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Reference: 007-24-JM

16 May 2024

Mr Clayton Barr MP
Joint Select Committee on the NSW Reconstruction Authority
NSW Parliament
6 Macquarie Street
SYDNEY NSW 2000

Dear Mr Barr,

Re: Submission to the Joint Select Committee on the *NSW Reconstruction Authority Act 2022*

The Sydney Coastal Councils Group (SCCG) welcomes the opportunity to provide a submission to the Joint Select Committee on the NSW Reconstruction Authority Act 2022.

Role of the SCCG that is relevant to this Review

The SCCG is a regional organisation of councils established in 1989 to promote the sustainable management of Sydney's coasts and estuaries through collaboration, capacity building, advocacy, and research. The SCCG provides support to its help member councils in addressing a range of coastal and estuarine management issues including coastal erosion and inundation and how to adapt to those under projected SLR scenarios.

We have prepared a [position paper on the threat of coastal inundation and sea level rise in Sydney](#) that calls for the development of a coastal adaptation planning framework to build the capacity of Councils and ensure the adoption of a consistent approach across the Sydney region. We have discussed this framework with the NSW Reconstruction Authority, its relationship with the proposed disaster adaptation plans noted in the Act, and how it aligns with coastal management programs developed under the *NSW Coastal Management Act 2016*.

Policy Objectives of the Act

It is noted that the Terms of reference for the statutory review of the *NSW Reconstruction Authority Act 2022 (the Act)* is to determine whether the policy objectives of the Act remain valid.

Section 3 of the Act identifies that:

The primary object of this Act is to promote community resilience to the impact of disasters in New South Wales through:

- (a) disaster prevention, preparedness and adaptation, and*
- (b) recovery and reconstruction following disasters.*

Although it is difficult to comment on the objects when the Act has only recently come into force, we provide the following comments.



The primary object of the Act is expressed in seemingly two equal parts, implying that preparedness and response are of equal importance and logically, that disaster prevention should precede recovery. The SCCG supports this objective but is concerned that there may be greater weight placed on recovery and construction following disasters, than disaster prevention, preparedness and adaptation. This was acknowledged in the [NSW Reconstruction Authority's State Disaster Mitigation Plan \(SDMP\)](#) which states that historically, over 97% of disaster related investment has been spent on response and recovery rather than risk reduction.

The SCCG appreciates that considerable resourcing is needed for disaster recovery. However, this should not be at the expense of important planning needed for disaster prevention, preparedness and adaptation which has been lagging. This is especially relevant to planning for coastal inundation. We therefore encourage the NSW Government to provide greater support to local Councils and ROCs who are developing coastal management programs and disaster adaptation plans so that disaster prevention, preparedness and adaptation can be realised in relation to this hazard.

Terms of the Act

It is noted that the Terms of reference for the statutory review of the *NSW Reconstruction Authority Act 2022 (the Act)* is to determine whether the terms of the Act remain appropriate for securing the objectives. Regarding the terms, the SCCG makes the following comments. However, it should be noted that given the Act has only recently come into effect, it is difficult to fully comment on the effectiveness of the Act at this stage. The SCCG has also not been affected by Parts 5, 6 and 7 of the Act so is unable to comment on these sections.

Part 4 - State Disaster Mitigation Plan

The NSW Reconstruction Authority is to be commended for developing the [State Disaster Mitigation Plan](#) (SCCG) as required under Part 4 of the Act. The SCCG has reviewed the SDMP and found that it appropriately recognises the threat of coastal inundation with sea level rise which will overtake storms and floods as the most damaging hazard. To mitigate for this, the plan recommends building the capacity of Councils, state agencies and communities. The SCCG welcomes further consultation with the RA on how this will be achieved and believes that this should be done on a catchment scale.

It is however disappointing that the SDMP does not recognise the adaptation planning pathways approach which has been applied internationally. This approach involves developing a sequence of actions, which can be implemented progressively, depending on future dynamics. It enables decision-makers to specify which measure are to be taken now and which are planned to be implemented once certain conditions occur or new information is acquired. We strongly recommend that this approach is recommended in the guidelines being developed for the disaster adaptation plans.

Part 4 - Disaster Adaption Plans

There has been limited detail provided to councils on the development and implementation of DAPs. However, even if this timeframe is met, the SCCG has the following concerns:

- *Timeframes ambitious:* The SDMP vision of having DAPs prepared by all councils within five years is optimistic given guidelines bare yet to be released and the current council workloads to develop CMPs and other documents related to coastal risk.
- *Funding is not yet clear:* It is unclear whether funding will be provided to assist Councils and ROCs in the development of DAPs. Funding pathways, cost sharing principles and a business case for a NSW Mitigation Fund are all to be delivered by end of the year but limited detail is currently provided. If NSW Reconstruction Authority is committed to delivering DAPs within 5 years, then funding needs to be provided.
- *Potential replication of already existing programs:* We are concerned that DAPs will replicate the comprehensive planning already undertaken as part of the floodplain risk management process of development of coastal management programs. It is difficult at this stage to see the advantage of pursuing a multi-hazard planning approach through the DAPs for our member councils.

- *Inadequate guidance being provided:* It is understood that a guideline is in development for DAPs and that it will be released in mid-2024. However, as there has been no consultation on a draft of these guidelines, the SCCG is concerned it will not have sufficient detail for councils and ROCs to undertake the comprehensive planning required for coastal adaptation.
- *Formalise natural hazard risk analysis:* The SCCG notes coastal adaptation measures that are identified in the NSW RA's [State Disaster Mitigation Plan](#) including a State policy for large-scale multi-hazard managed relocation which would address both current and future hazard and help shift the balance towards disaster prevention and feasibility of large-scale offshore sand reserves and other sources for beach nourishment. The proposal to formalise natural hazard risk analysis and assessment methodologies and establish a data hub is a crucial step to support disaster adaptation planning and should be given priority. As stated in the [SCCG's Position Paper](#), coastal inundation is a present-day problem that will only be exacerbated with projected sea level rise. Foreshore councils and communities will bear the brunt of this problem and hence be at the forefront in planning for coastal adaptation. Sea level rise will exacerbate beach erosion and lead to increasing needs for beach renourishment and access to sand sources.

I trust our submission will be useful for your inquiry. If you have any queries, please do not hesitate to contact me on 0407 733 075 or at executiveofficer@sydneycoastalcouncils.com.au.

Yours sincerely



Sarah Joyce
Executive Officer