



NSW Coastal Council

NSW Coastal Council Meeting – summary minutes

27 November 2020

Meeting was held online.

Coastal Council members in attendance:

- Annelise Tuor, Chair
- Kate Brooks
- Pam Dean-Jones
- Martijn Gough
- Hannah Power
- Shay Simpson
- Bruce Thom

Members were welcomed to the final meeting of Council for 2020. Including this meeting, the current Council has held seven meetings in 2020. The meeting agenda included updates on the Council's 2020-21 Work Plan and an interim report on Task 3, results of the 2020 coastal management framework implementation survey, and presentations from DPIE Crown Lands and National Parks & Wildlife Service.

Council's 2020-21 Work Plan

1. *Application of "beneficiary-pays" principle to implementing coastal protection options in certified Coastal Zone Management Plans and Coastal Management Programs.*

Update: A scope, plan and timeline for reporting to the Minister by June 2021 on outstanding matters for this task are being finalised in consultation with DPIE. The approach will seek to evaluate the effectiveness of the "beneficiary pays" principle in delivering tangible outcomes for councils and their communities, as well as the relevance and appropriateness of the current state government policy settings. The evaluation is planned to include a review of selected Coastal Zone Management Plans (CZMPs) and Coastal Management Programs (CMPs) and good/best practice case studies of economic analysis in coastal management decision making; feedback from Coastal Council's annual surveys; and, interviews with key state and local government and industry representatives with relevant recent experience in the application of economic analysis for CZMPs and CMPs.

2. *Coastal Council audit process and related communication materials.*

Update: Further consultation on the performance audit framework and terms of reference has been undertaken since the last meeting. Feedback on conformance of the proposed audit process with the Coastal Management Act 2016 and consistency with other state legislation, including the Local Government Act 1993 has been received in meetings with DPIE, Office of Local Government, NSW Audit Office and the Natural Resources Commission. Advice to the Minister for this task is planned for February 2021.

3. *Opportunities to improve water quality outcomes and identify opportunities to integrate actions in the Marine Estate Management Strategy with CMPs.*

Update: Council's advice on this task is ongoing under the 2020-21 Work Plan. The interim

report notes that while a considerable number of technical reports and data has been prepared under the Marine Estate Management Strategy (MEMS), formal release of much of this information to local government is yet to occur. Recommendations are made for immediate and longer-term actions to support improved coordination of state and local government activities in relation to water quality and CMP preparations. Following incorporation of Member's feedback, the draft report was to be finalised and endorsed out of session before forwarding to the Minister by December 2020. A subsequent report is planned for 2021.

4. *Implementation review of the Lake Cathie Coastal Zone Management Plan.*

Update: Council's report and recommendations on the implementation of the Lake Cathie CZMP forwarded to Minister Hancock in October is currently under consideration.

Other Work Plan Activities

Minister Hancock has directed Coastal Council involvement in the preparation of a Greater Sydney Harbour CMP and Stockton Taskforce. Prof. Bruce Thom, Chair of the Greater Sydney Harbour CMP Steering Committee, updated members on briefings given to senior representatives from DPIE, Transport for NSW and Sydney Water on the initiative and benefits of interagency coordination and engagement with local government at a catchment scale for Sydney Harbour waterway health.

Dr Hannah Power reported there was no further update on the [minutes of the second meeting of the Taskforce](#), held on 12 October 2020.

Coastal Council 2020 Survey of the implementation of the Coastal Management Framework.

The purpose of Coastal Council's 2020 survey of coastal managers and practitioners is to review the implementation of the Coastal Management Framework and identify matters of concern for local councils in the development of their Coastal Management Programs (CMPs). The survey builds on annual surveys undertaken by the Coastal Council in 2018 and 2019.

The 2020 survey, conducted entirely online from 12/10/20 to 30/10/20, was distributed to 276 individuals from local, state and federal government, industry and research organisations. All local councils in the coastal zone received the survey and those contacted were encouraged to pass the survey on to others in their professional networks. A total of 93 responses was received and included a sample of coastal practitioners from local and state government. A majority of the respondents (71 per cent) answered at least one framework implementation question, an increase in the response rate of around 9 per cent compared to the 2019 survey.

Many of the Coastal Management Framework (the framework) implementation issues raised in previous surveys are repeated in the 2020 survey, albeit with some minor changes as to numbers of certified CMPs, CMPs underway and ranking of issues.

Implementing the Coastal Management Framework – CMP status & progress, November 2020

Status

- Two CMPs (Stockton and Lake Illawarra) have been certified, the first under the new framework and one (Lake Illawarra) as a multi council (Wollongong and Shellharbour) CMP;
- The number of councils involved in preparing a CMP (or CMPs) has increased from 46 to

52 since 2019, primarily due to the inclusion of more Sydney councils in the Greater Sydney Harbour CMP;

- Multi-council CMPs which aim to integrate catchment and coast management, are under development for many of the large metropolitan and regional estuaries (e.g., Richmond River, Hunter River, Lake Macquarie, Hawkesbury-Nepean River, Greater Sydney Harbour, Cooks River). In comparison, there are few multi-council open coast CMPs (Eastern Sydney); and
- Grants for CMP planning have declined to \$0.3M in 2019-20 from a peak of \$1.67M in 2017-18. It is expected grants for the current financial year (2020-21) will likely exceed recent years given changes to the grant guidelines introduced in 2020 and the growing number of councils preparing CMPs.

Progress

- There are 47 CMPs being prepared for three distinct geographic scopes – Open Ocean Coast, Estuary, or a combination of Open Coast and Estuary. In some instances (e.g. Tweed and Shoalhaven Councils) councils have decided to prepare a number of separate CMPs for their estuaries and open coast, while others have sought to combine estuary and coasts into a single CMP (e.g. Port Macquarie Hastings and Newcastle City councils).
- Multiple council CMPs are most common for the large estuaries in the Greater Sydney Metropolitan area, only three multi-council CMPs are reported outside of metropolitan Sydney for the Hunter and Richmond River estuaries and Lake Illawarra.
- Many CMPs (n=24) have completed their scoping stage (Stage 1) and of these over half (n=16) have stages (Stage 2 - 4) underway. Some CMPs have no reported status (i.e. Richmond River, Northern Beaches Council, Eurobodalla) or have stages incomplete as councils look to combine draft individual CMPs into a single LGA-wide CMP (i.e. Bega).
- In terms of delivery date, around half (n=25) are estimated to be complete by December 2021. This may be optimistic given few have been certified and, in some instances, council's estimated 2020 certification date has passed. Approximately a third (n=11) of the CMPs have a nominated delivery date between 2022 and 2025; and
- Coastal Vulnerability Area (CVA) maps are anticipated for 13 of the CMPs listed. Some, such as Newcastle City Council, state they will not be preparing CVA maps for its two CMPs one of which is the certified Stockton CMP.

Implementing the Coastal Management Framework – Key Issues

Many of the framework implementation issues raised in previous surveys are repeated in the 2020 survey. Key issues highlighted in 2020 to be addressed to improve framework implementation include:

i. Improved and consistent guidance to local councils on the preparation of their CMPs:

- state government to consider revisions of the Coastal Manual to make it easier to apply for estuarine and open coast CMPs and include information on how catchment issues can be included in a CMP;
- an update of the Manual to include improved step-by-step guides, possibly with assessment templates, detailing the requirements for each CMP stage and including best practice CMP examples. Updates should also identify what formal governance structures

are appropriate to work across council administrative boundaries to manage coastal issues and how to effectively integrate CMP and Marine Estate Management Strategy actions;

- expand the amount of technical guidance, either in the Manual or Toolkit, on a range of matters such as what sea level rise projections to use in absence of mandated benchmarks, hazard assessment under coastal erosion, recession and inundation, risk assessment and options evaluation, and application of economic analysis/cost benefit analysis; and
- improved guidance on the preparation of coastal management area maps, principally for CVAs but also for coastal wetlands in highly urbanised and modified catchments; and
- communication of the scope and metrics for CMP performance audits.

ii. Improved state and local government partnering on CMPs through effective governance and oversight of CMPs, be it for multi-council estuary CMPs or CMPs for sites of significant coastal hazard, by:

- ensuring government agencies have a good understanding of their organisational and performance role in CMPs and their priorities and resourcing reflect this. NPWS and Crown Lands are commonly identified as key agencies to engage in this respect;
- better integration of catchment, coast and marine policy and governance across state and local government;
- promote communication and collaboration between state and local government across a number of organisational levels to highlight the benefits of preparing and implementing a CMP; and
- involve and consult with local government in any review of the framework.

iii. Capacity building for local government to support CMP preparation and delivery by December 2021 by:

- conduct of DPIE led council meetings/workshops on CMP preparation to network and build skills for developing CMPs by taking a more 'learning together' approach;
- facilitation of better access to agency technical specialists/scientists and data to assist with understanding and applying government produced information in a CMP;
- providing specific support and resources for councils transitioning CZMPs to CMP by December 2021 as well as dedicated support for coordination and governance of large multi council CMPs; and
- commencing regular (quarterly) reporting of CMP status and delivery on DPIE web pages

iv. Prioritising action by state government to clear known regulatory hurdles for current Coastal Zone Management Plans (CZMP) and future CMPs for:

- oversight of coordinated management and action at sites of significant open coastal hazard for both the open coast and estuaries;
- urgent attention to the emergency management provisions, including roles and responsibilities of various agencies and updating of the Coastal Protection Services Charge 2010 guidelines;

- guidance in relation to land status around ambulatory boundaries for all stakeholders in relation to boundaries between private and coastal land, and agreed means for identifying this boundary in all circumstances; and
- streamlining the pathways for CVA map preparation and making.

An update to the format and approach to annual surveys

Coastal Council's annual surveys continue to monitor CMP progress and provide insight into the implementation of the framework. However, after three years it is timely to review the current approach and consider how future surveys are conducted to examine more closely the causes and suggest potential solutions to the impediments and issues which are consistently raised by local government. Apart from including additional questions, future surveys could include other methods such as focus groups and semi-structured interviews to gain better insights into the issues and expectations. Future annual surveys will rely on the Department's information gathering and routine public reporting of progress on the framework implementation, in particular, information on the status of the preparation and certification of CMPs.

A better understanding of the issues and identifying solutions, communicating successes through good practice case studies, and building a new level of collaboration between local and state government are all necessary for the sustainable long-term management of our coast. An updated approach to the scope and conduct of future surveys is also necessary to match this aspiration and better support local and state government with implementation of the Coastal Management Framework.

Members noted the survey findings, its recommendations of relevance to the development of Council's CMP performance audit framework and the value of the information to the 5-year statutory review of the Coastal Management Act in 2021. Following incorporation of Member's feedback, the survey report is to be finalised for forwarding to the Minister by December 2020.

NEXT MEETING: Next Council meeting is scheduled for 23 February 2021.