

20 January 2016

Coastal Reforms Team
Office of Environment and Heritage
PO BOX A290
SYDNEY SOUTH NSW 1232

To the Coastal Reforms Team,

**Submission to the NSW coastal management reforms from
Kiama Municipal Council**

Thank you for the opportunity to provide a submission on the NSW Coastal Management reforms, including the Draft Coastal Management Bill, the Coastal Management SEPP and Coastal Management Manual.

Council would like to make the following recommendations, observations and points relating to the proposed reforms:

In relation to the proposed Coastal Management SEPP:

- Consideration should be given to updating the planning circular regarding the four new coastal use zones identified in the Coastal Management SEPP. In particular providing clear information on how these zones should be recorded on the s149 certificates before hazard studies have been undertaken.
- The 'coastal use area' will replace the current 'coastal zone' as defined under the *Coastal Protection Act 1979*. Of the three options presented to define and be able to redefine this area, Option 3 is this Councils preferred option, where the current 1km coastal zone is retained with the option in the future for Councils to propose to increase the area, or decrease it to no less than 500 metres.

Option 2 changes the coastal zone to 500 metres landward of the mean high water mark and Councils may propose to increase but not decrease this area. This would be less desirable due to the relatively large changes to the existing provisions without consideration having been given to any new information or studies

Option 1 is considered the least desirable option and is not supported, as again the coastal zone is reduced immediately to 500 metres without consideration or investigation into the impacts of this change, and it also enables the area to be reduced to the mean high water mark.

- The coastal zone maps have not been released for assessment and comment from Council at this point in time. These maps will be an important piece of information to give Council an idea of the potential number of coastal hazard studies which it will need to undertake, and also give Council a chance to consider if there are areas which may need to be recategorised under the proposed coastal use area classifications.

In relation to the coastal management manual and preparing coastal management programs:

- No uniform adoption of sea level rise benchmarks for the State, or how to apply a range of sea level rise scenarios has been specified. Consideration should be given to providing specific direction on applying sea level rise ranges to coastal hazard studies and how to apply planning controls around these ranges. This will ensure consistent application of planning controls across local government areas and should be included in the toolkit which is attached to the coastal management program. It is noted that the 'Sea Level Rise – Technical Advice for NSW Coastal Councils' is included in the toolkit attached to the coastal management manual, however Council has been unable to access this documentation through the website where this is listed.
- Particularly in areas such as the Illawarra where there are a number of state agencies with infrastructure and property potentially within the coastal zone (Sydney Water Corporation, State Rail), Council suggests that an alternative may be to have the OEH running the coastal management program, engaging Local Government as a stakeholder in a regional coastal management program. This would lead to all agencies at different levels of government being better engaged and a more effective planning process.
- The coastal management program needs to integrate with the floodplain management program, and flood studies on coastal catchments used to provide important information for consideration in the preparation of coastal management programs and hazard studies. The prioritization, development and implementation of coastal hazard studies and coastal management programs need to be clearly identified and communicated to relevant communities. Resourcing of these programs needs to be clearly identified prior to commencement.

- There have been no estimates of the costs for coastal council's and the state government agency resourcing required to develop coastal management programs, including coastal hazard studies, program rollout and ongoing revision of plans, in particular the requirement for current CZMPs to be revised before 2021. Council is concerned that the resources required from the local government sector may be significant. This needs to be considered in light of Councils long term financial plan and budgetary process. State Government input needs to be identified at the commencement of this process.

Yours faithfully

A handwritten signature in black ink, appearing to read 'm. Forsyth', with a stylized flourish at the end.

Michael Forsyth
General Manager