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Reference: 019-24

21 January 2025

Dr Philip Haines  
Chair  
NSW Coastal Council  
c/- Department of Climate Change, Energy, the Environment and Water  
PO Box A290  
SYDNEY SOUTH NSW 1232

By email to: [John.Hudson@environment.nsw.gov.au](mailto:John.Hudson@environment.nsw.gov.au)  
Secretary, NSW Coastal Council

Dear Dr Haines

### **NSW Coastal Council's Workplan**

Thank you for the opportunity to meet with yourself, Dr Mark Conlon and Mr John Hudson on 20 September 2024 to introduce the work of the Sydney Coastal Councils Group (SCCG) as well as discuss the challenges and opportunities for coastal management across the Sydney region. We appreciate the Council's willingness to consult widely on coastal issues and look forward to working with you to tackle these issues in the years ahead.

We understand that the Minister for the Environment has requested that the following topics be considered by the NSW Council in its workplan:

1. Coastal vulnerability area mapping
2. Managing risks from coastal hazards
3. Enhancing cultural safety and collaborative partnerships with First Nations people
4. The NSW coastal management manual
5. Monitoring, evaluation and reporting programs in Coastal Management Programs (CMPs)

The SCCG would like to take this opportunity to provide its input on these five topics based on:

- consultation with our nine member councils
- experience in project managing the multi-council Greater Sydney Harbour CMP Stage 2 work as well as input to the scoping of the Georges River Estuary CMP Stage 2-4
- experience over several years facilitating quarterly meetings with CMP leaders across the Sydney Region, including representatives from Department of Climate Change, Energy, the Environment and Water (DCCEE) and NSW Coastal Council's Secretary, Mr John Hudson
- a workshop with SCCG CMP Leaders to canvass issues for topics 3 and 4.

Our comments are detailed in Attachment A.



We trust these comments will be helpful. We would also welcome another meeting with the NSW Coastal Council to further discuss our comments. Please reach out to me at [sarah@sydneycoastalcouncils.com.au](mailto:sarah@sydneycoastalcouncils.com.au) to arrange a meeting.

We also appreciate the ongoing opportunity to engage with the NSW Coastal Council through the SCCG-run CMP Leaders meetings which will continue in 2025.

Yours sincerely

A handwritten signature in black ink that reads "Sarah Joyce". The signature is written in a cursive, flowing style.

Sarah Joyce  
SCCG Executive Director

## Attachment A

### 1. Coastal vulnerability area mapping

***What are the most effective and appropriate options for considering coastal hazards and vulnerability in land use planning decisions?***

#### **Background**

Currently, the primary mechanism for addressing coastal hazards in land use planning is through appropriate zoning as well as coastal and flood-related development controls in local environmental plans (LEPs), development control plans (DCPs) and associated policies and guidelines. Development permissions and controls in the coastal zone can work well for proposed new 'greenfield' development but are more challenging to apply during the proposed re-development of existing, legacy development. The latter is the dominant form of coastal development in the Sydney region.

Local development controls to address coastal hazards should ideally be given legislative weight through the mapping of coastal vulnerability areas (CVAs) and the consequent application of development controls given in section 2.9 of the State Environmental Planning Policy (SEPP) (Resilience and Hazards) 2021. There are, however, several issues with this approach as highlighted by the fact that, as far as SCCG is aware, only one NSW council has mapped CVA.

#### **Limitations of CVA mapping**

CVA mapping is heavily dependent on the choice of sea level rise (SLR) scenario which is a function of the selected planning horizon and shared socio-economic pathway (SSP). CVA mapping is also influenced by the degree to which risk varies over time and space. Unfortunately, Section 2.8 of the NSW Coastal Management Manual Part B: Stage 2 related to risk assessment gives little specific guidance on how risk can be quantified temporally and spatially, particularly for coastal inundation, and subsequently used to select appropriate parameters for determining CVA extent.

We would also argue that even if CVA mapping was prepared and SEPP controls applied, many councils do not have more specific policies, development controls or technical guidelines in place to enable a development proponent to demonstrate, or council to assess, compliance with the SEPP controls. We anticipate that many councils in estuarine areas will rely on existing flood-related development controls, for example, floor level controls, flood-compatible building components, etc, however, these might not be appropriate in all instances.

The preparation of CVA mapping will necessitate adding planning notations to Section 10.7 planning certificates for affected properties. The scope of community consultation typically followed during CMP development may not be sufficient to justify CVA mapping given the likely high community sensitivity to planning notation changes.

More fundamentally, development controls only apply to private property undergoing development or redevelopment. The CVA mapping and controls are not designed to be applied to private property that is not undergoing development, or to public assets. There is also little guidance on how development controls should be considered within the traditional accommodate / retreat / defend framework for coastal management.

#### **Recommendations**

Given these issues, we believe that coastal vulnerability is best considered within a broader context of coastal adaptation planning encompassing not only regulatory planning but also strategic land-use planning and infrastructure planning. To that end, SCCG has, since early 2023, called for the development of a [coastal adaptation planning framework](#) which would provide a regionally consistent approach for local councils to undertake local coastal adaptation planning. This approach would be based on the dynamic adaptive policy pathways (DAPP) approach which has been pursued internationally in countries like the Netherlands, New Zealand and the UK, for many years.

SCCG has called on the NSW Government to take the lead in preparing a coastal adaptation planning framework to no avail. We have also unsuccessfully applied to the NSW Reconstruction Authority for grant funding under the Commonwealth Disaster Ready Fund (DRF) to prepare a framework for Sydney on behalf of 16 coastal councils, three catchment groups and two state agencies. SCCG will look to apply again this year to DRF Round 3 to prepare the framework.

SCCG has, however, received grant funding to scope (although not prepare) a coastal adaptation planning framework as part of the [Outer Sydney Harbour CMP Stage 2-4](#). It is envisaged that the CMP will recommend preparing the framework during CMP Stage 5, if not undertaken sooner with grant funding from DRF Round 3.

We acknowledge that disaster adaptation planning (DAP) recently introduced by the NSW Reconstruction Authority may be a vehicle for progressing coastal adaptation planning. We believe it is too early to tell though if the DAP process will provide sufficient impetus to undertake the detailed adaptation planning that we believe will be required both regionally and at the local government area (LGA) scale.

We would strongly support any efforts by the NSW Coastal Council to advocate with the NSW Government for the preparation of a coastal adaptation planning framework for Sydney. We would also be happy to update the NSW Coastal Council on the progress of our scoping of the framework as part of Outer Sydney Harbour CMP Stage 2-4.

## **2. Managing risk from coastal hazards**

***What additional support/investigations could the Government develop to provide further assistance to local government and communities in managing risks of coastal erosion and inundation?***

In addition to the NSW Government supporting the development of a coastal adaptation planning framework mentioned above, we believe the following actions would greatly assist local government:

- finalise and release DCCEEW's update to the 2018 NSW tidal inundation and exposure assessment in a timely manner
- provide further guidance via the Department of Planning, Housing & Infrastructure (DPHI) regarding councils' need to advise on this updated inundation information through updated Section 10.7 planning notations particularly Section 10.7(5)
- finalise and publish DCCEEW's proposed guidelines on coastal adaptation triggers and thresholds as soon as possible
- advise on the status of the NSW Government's use of the XDI approach to managing risk from coastal inundation and its possible relevance or usefulness to coastal councils
- acknowledge the issue of coastal inundation and need for coastal adaptation as part of the update to the 2018 Greater Sydney Region Plan and associated district plans, as a driver for local strategic planning by coastal councils in their community strategic plans, local strategic planning statements, LEPs and strategic asset management plans
- take a proactive and collaborative approach to engaging with interstate, federal and international organisations (e.g. Federal DCCEEW, CoastAdapt, CSIRO, Deltares, PEERS, etc) on best-practice approaches to coastal adaptation planning.
- update Section 3.9 of the NSW Coastal Management Manual Part B: Stage 3 to provide greater guidance on adaptation planning

We were encouraged by the previous NSW Government's commitment to work with councils and others to provide guidance around sea level rise and coastal adaptation as outlined in the 2021 *Future Directions Statement for the NSW Coastal and Estuary Management Program*. We would therefore suggest the NSW Coastal Council advocate with the Minister for a new future directions statement to be drafted that builds on this previous commitment and acknowledges the above actions. We strongly suggest that any such future directions statement be supported by a documented work program, allocated resources and accountabilities.

The SCCG would also appreciate your support in advocating for DCCEEW to undertake more capacity building initiatives for our councils in managing coastal hazards, such as training sessions. For example, the SCCG is currently exploring collaborations with universities to develop training sessions on coastal processes for Council staff.

### **3. Enhancing cultural safety and collaborative partnerships with First Nations people**

***What additional support could the Government provide to coastal councils to assist with fostering collaborative and culturally safe partnerships with First Nations people? Are there opportunities to provide greater support to First Nations people deliver community led caring for Country initiatives?***

The SCCG fully supports improved engagement with First Nations people, recognising the challenges that have been experienced by CMP leaders and the SCCG's member councils. The NSW Government has undertaken a number of recent initiatives to identify issues and set the scene for improved engagement which are listed below with our comments.

#### **Coastal management - Creating culturally safe opportunities when engaging First Nations people**

DCCEEW's recently released guidelines are a helpful resource. We note the following key points from the guidelines for effective engagement :

- *Provide a safe supportive and positive environment where Aboriginal people can be themselves and express their culture and spiritual beliefs:* The SCCG appreciates this is fundamental to engagement and will promote this to its member councils. Coastal councils need to better understand how to seek cultural permission and who to speak to locally about Sea Country.
- *Identify appropriate resources to complete engagement with First Nations people for CMPs, with reference to the resources and availability of Aboriginal organisations and community representatives:* In the SCCG's experience with CMPs developed by its member councils, engagement with First Nations people has been problematic, apparently due to the lack of appropriate resourcing/capacity of Aboriginal representatives to participate. This is a critical issue needing to be addressed to achieve effective engagement.

#### **Marine Estate Management Strategy (MEMS)**

The Department of Primary Industries and Regional Development (DPIRD) has progressed MEMS Initiative 8: Enhancing social, cultural and economic benefits which has included a community wellbeing survey of First Nations people and report entitled 'Connections to Sea Country – Aboriginal peoples of Coastal NSW Survey Report'. The survey is intended for long term monitoring, with examples of key concerns of Aboriginal people connected to the coast including:

- lower ratings for sea country health compared to non-indigenous responses with pollution and less food resources identified as the main issues
- value of the marine estate being highest as a 'source of food', compared to 'mental health' being highest rated value among non-indigenous responses
- strong ratings for cultural connections and health of habitat
- high level of dissatisfaction with attitudes to Sea Country management, communication and indigenous involvement.

The SCCG understands there will be a specific focus and outcomes sought for improving engagement with First Nations people and their connections to Sea Country under MEMS Initiative 4: Protecting the Aboriginal cultural values of the marine estate. Projects under this initiative include facilitating greater involvement of Aboriginal people in Sea Country management and developing Sea Country plans. The SCCG considers it would be beneficial for coastal councils' engagement with First Nations people if they had greater involvement in the projects under MEMS initiative 4. Our councils need to better understand how they can contribute to the ongoing protection of Sea Country and their role in facilitating practising culture on Sea Country.

### **Aboriginal Engagement Strategy**

NSW Government's Local Land Services has developed a Statewide Aboriginal Engagement Strategy in 2020. Within the strategy's action plan, there is intent to have in place a Local Aboriginal Engagement Strategy for all regions that outlines critical commitments to engagement with local Aboriginal people. The local strategies appear yet to be completed and it is unclear what stage has been reached in their development, with particular interest in the Greater Sydney Region for the SCCG member councils. We note that Ecological Cultural Knowledge reports have been prepared for some regions. There may be opportunities to collaborate with Local Land Services in facilitating Aboriginal engagement through these initiatives, especially with reference to Sea Country and the role that coastal councils could play.

### **SCCG proposed initiatives**

We have identified First Nations engagement for strategic focus under the SCCG's Operational Plan for 2025. Our key initiative is a revised theme for capacity building of our member councils through the SCCG's Technical Committee to include cultural as well as natural heritage. Under this theme, we aim to promote the appropriate approach to engagement with Aboriginal people in consideration of cultural safety and sensitivity and facilitate finding the right people for establishing local relationships.

Discussion and outcomes from the SCCG CMP Leaders workshop included the following:

- providing for appropriate lead times for First Nations engagement ahead of CMP development and critical role of State Government, with reference to the Victorian example
- issues communicating how an LGA connects with Country and budget needing to be provided for engagement
- improving contact with Aboriginal Heritage Officers and their capacity for involvement with coastal council
- facilitating better access to Community Liaison Officers located in NSW Government's Local Land Services
- exploring the potential for facilitating First Nations engagement positions to be located more widely within coastal councils.

### **Recommendations**

The SCCG suggests the following activities to assist the Council to identify additional support for coastal councils to assist councils improve engagement with First Nations people:

1. Explore with DCCEEW the opportunity for building coastal councils' capacity to engage with First Nations people in a manner that is culturally safe and sensitive, with reference to the guidelines and ways to facilitate such engagement.
2. Work with DPIRD to progress outcomes of the MEMS Connections to Sea Country survey, under Initiative 8 and seek greater role for coastal councils in projects under Initiative 4.
3. Investigate the potential for collaboration with State Government's Local Land Services in facilitating First Nations engagement such as through development of Local Aboriginal Engagement Strategies.

4. Seek a review of the capacity of existing Aboriginal representatives including Aboriginal Heritage Officers and Community Liaison Officers to engage with coastal councils and investigate the potential for engagement positions to be located within councils.
5. Explore more broadly with State Government how to increase resourcing of Aboriginal organisations and to build capacity of Aboriginal community representatives.
6. Consider opportunities for collaborating with the SCCG's member councils and its CMP Leaders group to facilitate their greater involvement in State Government initiatives aimed to improve processes for engagement with First Nations people.

#### 4. The NSW Coastal Management Manual

##### ***What opportunities are there to simplify/streamline both the mandatory requirements in Part A and guidance information in Part B of the NSW Coastal Management Manual***

We believe that in the first instance the mandatory requirements given in Part A of the Coastal Management Manual should be reviewed and potentially updated to remove any duplication of requirements or to consolidate requirements. Given the manual has been in use for nearly seven years we believe it is now time to undertake a more thorough review of the manual. This may include benchmarking the manual against manuals used in other jurisdictions, for example, the [systems approach framework \(SAF\) handbook](#) for integrated coastal management used in Europe.

Specific updates recommended for Part A of the manual are:

- consolidate MR2 and MR13i regarding timeframes for risk assessment and planning
- consolidate MR3 requiring the CMP to consider a broad range of issues and MR8iii requiring the CMP to identify key management issues.
- consolidate the requirements for mapping of coastal management areas given in MR5i to MR5iii
- consolidate MR6iii requiring the CMP to evaluate and select coastal management options, MR8iv requiring the CMP to identify coastal management actions and MR10 requiring the CMP to identify proposed actions to address coastal hazards
- simplify or consolidate MR7i, MR7ii and MR7iii related to tasks already undertaken prior to preparation of a CMP
- consolidate the requirements for the business plan outlined in MR8x to MR9iv
- remove MR10 as it appears superfluous, given all coastline will be subjected to coastal hazards
- move MR13iii, iv and v related to coastal processes to become an initial mandatory requirement as it is logically consistent to consider coastal processes first before risks, management options, business planning, etc.

The following opportunities to improve or simplify the information given in Part B of the manual related to the following CMP stages have also been identified:

- CMP Stage 1:
  - Section 1.3: Suggest remove the need for a local vision statement as it should be developed in collaboration with the local community and stakeholders during Stage 2-4. This approach already used for Lake Macquarie CMP.
  - Section 1.6: Suggest reinforce the need for a critical review of previous and current management arrangements rather than a simple listing of management arrangements (the latter has led to situations for some CMPs where additional scoping is required before commencing CMP Stage 2). Suggest move the CM Act requirements to an appendix. The discussion on threats and issues for each of the four CM areas would be better explained with reference to a suitable framework such as driver-pressure-state-impact-response (DPSIR). There needs to be a clear distinction between social / environmental issues and issues associated with the management of social / environmental issues.

- Section 1.8: Approach to addressing knowledge gaps and undertaking a first pass risk assessment is sometimes too general to aid in scoping CMP Stage 2-4 and often doesn't provide additional value or understanding to that gained from previous coastal studies or plans. For instance, it is difficult to compare risks for different coastal issues with varying units of measurement, trends and risk management responses. This section would benefit from guidance around determining appropriate risk management approaches to use in CMP Stage 2.
- This part of the manual could be improved by incorporating requirements of the former data compilation studies.
- CMP Stage 2:
  - Section 2.8 would benefit from additional detail or reference to other resources on how to quantify the individual elements that comprise the risk assessment, beyond what is given in traditional risk assessments. This may involve determining appropriate units for measuring risk components, such as those shown in Figure B2.28, as well as determining the relationship between components, for example, by the use of formulas.
- CMP Stage 3:
  - Section 3.5 and 3.9 would benefit from additional detail or reference to other resources regarding coastal inundation and adaptation, for example, references to the DAP approach.
- CMP Stage 4 and 5:
  - Suggest distinguish between MER program development in Stage 4 and MER program implementation in Stage 5. This could be achieved by extracting relevant parts from Section 5.6 and incorporating within a new subsection in Section 4.2.
  - CMP Leaders considered that Stage 4 would be better completed in-house rather than undertaken by consultants but this would require changes to the project management fee structure by Grants Unit (currently set at either 10% or 20%).

## **5. Monitoring, evaluation and reporting programs in Coastal Management Programs (CMPs)**

***Provide advice on how the Department could improve guidance and information to better support the development of monitoring evaluation and reporting programs required in CMPs.***

### **Distinguishing between output monitoring and outcome monitoring**

We would initially highlight the need to distinguish between undertaking monitoring, evaluation and reporting (MER) for actions recommended in CMPs and undertaking MER for the results of those actions. The former is concerned with monitoring 'outputs', that is, to determine if the agreed actions have been undertaken. The latter is concerned with monitoring 'outcomes', that is, to determine what the CMP actions have achieved.

### **Need for an integrated catchment management approach to be reinstated**

Given the health of the coastal zone is heavily dependent on the state of the catchment, it is important that MER for CMPs be considered within broader arrangements for integrated catchment and waterway management. This aligns with the NSW Government's Water Quality Governance Roadmap which commits to transitioning to more integrated catchment management. We suggest that DCCEEW's guidance on integrating CMPs and catchment management be updated to consider any findings from the implementation of the roadmap as well as the need for MER to consider broader catchment scales. Amendments would also be needed to the NSW Coastal and Estuaries Grant Program Guidelines to enable actions in the catchment to be funded.

We recommend that for any MER program, the link between CMP outputs and outcomes as well as that between catchments and coastal waterways is made explicit utilising well-established conceptual models such as:

- logical framework approach



- driver-pressure-state-impact-response (DPSIR) framework
- source-pathway-receptor model
- triple loop learning model i.e. adaptive management
- various monitoring program design approaches e.g. before-after-control-impact (BACI)

SCCG has been part of a steering group organised by DCCEEW to oversee the preparation of a report on Greater Sydney water quality and river health monitoring governance options. The preparation of this report arose from Action 4.1b of the Greater Sydney Water Strategy. We are generally supportive of the report's findings and recommendations and the NSW Government taking a greater leadership role in coordinating monitoring. However, we raised several queries with the recommendations regarding MER including:

- appropriate mechanisms for formally engaging with stakeholders on MER e.g. legislation, state policy, memoranda of understanding, contracts, etc
- acknowledgment of existing legal obligations (or not) for MER, for example, regarding the NSW Beachwatch Program
- appropriate form of state support (financial, technical, administrative, etc) for local councils, catchment groups and regional organisations to undertake MER
- appropriate boundaries for MER and associated governance based on, for example, jurisdiction, area of operations, organisational membership or biophysical boundaries
- consideration of the logic and usefulness of state-led guidance like the NSW water quality objectives and risk-based framework for considering waterway health outcomes in strategic land-use planning decisions, in developing an MER program
- investigation of reporting platforms, the need for coordination between platforms and justification of a centralised platform

We would support the NSW Coastal Council in advocating for the report's recommendations and our queries to be considered as part of the initiatives proposed in the NSW Water Quality Governance Roadmap, particularly the Integrated Catchment Management Work Program, Diffuse Source Water Oversight Committee and the Better Integrating Landuse Planning and Water Management Project.

We would also highlight the need for the NSW Government to investigate optimum funding and governance arrangements for sustainable, long-term MER, and reiterate the importance of considering MER for the coastal zone in the context of integrated catchment and waterway management. The threat of the Beachwatch program also stopping in Sydney due to cost-shifting from state government to councils will also impact upon the development of MER programs for CMPs.