

Executive Director,
Resources and Industry Policy,
NSW Department of Planning and Environment,
GPO Box 39
SYDNEY NSW 2001



29th February 2016

Dear Sir/Madam,

Re NSW Draft Coastal Management Bill 2015 and Manual

Surfrider Foundation Australia welcomes the proposed Coastal Management Reforms for NSW. The Coastal Management Bill 2015, draft Coastal Management State Environmental Planning Policy and draft Coastal Management Manual serve to consolidate current legislation and policy into a suite of documents that address contemporary issues facing the management and protection of our coastline. The release of these documents will also raise the profile of coastal management by demonstrating that the NSW Government is serious about implementing a consistent and effective approach for all local government authorities that are located in the coastal zone.

NSW beaches and coastline are the key assets of the entire State and as such establishing an effective system of coastal governance is critical to our future social, economic and environmental wealth.

In this context the proposed reforms represent a generally positive step, improving integration and coordination between the physical area identified and the levels of government, community stakeholders and scientific bodies charged with their care.

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Surfrider has identified one major request for inclusion in the draft bill and that is that "surf and/or surf zone", needs to be defined and added as the fifth coastal management area along with "coastal use area", "wetlands and littoral rainforests", "coastal vulnerability area" and "coastal environment area."

Surfrider finds it extraordinary that a modern bill designed to maintain and enhance significance of the NSW coast, the entire length of which has surf, does not mention surf, surfing, or surf zone.

It is argued that, by other areas already identified being safeguarded, (coastal environment area etc) that the surf will ergo be protected.

Surfrider does not subscribe to this view and believes that surf, or surf zone absolutely needs definition and protection in its own right and indeed the protection and enhancement of this area will have a flow through to other areas defined in the bill.

The "surf zone" can be defined as the area from the line of the outer most breaking waves (depth of closure) to the shoreline's dry sand.

The "surf zone" is the area where waves are ridden by bodysurfers and board-riders, where surfboat crews and surf-swimmers and paddlers take on their challenges, lifesavers ply their skills where beach fishers cast their lines and kids run splash and laugh at low tide.

THIS IS THE AREA we are most drawn to the coast to see and use, the whiter than white foam rolling shore-ward following the hypnotizing view of the breaking peeling wave.

It is, in short, the area most sacred to most who love the NSW coast for whom this Bill is drafted to impress. It should be the 'raison d'aitre' of the Act in the view of Surfrider and yet the Draft Bill mentions neither "surf" nor "surf zone".

The “surf zone” is the area that produces the greatest recreational and therefore commercial utility* crucial to the health of many of NSW’s coastal communities and as such deserves unique recognition. *(estimated to be worth between \$400-\$700m p.a. for Sydney Region alone –Sydney Beaches Valuation Study SCCG 2013)

The NSW coastal reforms provide an opportunity for the state to formally recognize the connection between surfing and the health of our coastal communities.

Visitors come from all over Australia and the world to enjoy recreational pursuits including: surfing, swimming, surf lifesaving, beach fishing, and other activities that require the surf zone to be maintained in good order.

Indeed surfing is at the heart of many of these the coastal settlements, towns and cities which populate the coastline. Around these urban environments, local economies have developed, underpinning the foundation of property prices and the tourism industry across the entire coastal region.

Explicitly defining this *surf zone* is one vital part that is missing from the proposed new legislation.

In relation to consultation and the draft Bill, Part 3, Division 2, Clause 16(3) Public Consultation states that failure consult does not invalidate the process of developing a coastal management program. This is really not acceptable and allows a council to adopt a coastal management program without consulting the community or any other stakeholder. There may be adverse consequences for surf breaks and beach amenity of actions taken by councils that are not obvious to non-surfers and may only be brought to the attention of councils by stakeholders such as the Surfrider Foundation.

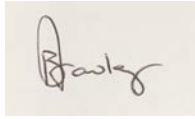
COMMENTS regarding draft COASTAL MANAGEMENT MANUAL

Surfrider Foundation Australia offers the following comments concerning the draft Coastal Management Manual with a view to ensuring that maximum protection is afforded to the beaches and surfbreaks that we share.

- The broad management objectives for each of the four coastal management areas are supported. In relation to the objective for coastal vulnerability areas, Surfrider Foundation Australia believes that reference to avoidance of management impacts on specific uses such as surfing should be made explicit
- We believe that a Coastal Management Program prepared in accordance with the Manual should consider continued access to quality surfbreaks as an *essential element* (section 9) and consideration in the preparation of the program
- In section 11, we believe that opportunities for coastal use, access and amenity should be maintained and improved
- specific mention should be made of the need for local councils to consult with surfers through local branches of our organisation and/or local boardriders clubs during the preparation of CMPs. The distribution analysis required in a business plan for a CMP (section 12) should also reference specific recreational users of the coastal zone such as surfers
- stakeholder engagement strategies prepared by councils should be made with particular emphasis on special interest groups that have a strong and unequivocal connection with the coastal zone such as surfers.

Thank you for the opportunity to have input to these valuable reforms. We ask to be kept informed of progress towards adoption of this new and valuable reform package.

Yours Sincerely,

A handwritten signature in black ink on a light beige background. The signature appears to read "Brendan Frawley".

Brendan Frawley

Chair, Surfrider Foundation Australia

Surfrider Foundation is a registered not for profit organization dedicated to the protection and celebration of the world's Oceans Waves and Beaches through Conservation, Activism, Research and Education C.A.R.E.

Surfrider started in Australia in 1991 was originally founded in the US in 1984 and now operates in 18 countries.