



Department of Planning and Environment

Coastal Management

Coastal Management Programs and integration
with catchment management



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Coastal Management Programs and integration with catchment management

This document provides an overview of the relationship between the *Coastal Management Act 2016* (CM Act), Chapter 2 (Coastal Management) of the State Environmental Planning Policy (Resilience and Hazards) 2021 (R&H SEPP), Coastal Management Programs (CMPs) and their integration with broader scale catchment management.

This document aims to assist local government on ways to integrate coastal and catchment management objectives into their CMPs and their broader planning frameworks, whilst ensuring they can satisfy the associated statutory and mandatory requirements under the CM Act and in accordance with the Coastal Management Manual.

The Coastal Zone

The CM Act identifies 4 coastal management areas that, taken together, comprise the coastal zone. These areas are mapped and given land use planning effect under the R&H SEPP.

The 4 areas that comprise the coastal zone are:

1. the coastal wetlands and littoral rainforests area
2. the coastal vulnerability area
3. the coastal environment area
4. the coastal use area.

Part 2 of CM Act defines each coastal management area and outlines the management objectives for each area.

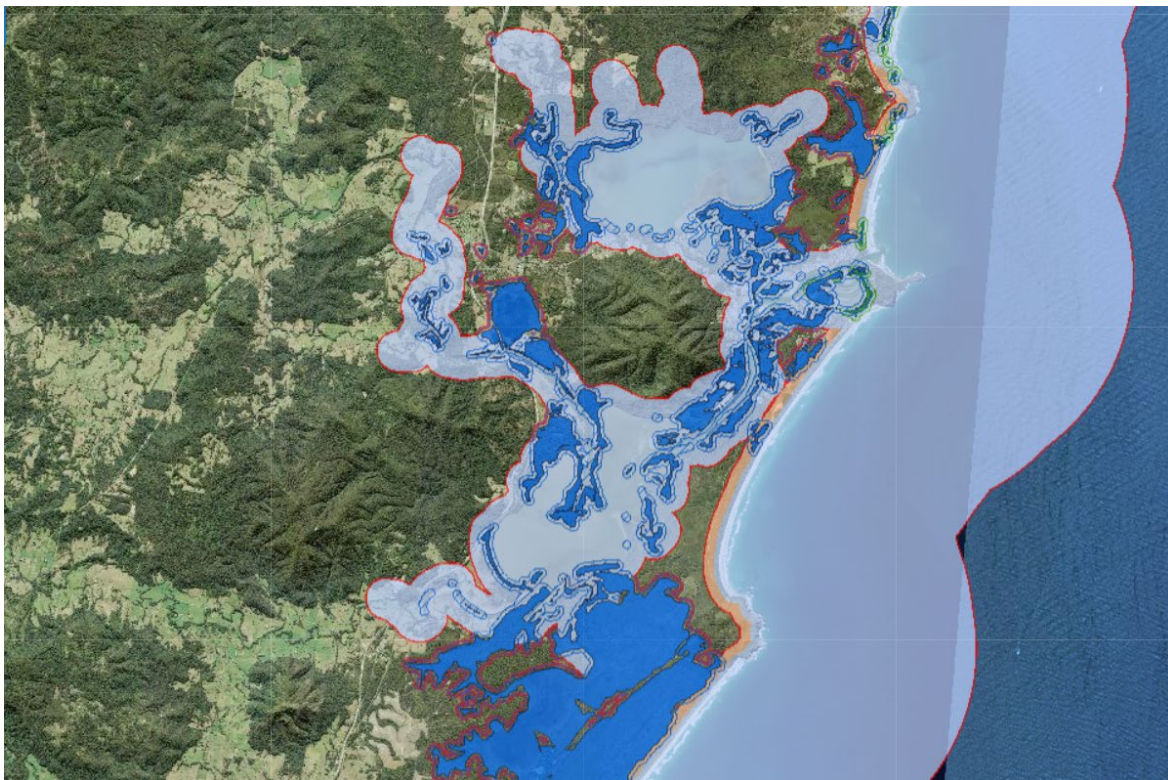


Figure 1 NSW Coastal Zone

What is the relationship between catchment and coastal management?

The overall objects of CM Act seek to manage the coastal environment of New South Wales in a manner consistent with the principles of ecologically sustainable development for the social, cultural and economic wellbeing of the people of the State.

In doing so and in accordance with Section 8, the Act seeks to protect and enhance the coastal environmental values and natural processes of coastal waters, estuaries, coastal lakes and coastal lagoons, and enhance natural character, scenic value, biological diversity and ecosystem integrity and to maintain and to improve water quality and estuary health.

In noting these objectives, we recognise that the health of coastal catchments is critical to the overall health of the coast and marine environment, including the social, economic and cultural benefits we derive from good catchment health.

Coastal environment area

The coastal environment area, as defined under the CM Act, identifies the environmental features of the coastal zone, such as state waters, estuaries, coastal lakes and coastal lagoons. It also includes land adjoining those features, including beaches, dunes, coastal headlands and rock platforms.

Within estuaries, the coastal environment area has been mapped upstream to the extent of tidal influence. An area of land adjacent to the open coast, estuary or coastal lake or lagoon is also included in the coastal environment area map to ensure nearby development takes into account any potential impacts on the coastal environment.

This distance is a minimum of 100 metres but is more if the land is adjacent to an area that is more sensitive to development impacts, such as a coastal lake. The entire catchment of sensitive coastal lakes is mapped; for other coastal lakes, there is a 500-metre buffer mapped around them.

A factsheet on how the coastal environment area has been mapped can be found on the Department of Planning and Environment website (see More information).

The CM Act identifies several objectives for the coastal environment area. The objectives for the coastal environment area are:

- to protect and enhance the coastal environmental values and natural processes of coastal waters, estuaries, coastal lakes and coastal lagoons, and enhance natural character, scenic value, biological diversity and ecosystem integrity
- to reduce threats to, and improve the resilience of, coastal waters, estuaries, coastal lakes and coastal lagoons, including in response to climate change
- to maintain and improve water quality and estuary health
- to support the social and cultural values of coastal waters, estuaries, coastal lakes and coastal lagoons
- to maintain the presence of beaches, dunes and the natural features of foreshores, taking into account the beach system
- to maintain and, where practicable, improve public access, amenity and use of beaches, foreshores, headlands and rock platforms.



Photo 1 Termeil Lake. Michael Jarman/DPE

Coastal Management Programs and catchment management

Statutory and mandatory requirements for the development of CMPs are outlined in the CM Act and the Coastal Management Manual Part A, respectively. Part B of the Coastal Management Manual is provided for general guidance.

Councils developing CMPs should note that:

- Section 12 of the CM Act outlines the purpose of a coastal management program, being 'to set the long-term strategy for the coordinated management of land **within the coastal zone** with a focus on achieving the objects of this Act'
- Section 13(2) of the CM Act specifies that, 'a Coastal Management Program may be made in relation to the whole, or any part of the area included **within the coastal zone**'.

In considering the statutory requirements, councils should be aware that there is no provision in the CM Act for land or actions to be included in a CMP, where that land or actions reside outside the mapped coastal zone.

Section 15 of the CM Act states that a 'A coastal management program must – identify the coastal management issues affecting the areas to which the program is to apply'.

Councils may describe areas outside the coastal zone and the effects these areas may have on land within the coastal zone as part of a CMPs broader context; however, these areas should be distinguished from the area to which a CMP applies.

Can Catchment Management Actions be included in Coastal Management Programs?

For some local government areas or regions, it is acknowledged that the defined 'coastal zone' may only be a portion of the catchment, especially where the non-tidal part of the catchment is extensive. However, as is required under the CM Act, the focus of a CMP must be directed to activities contained within the defined coastal zone.

That is, a CMP should not be a broader catchment management plan (e.g. A CMP should not address broader catchment issues outside the coastal zone that do not directly relate to the values of the coastal zone, for example, actions to improve habitat for platypus in freshwater reaches of a coastal river).

It is recognised that issues in catchment areas that may be outside the coastal zone can lead to downstream impacts and impinge on both the values and objectives for the coastal zone, and that the consideration of these broader catchment drivers is an important issue for a number of coastal councils.

In these locations, councils should ensure that any actions developed through the CMP process are integrated and at an appropriate scale to specifically address identified risks and threats in the coastal zone.

For those councils seeking to address broader catchment-based issues in an integrated way through their CMP process, particularly where actions are likely to be developed, and these actions are located outside the coastal zone, the section below provides some assistance on how this could be achieved.



Photo 2 Coffs Creek Coffs Harbour. John Lugg/DPE

Integrating CMPs and catchment management by expanding the coastal zone

Councils seeking to integrate catchment-based actions within CMPs may seek to extend the coastal zone to include broader parts of the coastal catchment.

This would be achieved through expanding the coastal environment area through a planning proposal to amend coastal environment maps under section 2.6(1)(b) of the R&H SEPP, where it can be demonstrated, for example, that the consideration of the broader catchment is a critical factor to delivering improvements in estuary health.

Councils should note that amending the extent of the coastal environment area to include more of the floodplain or catchment, or the entire catchment, would mean that the development controls for the coastal environment area (under Section 2.10 of the R&H SEPP) would also apply to development that requires consent.

Councils should therefore consider the suitability of those development controls for land in their catchments. In some cases, it may be more appropriate for a council to investigate including additional local provisions in its Local Environmental Plan that could deal with specific catchment issues that have been identified, such as water quality. Councils may also want to supplement state and local controls in environmental planning instruments with more detailed guidance in a development control plan.

Councils proposing to amend the coastal environment area under the R&H SEPP, would undertake a similar planning proposal process as for mapping the coastal vulnerability area. Refer to the factsheet on *Process for mapping the coastal vulnerability area* (see More information).

Councils considering amending the coastal environment area mapping under the R&H SEPP are encouraged to contact the department's coastal planning policy team to seek further guidance. The team can be contacted at coastal@planning.nsw.gov.au

Considerations for catchment management through the Coastal Management Programs development process

For councils who do not wish to undertake a planning proposal, or who do not think the coastal environment area development controls would be appropriate for the catchment, catchment-based issues can still be raised and discussed as part of the broader scope and context influencing the CMP.

However, the principal focus and any implementation actions should be directed towards only those areas included within the coastal zone. For example, any necessary and relevant discussion on broader catchment-based drivers and their impacts on the coastal zone can be provided within the CMP to provide context to understanding the whole of catchment effects on areas within the coastal zone.

In CMPs where councils are also seeking to develop broader catchment-based management programs and implementation actions that include areas outside the coastal zone, then these actions should be captured in a separate document or addendum to the CMP, and these must be clearly identified and distinguished from those actions that are to be delivered as part of the certified CMP.

Can councils apply for funding under the coastal and estuary grants program for implementation of actions outside the coastal zone?

Where actions are to be delivered within the coastal zone, councils may apply for funding provided they meet the eligibility requirements of the Coastal and Estuary Grant program guidelines.

Councils may also apply for funding actions in catchment areas (outside the mapped coastal zone) to support the delivery of a certified CMP or Coastal Zone Management Plan (CZMP), provided it can be clearly demonstrated that the outcome of the proposed action will satisfy all 3 of the following criteria:

- significantly benefit the coastal zone and is a critical factor in estuary health
- give effect to the management objectives for the coastal management areas and the objects of the Act
- assist in addressing a key coastal management issue affecting the areas to which a certified CMP or CZMP applies.

Councils should be aware other funding programs exist and delivery partners (e.g., MEMA, DPI Fisheries, Local Land Services, Environment Trust) regularly undertake and support projects in the broader catchment. These should also be considered in relation to the development of any catchment-based actions that are intended be delivered alongside a certified CMP or CZMP.

Where can I go for further information?

Councils seeking further support and guidance on this matter are encouraged to contact their Regional DPE Coast and Estuary Officer.

More information

- [Coastal Management Manual](#)
- [Process for mapping the coastal vulnerability area](#)
- [State Environmental Planning Policy \(Resilience and Hazards\) 2021: Coastal Management](#)