

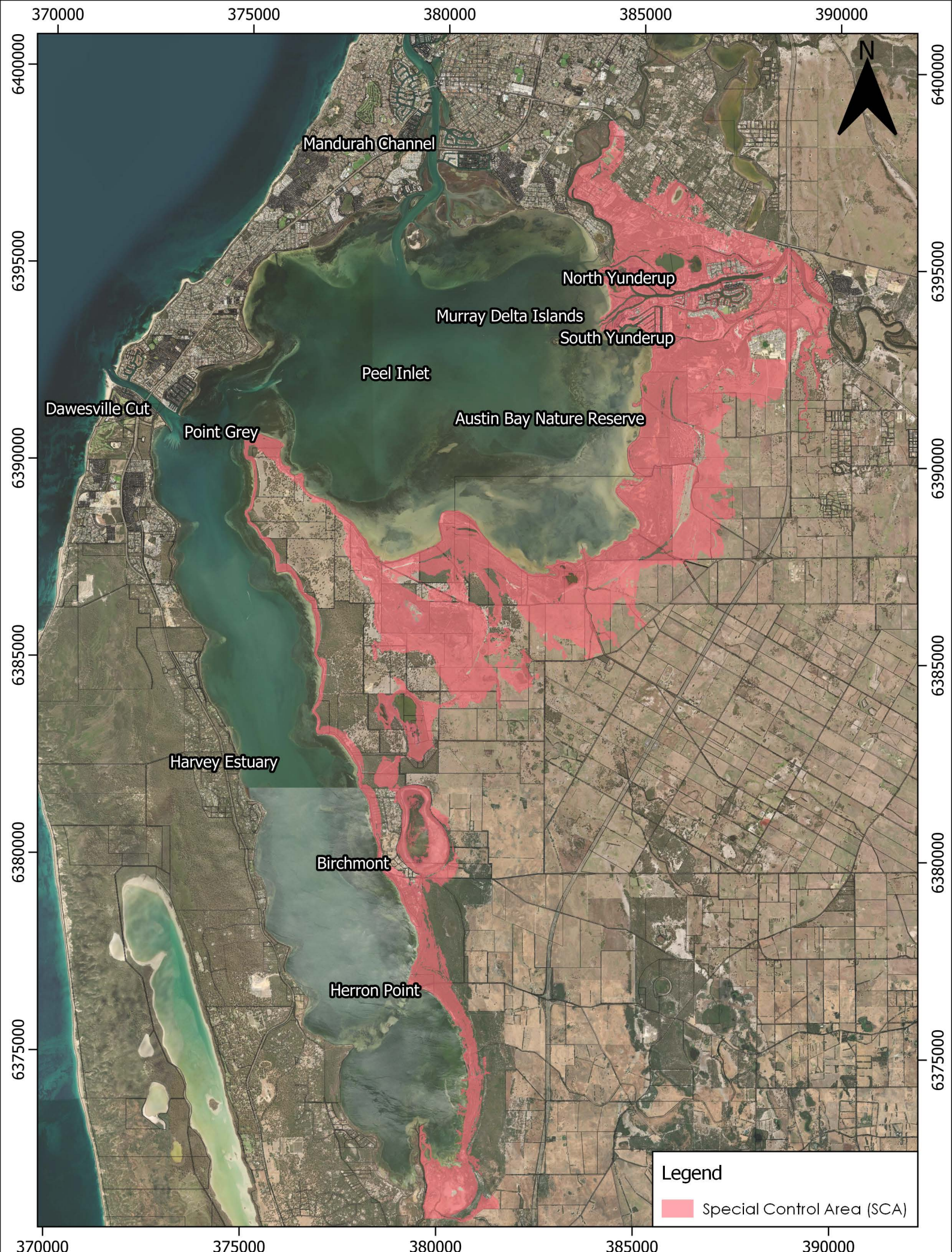
Draft Coastal Hazard Special Control Area

Name of Area	Purpose	Objectives	Additional Provisions
SCA 1 – Coastal Hazard	To provide guidance for land use and development within areas subject to coastal erosion and inundation hazard.	<p>(1) To identify land within the Shire of Murray at risk of erosion and inundation by coastal processes by 2120.</p> <p>(2) To ensure public health and safety and reduce risk associated with coastal erosion and inundation.</p> <p>(3) To protect new development from the impacts of coastal erosion and inundation.</p> <p>(4) To avoid inappropriate land use and development of land at risk of coastal erosion and inundation.</p> <p>(5) To ensure land in the coastal zone is continuously available for coastal foreshore management, public access, recreation and conservation purposes.</p> <p>(6) To ensure land use and</p>	<p>(1) In this clause —</p> <p>coastal hazard notice means a notice given under subclause (7);</p> <p>trigger event means one or more of the following events:</p> <p>(a) the distance between the Horizontal Shoreline Datum and the seaward edge of a built structure is less than the acute erosion allowance specified in a Coastal Hazard Risk Management and Adaptation Plan; or</p> <p>(b) a public road access to a property is no longer available, where this is needed to provide physical or legal access to the property; or</p> <p>(c) when water, sewerage or electricity is no longer available to the property, as the service has been removed or decommissioned by the relevant authority due to coastal hazard; or</p> <p>(d) where a property is not serviced by a reticulated sewerage system, when the separation distance between highest known ground water level and the discharge point of the onsite sewage system as set out in the Government Sewerage Policy is not met.</p> <p>(2) Notwithstanding any other provision of the Scheme, all proposed development within SCA 1 requires the development approval of the local government, unless the development is specified in the local government's Coastal Hazard Local Planning Policy as a type that does not require development approval.</p> <p>(3) In considering any application for development approval, or its advice in relation to a proposed structure plan, or application for subdivision of land within SCA 1, the local government is to have</p>

		<p>development does not accelerate coastal erosion or inundation risk; or have a detrimental impact on the functions of public reserves.</p> <p>(7) To ensure coastal process considerations are taken into account in preparing strategic planning proposals and in assessing subdivision and development applications.</p>	<p>particular regard to:</p> <ul style="list-style-type: none"> (a) The Shire of Murray Coastal Hazard Risk Management and Adaptation Plan; (b) State Planning Policy 2.6 – State Coastal Planning Policy; (c) The Shire of Murray Coastal Hazard Local Planning Policy; (d) The likely effect on public safety and the risk associated with coastal inundation and erosion; (e) The existing and likely future effect of coastal erosion or inundation on the land; (f) The vulnerability of any roads providing access to the land and any public utility infrastructure servicing the land; (g) The continued suitability of servicing the land with an onsite effluent disposal system, where reticulated sewer is not available; (h) The impact that any proposed earthworks, retaining walls or other protective measures will have on the amenity of the locality and water flows; (i) The adequacy of the coastal foreshore reserve to provide for continued coastal foreshore management, public access, recreation, conservation and landscape amenity; <p>(4) An application for development approval for development proposed within SCA 1 may be referred to any statutory, public or planning authority for advice and recommendations before being considered by the local government.</p> <p>(5) Where the local government decides to approve an application for development approval it may impose conditions so as to:</p> <ul style="list-style-type: none"> (a) constrain the location of development; (b) control the form of construction, including foundations and associated works; (c) determine the form, location and construction of access;
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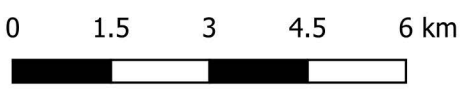
			<ul style="list-style-type: none"> (d) require a minimum floor level for development; (e) limit the term of the approval; (f) require the approved development to be removed and the land restored to a condition as near as practicable to its condition immediately before development started to the satisfaction of the local government upon a trigger event occurring; and (g) require the registration of a notification under section 70A of the <i>Transfer of Land Act 1893</i> on the Certificate of Title of the subject land at the cost of the landowner advising: <ul style="list-style-type: none"> (i) that the lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years; (ii) of any limited term of a development approval; and (iii) of any requirement to remove approved development and restore the land as near as practicable to its condition immediately before the development started to the satisfaction of the local government upon a trigger event occurring. <p>(6) Where an application for subdivision of land within SCA 1 is referred to the local government, it may recommend that the Commission applies conditions requiring:</p> <ul style="list-style-type: none"> (a) the finished surface level of the land, or the level of public roads providing access to the land are raised sufficient to reduce the risk of coastal inundation; (b) building envelope/s, where applicable, provide a specified area of land that is located above the coastal inundation level; (c) a notification under section 165 of the <i>Act</i> to be placed on the Certificate(s) of Title of the subject land, at the cost of the landowner advising that the lot(s) is located in an area likely to be subject to erosion and/or inundation over the next 100 years.
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			<p>(7) If the local government forms the view that a trigger event has occurred it may give to a person who is the owner of land or any other person who undertook development on land within SCA 1, a coastal hazard notice requiring the person to:</p> <ul style="list-style-type: none"> (a) remove, pull down, take up, alter or relocate the development or portion of the development specified in the notice; and (b) restore the land as nearly as practicable to its condition immediately before the development was undertaken to the satisfaction of the local government; <p>by a specified time, being a time that is not less than 60 days after the day on which the notice is given.</p> <p>(8) If a person fails to comply with a coastal hazard notice, the local government may enter the land and carry out the works specified in the notice.</p> <p>(9) The expenses incurred by the local government in carrying out the works under clause (8) may be recovered as a debt due from the person to whom the notice was given in a court of competent jurisdiction.</p> <p>(10) The local government may —</p> <ul style="list-style-type: none"> (a) vary a coastal hazard notice to extend the time for carrying out the specified works; or (b) revoke a coastal hazard notice. <p>(11) A person who is given a coastal hazard notice may apply to the State Administrative Tribunal for a review, in accordance with Part 14 of the Act of a decision —</p> <ul style="list-style-type: none"> (a) to give the notice; or (b) to require the works specified in the notice to be carried out; or (c) to require the works specified in the notice to be carried out by the time specified in the notice.
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Legend

Special Control Area (SCA)



Shire of Murray CHRMAP
 Special Control Area (Erosion and Inundation)

13064.101 | June-2023
 Imagery: ESRI Basemap
 Spatial Reference: GDA 2020 MGA Zone 50

Baird.