months.

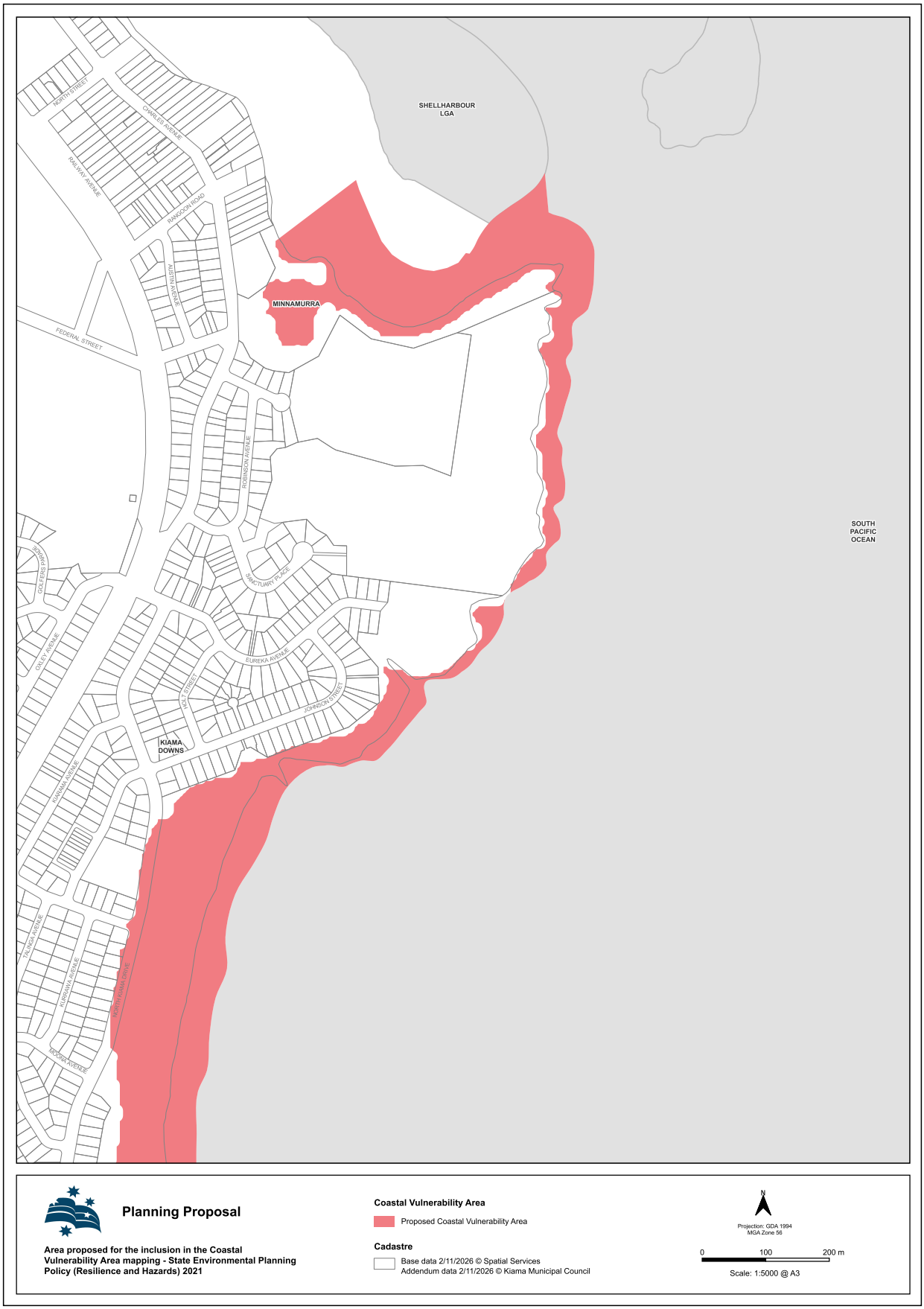
Step in process	Timeframe	Target date
Prepare Planning Proposal Report	August to October 2026	October 2026
Report to Council for endorsement	November 2026	November 2026
Submit to DPHI seeking a Gateway Determination	2 weeks from Council endorsement	December 2026
Receive Gateway Determination	4 weeks from submission date	January - February 2027
Preparation of any outstanding studies (if required)	4 weeks from receiving Gateway Determination	March 2027
Consult with State/Commonwealth agencies	4 weeks from receiving Gateway Determination	March 2027
Public Exhibition and State Agency consultation	4 weeks from completing agency consultation	March 2027

Date of Public Hearing (if required)	N/A	N/A
Review of Public Submissions and preparation of report to Council	4 weeks from end of exhibition period	April 2027
Report to Council for final endorsement	First available Council meeting after completion of review of submissions (allow 8 weeks)	June - July 2027
Submit maps to DPHI for review	2 weeks from date of Council meeting minutes being published	July 2027
Submit to DPHI to publish SEPP amendment	4-6 weeks from date PCO's opinion requested	August 2027
Anticipated publication date of SEPP amendment	2 weeks from date of submission to DPHI	August 2027



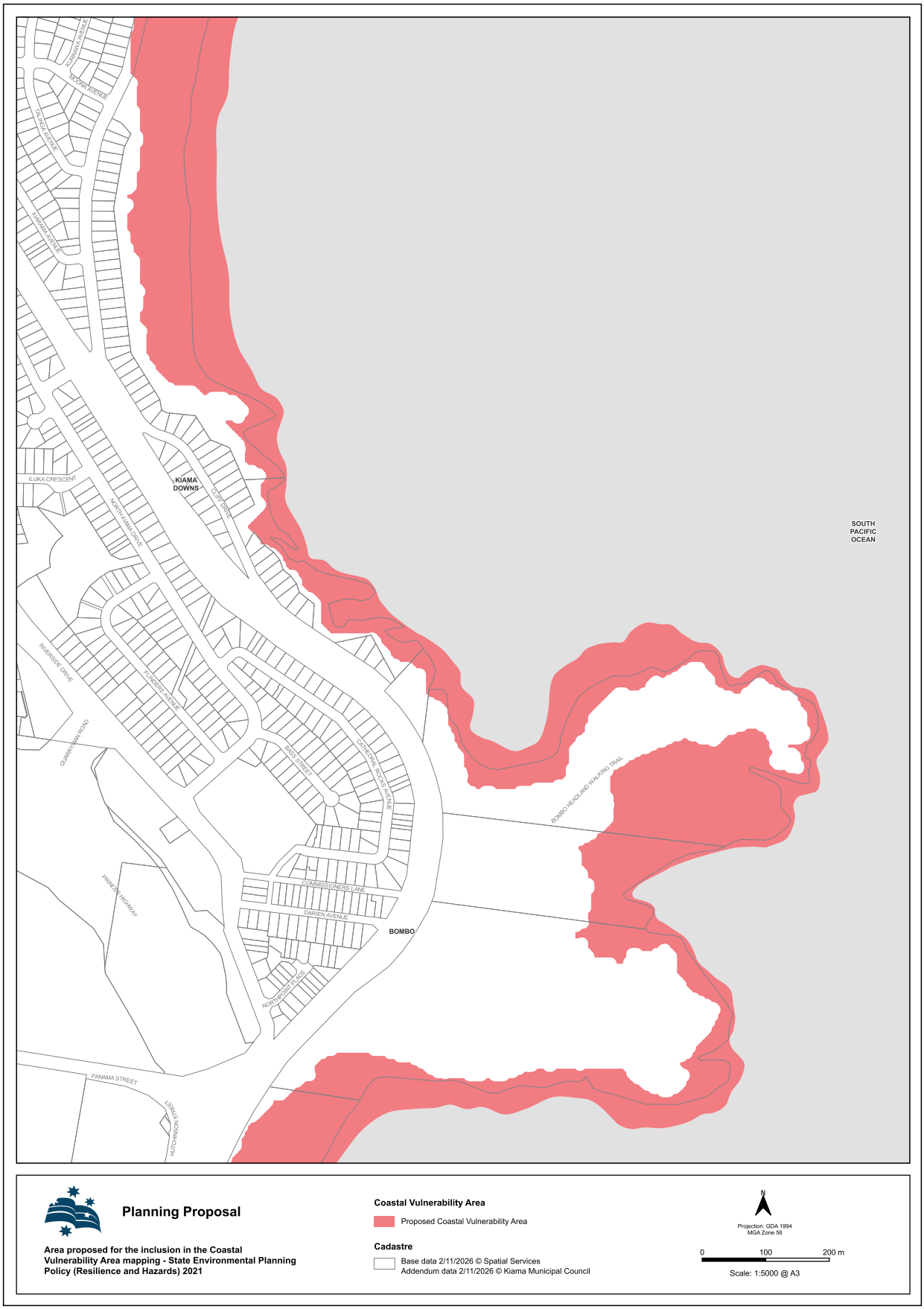
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Enclosure 2



Item 15.3

Enclosure 3



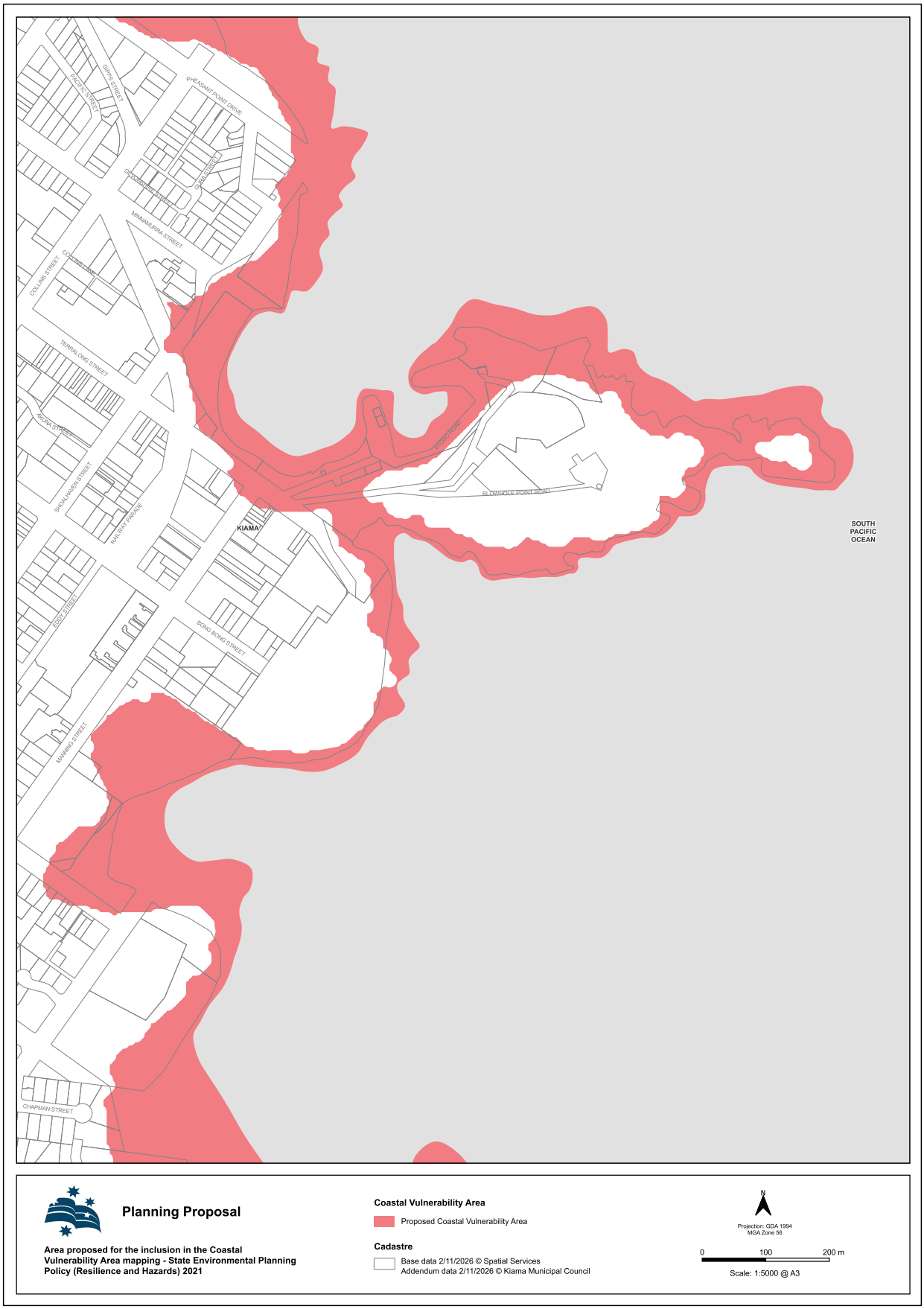
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Enclosure 3



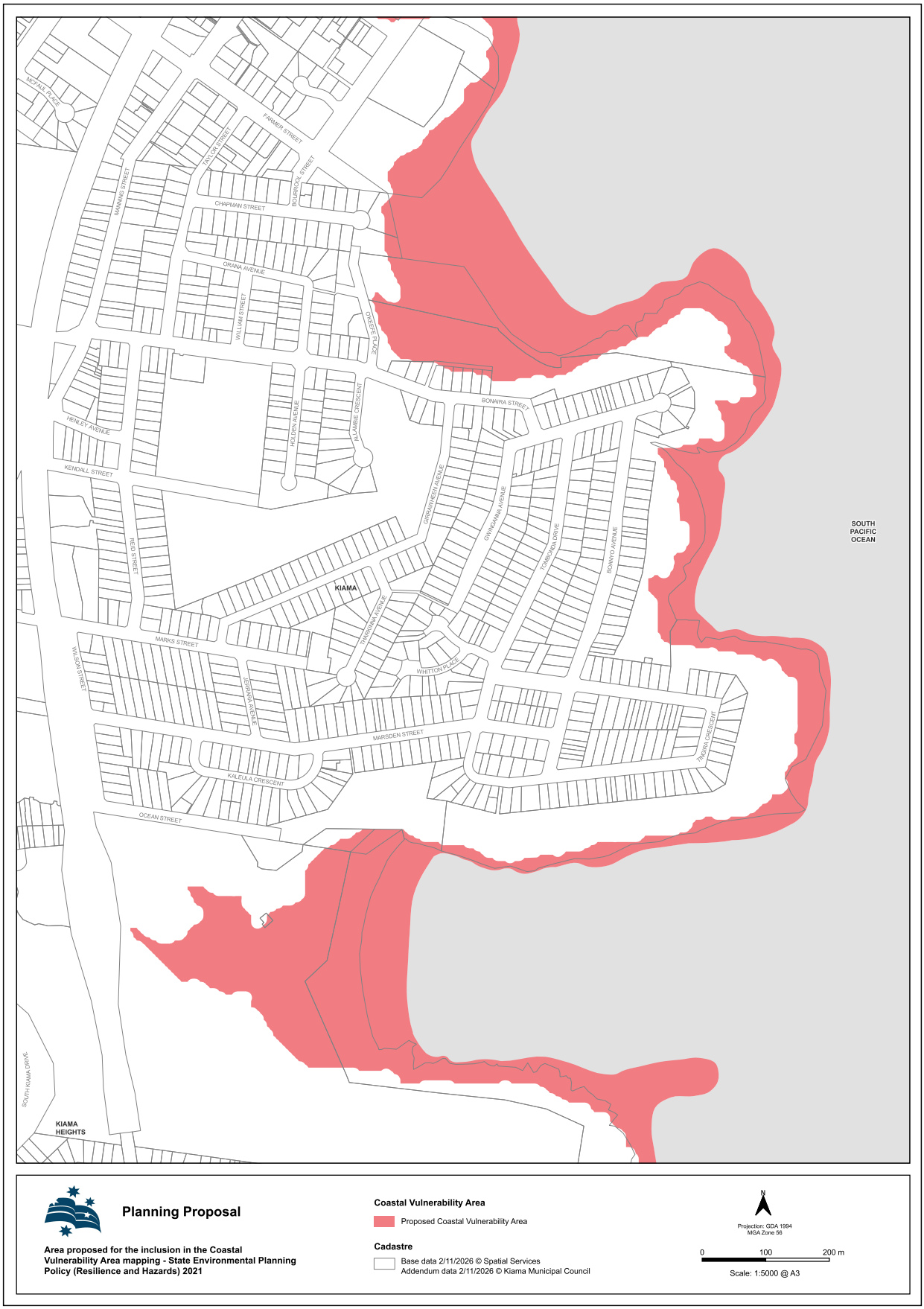
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Enclosure 3



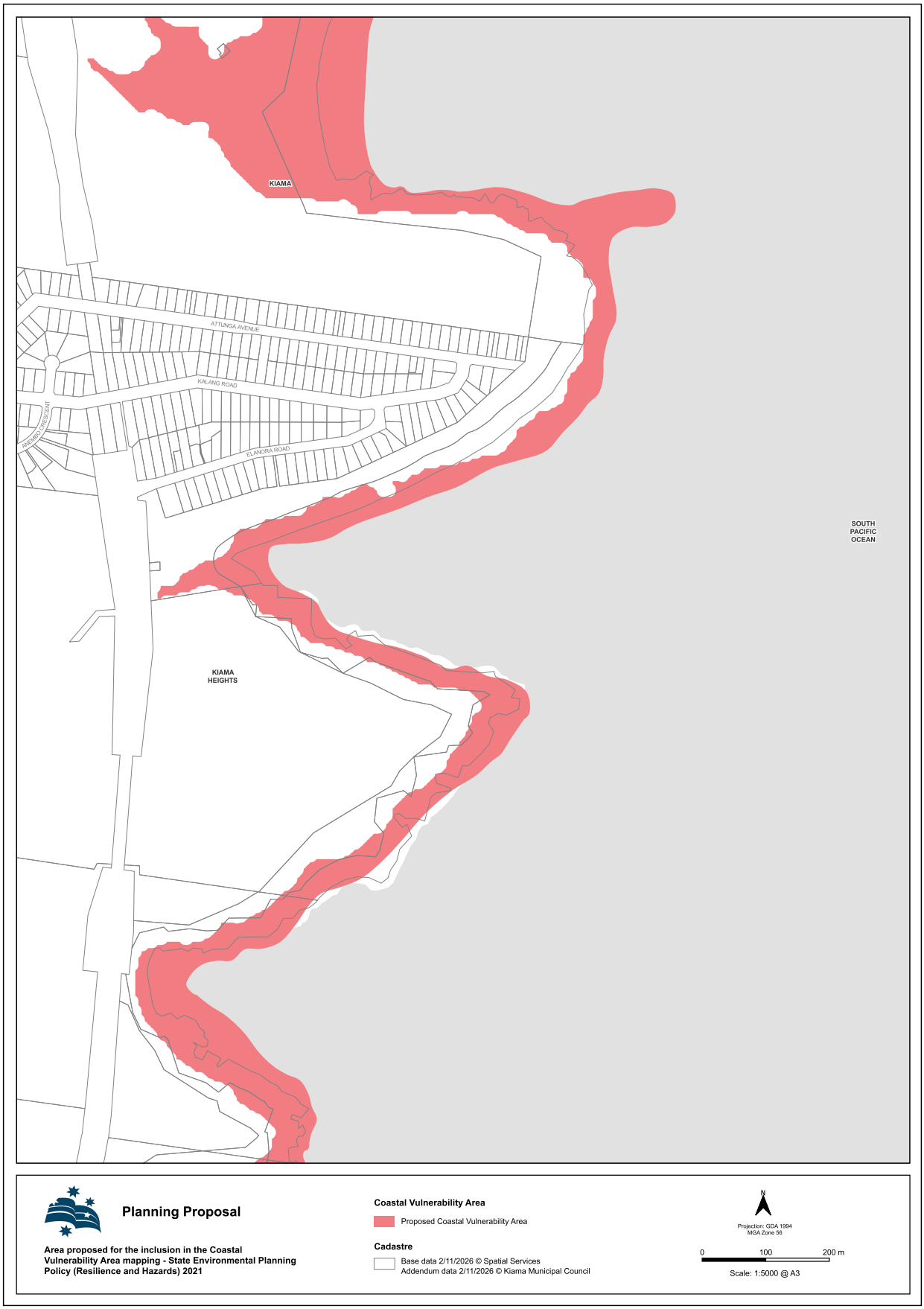
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Enclosure 3



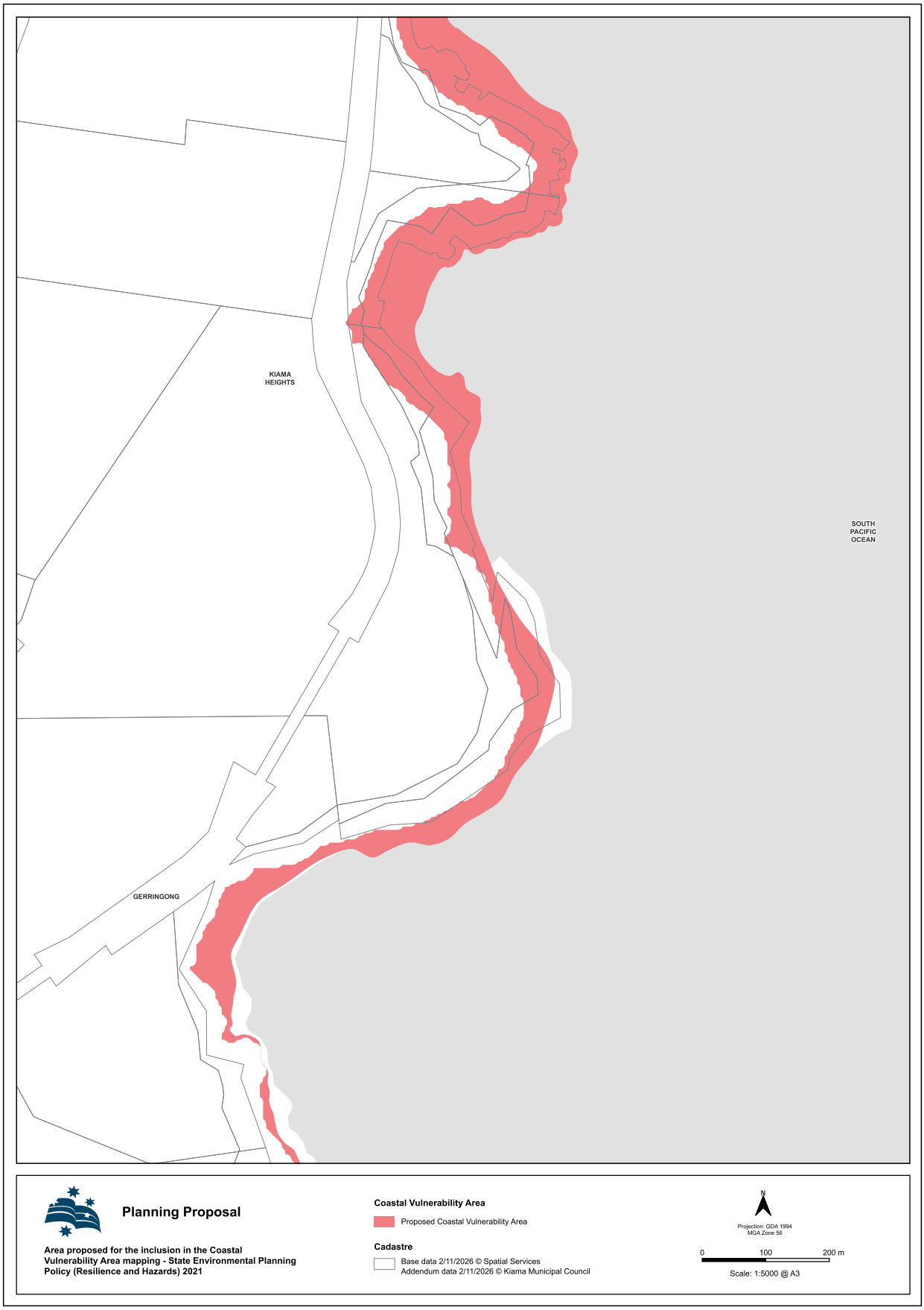
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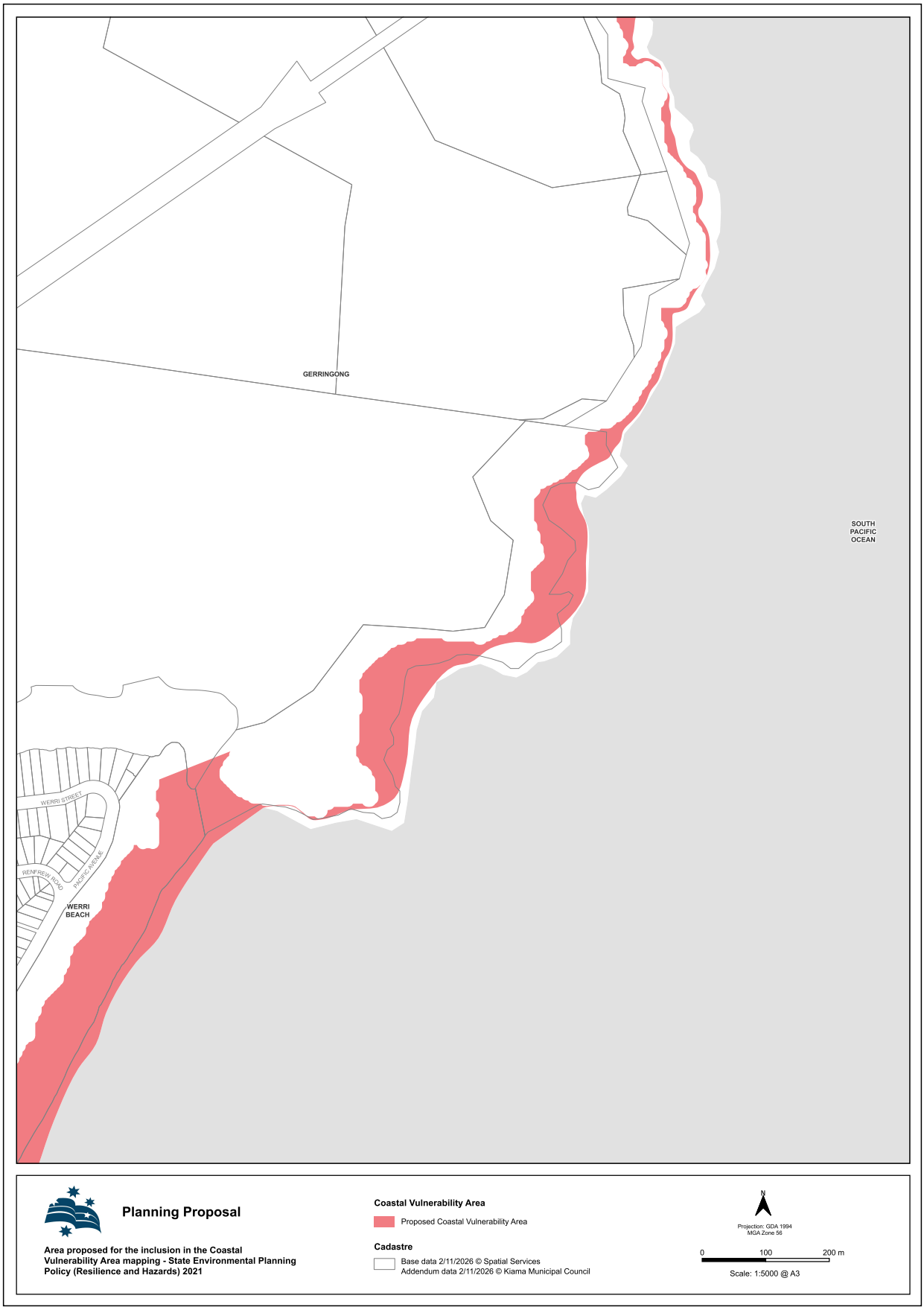
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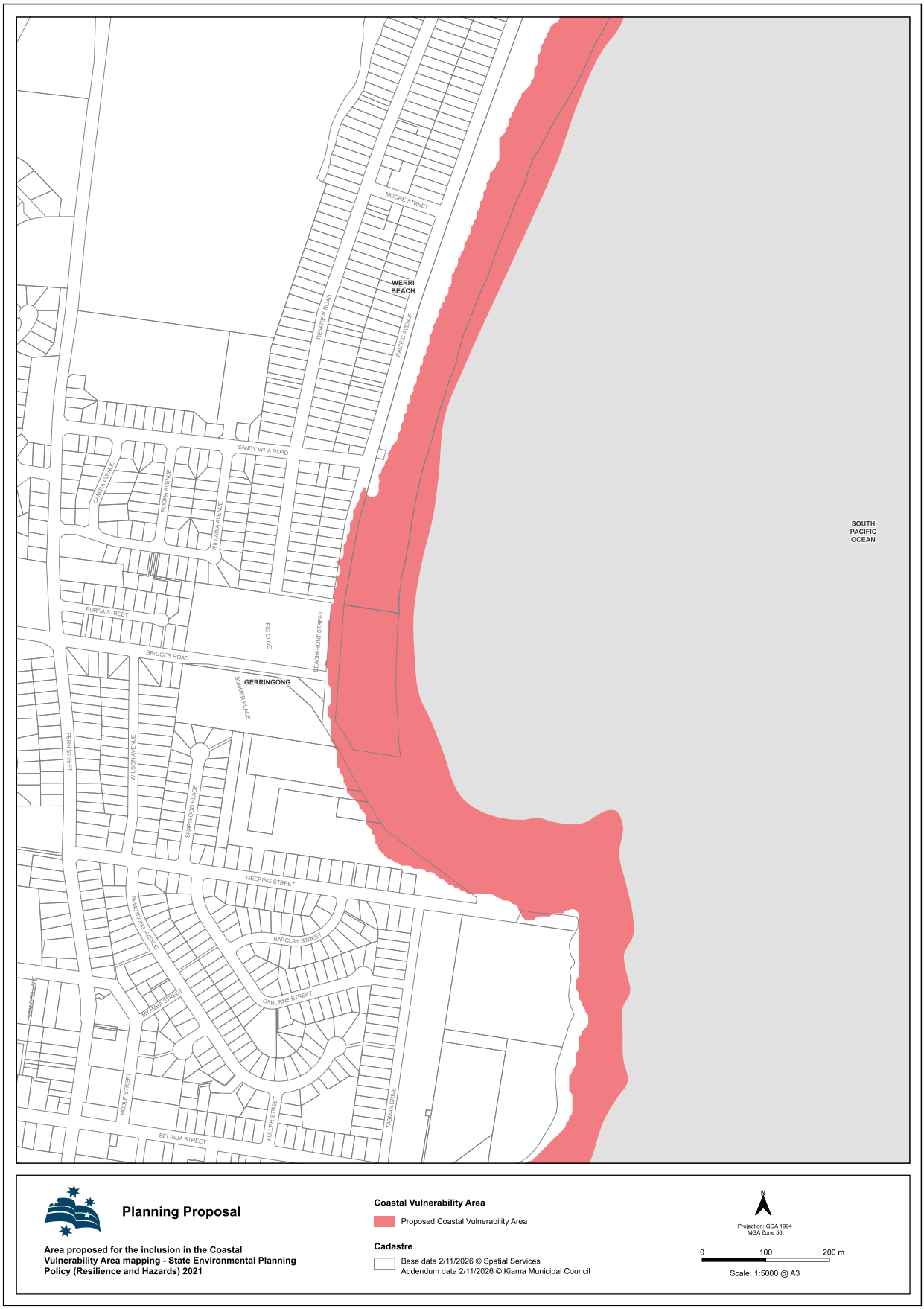
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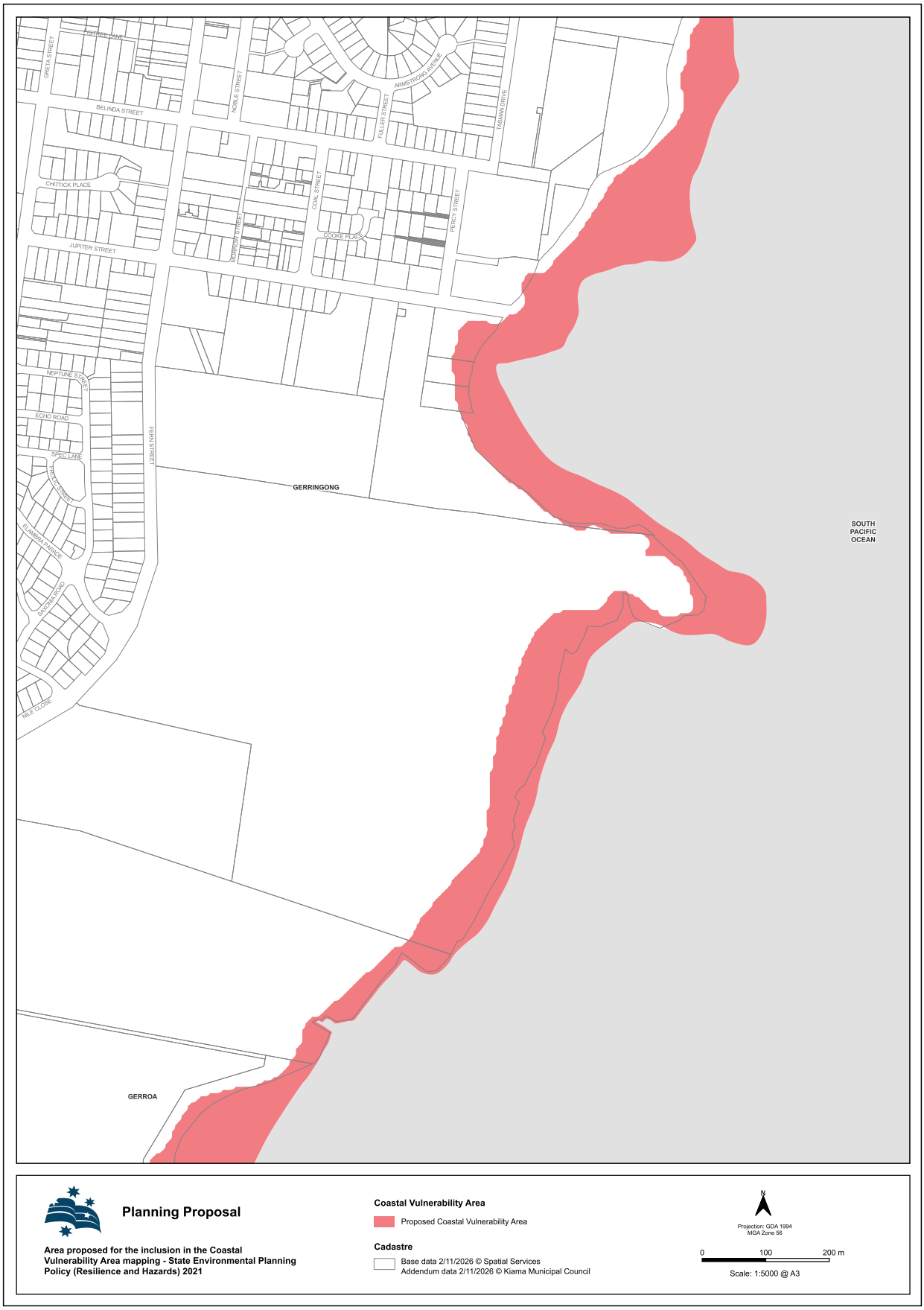
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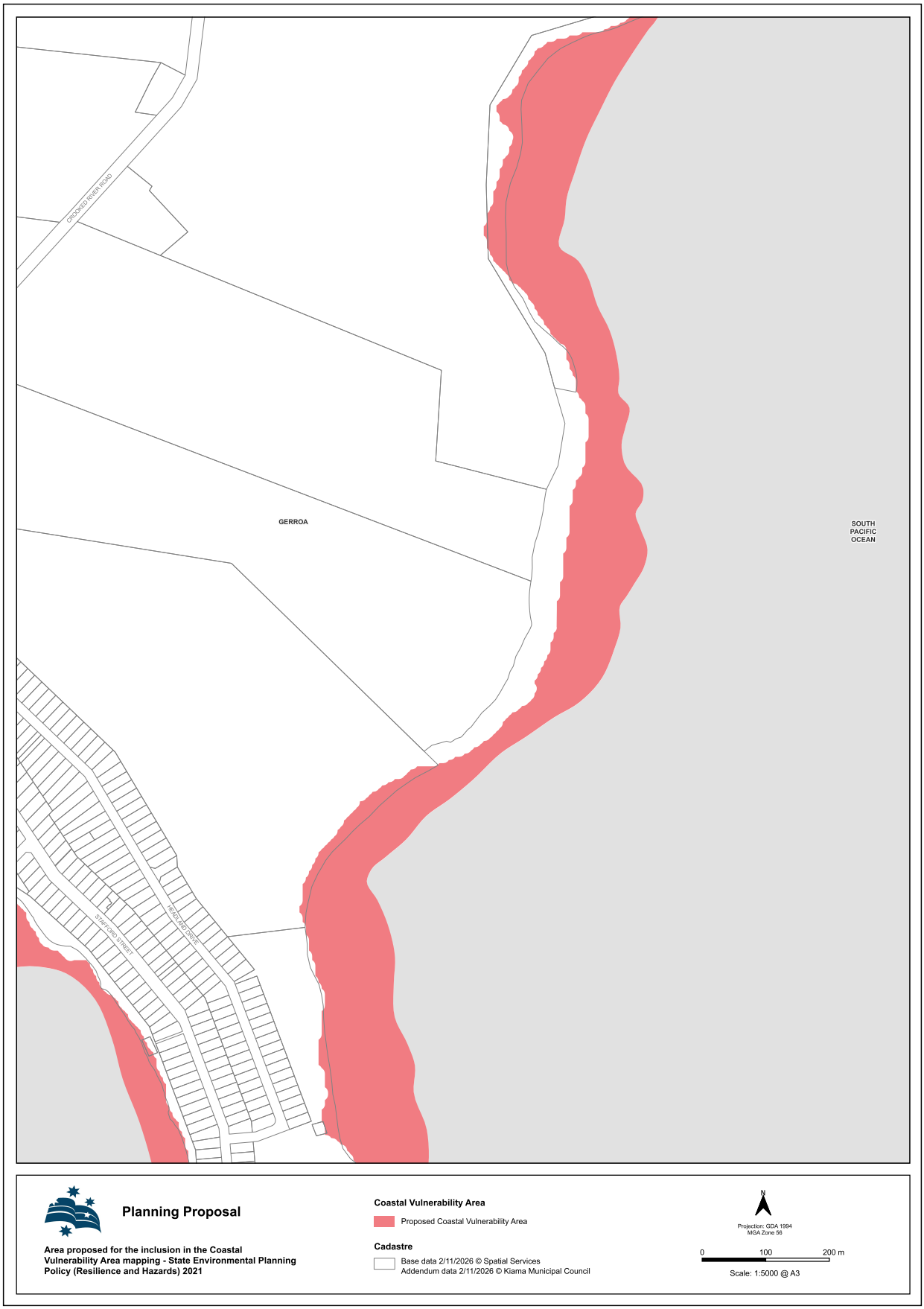
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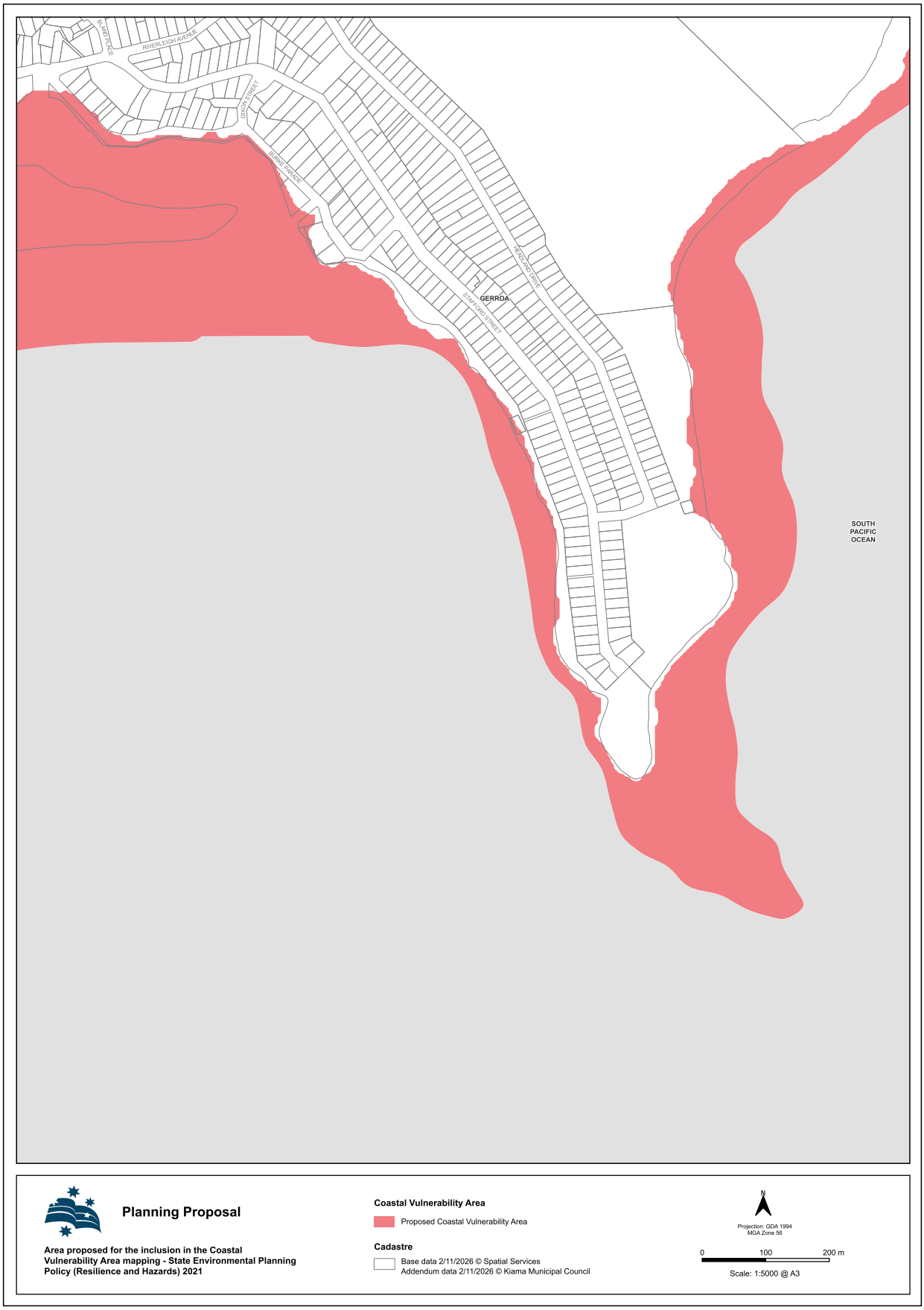
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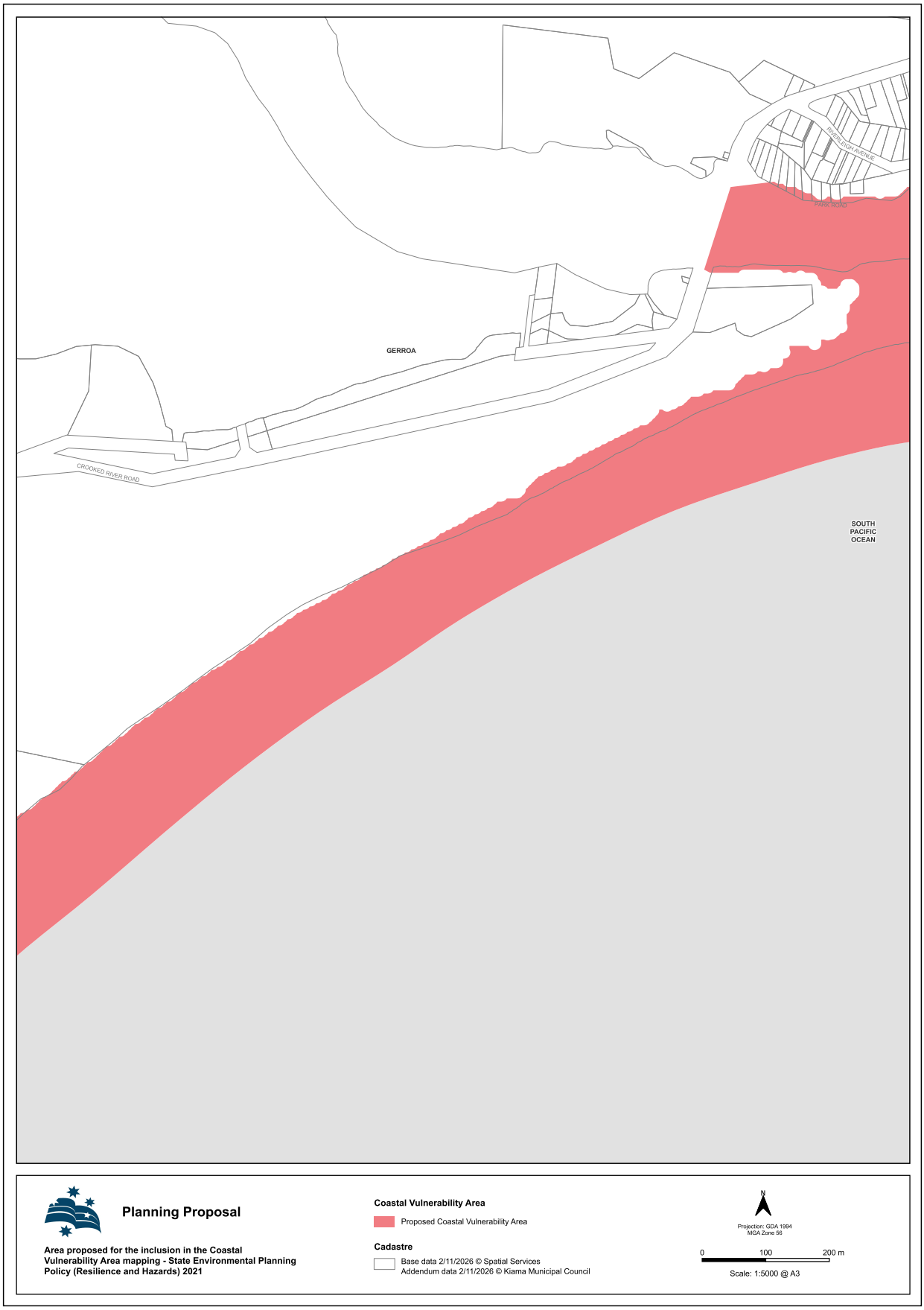
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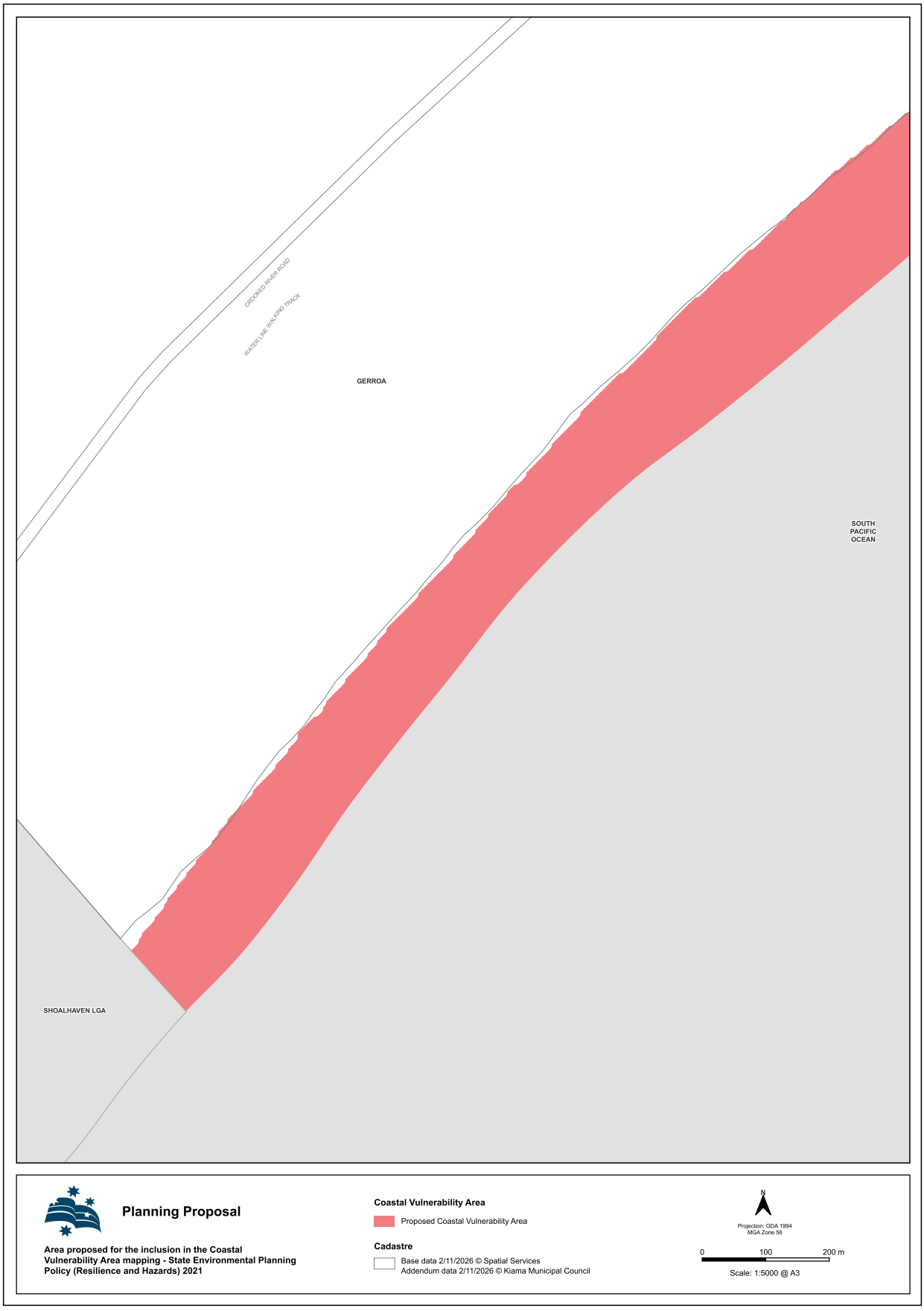
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Kiama DCP 2020 - Chapter 2.6 Coastal Vulnerability Area

DRAFT Amendments to support Planning Proposal PP-2026-2417

Proposed amendments:

- Chapter 2 Site considerations
  Page 27 – Insert new topic titled 'Topic 2.6 – Coastal Vulnerability Area'

- Appendix 8 – Topic 2.6 Definitions

Objectives and Controls for development in the Coastal Vulnerability Area

Add in a new sub-section 2.6 after section 2.5 on page 2.26

2.6 Coastal Vulnerability Area

Introduction

This section of the Kiama Development Control Plan 2020 provides information and development controls needed to prepare and assess development applications within the identified Coastal Vulnerability Area. This control applies to land shown on the Kiama LEP 2011 Land Application Map that is within the Coastal Vulnerability Area that is mapped in the SEPP (Resilience and Hazards) 2021.

The Coastal Vulnerability Area map has been introduced into the State Environment Planning Policy (Resilience and Hazards) 2021. Council is required under the Environmental Planning and Assessment Act 1979, and Clause 7 of the Coastal Management Act 2016 to ensure due regard is given to the impact of coastal hazards upon development. The land affected by this map includes all land seaward of the 2120 unlikely beach erosion and coastal inundation hazard line as identified in the Kiama Coastline Coastal Management Program (2024). The Coastal Vulnerability Area identifies the following:

- The area potentially impacted by coastal erosion, recession and inundation risks to 2120
- Coastal land affected by 1% exceedance of coastal erosion by 2120, or 5% exceedance of tidal inundation by 2120, or 5% exceedance of coastal inundation by 2120

This DCP provides the guidelines relating to development within the Coastal Vulnerability Area to assist Council in fulfilling this requirement.

Objectives

O:2.6.1	To manage development in the Coastal Vulnerability Area and protect the environmental assets of the coast.
O:2.6.2	To establish a framework for land use planning to guide decision-making in the Coastal Vulnerability Area.

O:2.6.3	To ensure that development is compatible with coastal risks.
O:2.6.4	To minimise the risk to life and property from coastal hazards associated with development within the Coastal Vulnerability Area.

Controls

O:2.6.1

Coastal Risk Management Report

Development applications for development in the Coastal Vulnerability Area must be accompanied by a Coastal Risk Management Report that has been prepared by an appropriately qualified and experienced coastal and/or structural engineer. The full name of the person who prepared the report and relevant qualifications are to be provided in the report.

The Coastal Risk Management Report must satisfy the following;

a) Must address the requirements of Chapter 2 of SEPP (Resilience and Hazards) 2021.
b) Any protection works are deemed necessary and the maintenance thereof over the life of the development are adequately detailed;
c) Any protection works are demonstrated to meet conventional engineering practice and industry standards for design, construction and maintenance over the life of the works."
d) Must meet the requirements of Section 27 of the Coastal Management Act 2016

The Coastal Risk Management Report must also address the following additional matters;

a) The location of the proposed development with respect to the "unlikely" 2120 coastal erosion, recession and inundation line of the Kiama Coastline Coastal Management Program (2024);
b) Identification of the current and projected coastal hazards, excluding coastal inundation, that affect the land;
c) Relevant provisions of the Coastal Management Program as adopted by Kiama Municipal Council;
d) An assessment of the zone of reduced foundation capacity as it applies to the progression of the coastal erosion and recession escarpment towards the subject land;
e) Recommendations for the structural design and construction of the total development, including foundation design, protection measures and the structural status of any existing structures to be retained;
f) Recommendations on the monitoring and maintenance of all coastal protection and hazard mitigation measures proposed for

the total development (including any existing structures to be retained) for the expected design life of the development;

g) Recommendations on all measures and precautions to minimise risk to personal safety of occupants and the risk of property damage for the development (including and existing structures to be retained) from a 1% AEP event for the expected design life of the development;
h) Architectural/engineering plans on which the assessment is based;
i) Date/s of inspections;
j) Professional qualifications and experience of the authors.

Exemptions:

a) The requirements of this control may not apply to some buildings, structures and activities (at the discretion of Council) on land within a residential zone that will be sited seaward of the 2120 "unlikely" coastal erosion, recession and inundation line as shown in the Kiama Coastline Coastal Management Program (2024).

b) The requirements of this control do not apply to some buildings, structures and activities on land within a residential zone that have a relatively short design life and are likely to requirement replacement before the year 2040 or can be easily relocated.

Development Consent for Coastal Protection Works

O:2.6.2

Refer to the Coastal Management Act 2016 for requirements relating to the granting of development consent for coastal protection works.

Existing Structures

O:2.6.3

Where existing structures to be retained include approved coastline protection structures, these must be certified as being structurally adequate for withstanding a 1% AEP event.

Seaward Construction

O:2.6.4

Minor buildings, structures and activities considered acceptable seaward of the 2120 "unlikely" coastal erosion, recession and inundation line may include (but not necessarily limited to) the following:

i) Aquaculture; Boat building and repair facilities; Boat launching ramps; Boat sheds; Charter and tourism boating facilities; Coastal protection Works; Emergency services facilities required for the operations of Surf Life Saving New South Wales or Volunteer Marine Rescue NSW; Environmental facilities; Environmental protection works; Flood mitigation works; Flood protection works; Freight transport facilities; Jetties; Kiosks (temporary/relocatable); Marinas; Markets; Mooring pens; Moorings; Oyster Aquaculture; Passenger transport facilities; Port facilities; Recreation areas; Roads; Signage; Water recreation structures; Wharf or boating facilities as defined by the Kiama LEP 2011.

Council is unlikely to support development proposals for buildings or works that are proposed to be sited seaward of the 2120 “almost certain” coastal erosion, recession and inundation line as shown in Council’s adopted Coastal Management Program (2024). Exemptions to this may include structures and works that by their nature require location within or adjacent to a waterway such as boat launching ramps, jetties, emergency services facilities required for the operations of Surf Life Saving New South Wales of Volunteer Marine Rescue NSW, coastal protection works and the like.

Risk Reduction

O:2.6.5

Management options are to be designed to reduce the likelihood of the risk (e.g. planning setbacks to reduce the likelihood of shoreline recession impacts), reduce the consequence of the risk (e.g. emergency management to reduce the consequence of shoreline recession) or both.

Definitions:

1) 2120 “unlikely” coastal erosion and inundation line
Lands potentially affected by 1% exceedance of coastal erosion by 2120, or 5% exceedance of tidal inundation by 2120, or 5% exceedance of coastal inundation by 2120.

2) Coastal Management Program
The CMP provides Council, other organisations and our community with a practical and coordinated way to manage our coastline, using a science-based approach. This includes identifying coastal hazards and risks, preserving habitats, maintaining or improving recreational amenity and improve the ability of our coastline to withstand future challenges such as climate change.