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Draft Sea Level Rise Policy Consultation
Urban and Coastal Water Reform Branch
Department of Environment and Climate Change NSW
PO Box A290
Sydney South NSW 1231

CM020-08

7 April 2009

Re: NSW Government Draft Sea Level Rise Policy Statement and Draft Technical Note

The Sydney Coastal Councils Group (SCCG) would like to take this opportunity to provide comment on the NSW Government Draft Sea Level Rise Policy Statement and Draft Technical Note. In the preparation of this submission the SCCG Secretariat surveyed selected staff and Councillors from all 15 SCCG Member Councils. This has assisted the SCCG in providing a regionally representative submission that reflects the views of its Member Councils.

Specific comments and recommendations have also been made by SCCG Member Councils in their submissions to the Department of Environment and Climate Change on the NSW Government Draft Sea Level Rise Policy. The SCCG supports the comments and recommendations made by its Member Councils.

At the SCCG Full Group Meeting on March 21 it was unanimously resolved by the Group's Councillor representatives that in response to the NSW Government Draft Sea Level Rise Policy Statement:

- The SCCG commend the NSW Government on the release of the Policy and Benchmarks; and
- The SCCG urge the NSW Government to provide councils with necessary frameworks and technical guidance to ensure the benchmarks are implemented consistently and appropriately by all coastal councils in NSW.

The Draft NSW Government Sea Level Rise Policy Statement is an important first step in providing all spheres of government with the necessary guidance to assist the consistent consideration of sea level rise impacts in the coastal, estuarine and floodplain environments of NSW. To ensure consistent and appropriate application of the Policy and benchmarks the NSW Government must work with Local Government in developing an implementation framework and capacity building programs to build the resilience of coastal communities to sea level rise. The SCCG is eager to offer its assistance to facilitate this critical activity.

The attached submission aims to identify actions and recommendations that will assist application of the benchmarks by Local Government and is structured in the following format:

1. Introduction;
2. Comment on the Sea Level Rise Benchmarks;
3. Issues in the Draft NSW Government Sea Level Rise Policy Statement to be clarified;
4. Guidance needed to effectively implement the benchmarks in the land use planning system;
5. Other comments on the Draft NSW Government Sea Level Rise Policy Statement; and
6. Conclusion.

I trust that the information provided in this submission will receive the appropriate attention. If you wish to clarify any matter in this correspondence or require further information, please contact SCCG Senior Coastal Projects Officer, Craig Morrison on (02) 9246 7702 or craig@sydneycoastalcouncils.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'W McMurdo', written in a cursive style.

Clr. Wendy McMurdo
Chairperson

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Sydney Coastal Councils Group Submission: NSW Government Draft Sea Level Rise Policy Statement and Draft Technical Note

1. Introduction

The Draft Sea Level Rise Policy Statement (The Draft Policy Statement) articulates that “the NSW sea level rise planning benchmark is an increase above 1990 mean sea levels of 40cm by 2050 and 90cm by 2100”. The Sydney Coastal Councils Group (SCCG) agrees with the analysis of the science outlined in the Draft Technical Note and supports the decision to base the benchmarks on the 2007 Intergovernmental Panel on Climate Change Report. The SCCG also supports the intent to revise the benchmarks based on future Intergovernmental Panel on Climate Change Report reports.

The identification of these benchmarks is an important first step in assisting Councils and their communities respond to the potential impacts of sea level rise. The SCCG welcomes and commends the NSW Government on the development of the Draft NSW Sea Level Rise Policy.

This information when supported with specific technical, regulatory and implementation guidance will assist coastal Councils in NSW apply the same sea level figures in their land use planning and management activities within coastal, estuarine and floodplain areas. However, the impacts of sea level rise will not be contained within individual Local Government boundaries or addressed efficiently and effectively on a council by council basis. Therefore, further implementation guidance, technical advice and resources are required from the NSW Government to ensure the benchmarks are applied and mapped within the appropriate regional contexts as well as consistently and appropriately across the NSW coastal zone.

2. Comments on the Sea Level Rise Benchmarks

The SCCG supports the sea level rise benchmarks of an increase above 1990 mean sea levels of 40cm by 2050 and 90cm by 2100. The efficient integration of the benchmarks into Local Government risk management activities will require:

- Coordinated collection and application of the appropriately scaled Digital Evaluation Modelling and hazard identification information at the same geographic and temporal scales across the State; and
- Consistent identification and delivery of risk management activities that address the impacts of sea level rise.

As a result of the Draft Policy Statement, coastal Councils as well as State Departments, Agencies and Authorities must firstly identify and then manage the potential impacts of sea level rise based on the articulated benchmarks. To achieve this, Councils will need to overlay the benchmarks with high resolution Digital Elevation Models and undertake

the appropriate hazard definition and management studies. The SCCG believes this needs be done across the full extent of the NSW coastline and all areas affected by sea level rise from 'border to border' to ensure comprehensive coverage and importantly consistent and timely application.

The capacity of coastal Councils in NSW to obtain the necessary data and undertake this activity is highly variable. Therefore, the SCCG recommends the NSW Government:

- Identify Councils in the coastal zone currently without Digital Elevation Models and assist these Councils in obtaining this data;
- Take the responsibility in partnership with Local Government and other coastal land managers for the development of an appropriately scaled statewide Digital Elevation Model available to all spheres of government for the coastal zone and near-shore environments;
- Provide Councils with the necessary coastal modeling and hazard information and standards for integrating the proposed benchmarks with existing hazard definition studies and Environmental Planning Instruments to ensure this information is locally relevant and defensible;
- Provide Councils with the necessary guidance for integrating the proposed benchmarks with existing land use planning and strategic planning activities;
- Secure additional resources, financial support and technical guidance working in partnership with Councils to undertake the necessary modeling and hazard analysis; and
- Undertake training workshops and ongoing capacity building programs for Local Government staff on the application as well as monitoring and evaluation of the implementation of the benchmarks to assist ensure consistent application.

Further, without a framework for the identification and implementation of management actions in addition to the proposed planning guidelines, it is likely that Councils will employ a range of strategies to integrate the benchmarks into their land use and asset management plans. As a result response to sea level rise in NSW risks becoming piecemeal and ad hoc. To address this, the SCCG recommends the NSW Government revise the NSW Coastline and Estuary Management Manuals as well as the Floodplain Management Manual so that they recognise the benchmarks outlined in the Draft Policy Statement. This coupled with the appropriate standard land use and development assessment provisions to be articulated in the planning guidelines and implemented through an endorsed Environmental Planning Instrument (such as a State Environmental Planning Policy) would provide councils with a clear and simple process for the integration of the benchmarks into existing planning schemes and coastal, estuary and floodplain management activities.

The SCCG also recommends that the NSW Government guarantee increased funding that will result in enhanced personnel and associated expertise to the coastline, estuary and floodplain management programs to address sea level rise. This would ensure the long established and successful technical and engineering advice provided by the NSW State Government continues. Funding through this program should continue to be made available on an annual basis, with specific additional funding made available for mapping the full extent of the NSW coastline and all other areas affected by sea level rise 'border to border' as identified by the benchmarks now and when the benchmarks are updates based on future Intergovernmental Panel on Climate Change.

Recommendations

The NSW Government:

- Identify Councils in the coastal zone currently without Digital Elevation Models and assist these Councils in obtaining this data;
- Take the responsibility for the development of an appropriately scaled statewide Digital Elevation Model available to all spheres of government for the coastal zone and near-shore environments.
- Provide Councils with the necessary coastal modeling and hazard information and standards for integrating the proposed benchmarks with existing hazard definition studies and Environmental Planning Instruments to ensure this information is locally relevant and defensible;
- Provide Councils with the necessary guidance for integrating the proposed benchmarks with existing land use planning and strategic planning activities;
- Articulate the level of financial support and technical guidance available to councils to undertake the necessary modeling and hazard analysis;
- Undertake training workshops and capacity building programs for Local Government staff on the application as well as monitoring and evaluation of the benchmarks.
- Articulate the level of financial support and technical guidance available to councils to undertake the necessary modeling and hazard analysis.
- Revise the NSW Coastal and Estuary Management Manual as well as the Floodplain Management Manual to recognise the benchmarks outlined in the Draft Policy Statement and provide councils with a process for their integration into existing coastal, estuary and floodplain management activities.
- Guarantee continued and additional funding to assist mapping the full extent of the NSW coastline and all other areas affected by sea level rise 'border to border' as identified by the benchmarks now and when the benchmarks are updated based on future Intergovernmental Panel on Climate Change.
- Guarantee increased funding that will result in enhanced personnel and associated expertise to the coastline, estuary and floodplain management programs to address sea level rise.

3. Issues in the Draft NSW Government Sea Level Rise Policy Statement to be clarified

The Draft Policy Statement raises a number of issues that the SCCG seeks to have clarified. These issues are:

Activities the benchmarks apply to?

The proposed benchmarks can potentially be applied by Councils for a range of activities including but no limited to:

- Incorporating the projected impacts of sea level rise on predicted flood risks and coastal hazards.
- The designing and upgrading of public assets in low lying coastal areas where appropriate, taking into account the design life of the asset and projected sea level rise over this period.
- Assessing the influence of sea level rise on new development or redevelopment in areas subjected to extreme events and where inundation on high tides will be greater.

- Considering the impact of sea level rise on coastal and estuarine habitats, such as saltmarshes, and identifying habitats at most risk from sea level rise and identifying areas for possible habitat succession.
- Assessing the impact of changed salinity levels in estuaries and coastal lakes, including implications for access to surface water and groundwater.

In light of the wide range of activities for which the benchmarks can potentially be utilised the NSW Government must outline the strategic and land use management activities and actions for which the benchmarks are to be applied. The SCCG requests the NSW Government provide this formal advice in the form of regulations implemented through and endorsed Environmental Planning Instrument and a planning circular that clearly articulate the activities for which the benchmarks are to be applied and how they are to be applied.

The geographic area to which the Policy and benchmarks apply?

A large number of Councils in NSW will experience the impacts of sea level rise and not all of these councils have land that is classified as being within the coastal zone of NSW as defined through the NSW Coastal Protection Act in Part 10 of the *Interpretation Act 1987*. For example, within the Sydney Greater Metropolitan Region a number of SCCG Member Councils (City of Botany Bay, Hornsby, Leichhardt, Manly (parts of), Mosman, North Sydney, Randwick, Rockdale, City of Sydney, Sutherland (parts of), Willoughby and Woollahra) manage coastal and estuarine environments that are not classified as being in the coastal zone but are obviously affected by coastal processes and sea level rise.

The Draft Policy Statement is unclear which areas the Policy and benchmarks will apply to. It does note that the Policy will supersede the 1988 NSW Coastline Hazards Policy, implying that any Sea Level Rise Policy for NSW and associated benchmarks will only be applied in NSW coastal zone as defined through the *NSW Coastal Protection Act 1979* and Part 10 of the *Interpretation Act 1987*. The SCCG requests that the final Sea Level Rise Policy clearly and simply state that it applies to all areas affected by sea level rise.

The level of technical support and guidance for land managers working in coastal, estuarine and floodplain zones to implement the Policy and benchmarks?

The policy proposes an "*adaptive, risk-based approach to managing the impacts of sea level rise*" through the periodic review of the benchmarks as updated information on sea levels becomes available. The SCCG strongly supports this approach and notes for this to be achieved consistently will require a clear process for applying the updated benchmarks throughout the NSW coastline and all other areas affected by sea level rise from 'border to border' via consistent and regular revision of hazard definition studies and maps. This process will need to be supported by the provision of ongoing technical support to councils and requirements for associated amendments to hazard studies and inturn planning strategies and coastal, estuarine and flood management plans.

As stated above, the SCCG believes that this would be best achieved through the incorporation of the figures into a revised NSW Estuary and Coastline Management Manual and updated Floodplain Management Manual. This would ensure that any updated information is consistently and appropriately incorporated into plans and advice provided by councils in a consistent and timely fashion.

Councils will also require technical guidance from the Department of Environment and Climate Change (DECC) when implementing the benchmarks. For over 30 years the NSW Government Coastal Management Program has provided technical advice and support to councils in the development and implementation of Coastline and Estuary Management Plans. The capacity of DECC to continue to provide this essential technical support has been limited in recent years due to reductions in internal budgets and an overall reduction in funds available from DECC to councils to implement Coastline and Estuary Management Plans.

To ensure the necessary technical guidance is provided to Councils in implementing the benchmarks, the SCCG recommends the NSW Government significantly increase funding and staff resources of the NSW Coastal, Estuary and Floodplain programs currently managed by the DECC. This will be particularly important over the first 2-3 years of the Policy implementation and when benchmarks are revised in line with Intergovernmental Panel on Climate Change revisions.

The impact of a Sea Level Rise Policy on Section 733 of the Local Government Act?

Under section 733 of the Local Government Act Councils are exempt from liability for advice or action undertaken in relation to flood liable land and land in coastal zone if their actions are consistent with a plan prepared in accordance with the appropriate management manual. The NSW Government must clarify how councils are to maintain this exemption from liability under section 733 of the Local Government in light of a NSW Sea Level Rise Policy and benchmarks.

The Draft Policy Statement notes that “*the Sea Level Rise Policy Statement supersedes the 1998 NSW Coastal Hazard Policy*” but makes no reference to its impact on the NSW Flood Prone Land Policy. Flood prone areas covered by the NSW Flood Prone Land Policy will be impacted by sea level rise. Therefore, the NSW Government must clarify if Councils will have to undertake different actions or meet differing levels of criteria to qualify for indemnification under section 733 of the Local Government Act for both coastal and flood risks, as a result of the Policy and benchmarks?

Common law and potential liability

Within coastal environments it is not possible to remove all likely risk to life, property and the environment that results from naturally occurring coastal processes. The uncertainty associated with the frequency of extreme events is likely to increase with the impacts of sea level rise.

The Draft Policy Statement policy states that “*Under both statute and common law, the Government does not have nor does it accept specific future obligations to reduce the impacts of coastal hazards and flooding caused sea level rise on private property*”. The SCCG requests that the NSW Government articulate what responsibilities Councils will have in relation to liability for impacts of coastal hazards and flooding caused by sea level rise on private property when implementing the Policy and benchmarks.

The SCCG also recommends a review of the *Civil Liability Act 2002* is undertaken to specifically restrict the liability of public authorities for not only personal injury or death but also property damage when acting in good faith with the best possible information to manage the coastal hazards that will be caused or exacerbated by sea level rise.

Additionally, Councils must be able to disclose information related to the economic, social, cultural and environmental impacts of sea level rise without fear of liability. To assist with this the SCCG recommends:

- The NSW Government work with Councils to identify processes for the consistent and appropriate disclosure of the potential impacts of sea level rise to coastal communities;
- The NSW Government in partnership with Local government set minimum standards for the delivery of hazard definition studies and production of hazard maps (supported by necessary partnership funding); and
- The NSW Government work with Councils to identify frameworks for the meaningful integration of the views and desires of coastal communities into the appropriate plans, projects and policies.

The obligation of the NSW Government to apply the benchmark

A number of NSW Government Departments, Agencies and Authorities (including Department of Environment and Climate Change, Department of Crown Lands, NSW Maritime, the NSW Roads and Traffic Authority, the Sydney Harbour Foreshore Authority and Sydney Water) are responsible for managing lands, infrastructure or assets that will be affected by sea level rise. The SCCG requests that the NSW Government clarify the process through which all NSW Government bodies responsible for managing lands affected by sea level rise will be required to integrate the benchmarks into their management planning and core business activities.

The NSW Minister for Planning also determines applications for major infrastructure or other major projects of State or regional environmental planning significance under Part 3A of the *NSW Environmental Planning and Assessment Act 1979*. The SCCG requests that the NSW Government clarify what responsibility the NSW Minister for Planning will have in applying the benchmarks to major infrastructure or other major projects of State or regional environmental planning significance under Part 3A of the *NSW Environmental Planning and Assessment Act 1979*.

Recommendations

The NSW Government clarify the following issues in relation to the Draft Policy Statement and Benchmarks:

- The activities for which the Policy and benchmarks are to be applied.
- The final Sea Level Rise Policy clearly state that it applies to all areas affected by Sea level Rise.
- The level of technical support and guidance for land managers working in coastal, estuarine and floodplain zones to implement the Policy and benchmarks.
- How Councils maintain the exemption from liability under section 733 of the Local Government in light of a NSW Sea Level Rise Policy.
- Will Councils have to undertake different actions or meet differing levels of criteria to qualify for indemnification under section 733 of the Local Government Act for both coastal and flood risks, as a result of the Policy and benchmarks
- What responsibilities Councils will have in relation to liabilities for impacts of coastal hazards and flooding caused by sea level rise on private property when implementing the Policy and benchmarks.
- The process through which NSW Government Departments, Agencies and Authorities will integrate the benchmarks in their management planning and core business activities.

- What responsibility the NSW Minister for Planning will have in applying the benchmarks to major infrastructure or other major projects of State or regional environmental planning significance under Part 3A of the *NSW Environmental Planning and Assessment Act 1979*.

The NSW Government review the *Civil Liability Act 2002* to specifically restrict the liability of public authorities for not only personal injury or death but also property damage when acting in good faith with the best possible information to manage the coastal hazards that will be caused or exacerbated by sea level rise.

The NSW Government work with Councils to identify processes for the consistent and appropriate disclosure of the potential impacts of sea level rise to coastal communities.

The NSW Government in partnership with Local government set minimum standards for the delivery of hazard definition studies and production of hazard maps (supported by necessary partnership funding).

The NSW Government work with Councils to identify frameworks for the meaningful integration of the views and desires of coastal communities into the appropriate plans, projects and policies.

The NSW Government clarify the process through which all NSW Government bodies responsible for managing lands affected by sea level rise will be required to integrate the benchmarks into their management planning and core business activities.

4. Guidance needed to effectively implement the benchmarks in the land use planning system

It is proposed that the NSW Department of Planning will prepare guidelines on how sea level rise should be considered in land use planning and development approval decisions by councils. The SCCG notes that a Section 117 direction will be insufficient for guidance for how councils should integrate their benchmarks into their strategic and land use planning activities.

The guidelines should be prepared as a matter of urgency and must clearly state how the Policy and benchmarks are to be implemented by councils in the plan making and development assessment processes as well as the necessary notification process for land owners through section 149 Certificates and section 149-5 certificates. In the absence of the guidelines the SCCG seeks clarification on the interim measures councils should be employing to integrate the guidelines into the strategic planning and land use activities.

The SCCG believes the guidelines should be implemented through an endorsed Environmental Planning Instrument (such as a SEPP) together with a formal planning circular that addresses the following:

- The development of Model provisions for:
 - The Standard LEP Instrument
 - Development Control Plans
- A clear framework for the integration on the benchmarks into development assessment;

- How section 117 directions of the NSW Coastal Policy 1997 and the NSW Coastal Design Guidelines will be applied consistently by all councils;
- If development is proposed in areas projected to be impacted by sea level rise how do proponents demonstrate that proposals can accommodate ongoing sea level rise whilst not effecting coastal processes, coastal access, coastal values and emergency management processes and procedures;
- How benchmarks are to be integrated with other related legislation including the Environmental Planning and Assessment Act, Section 733 of the Local Government Act, The Coastal Protection Act, SEPP 71 Coastal Protection, SEPP 14 Coastal Wetlands, SEPP 26 Littoral Rainforest, the Major Infrastructure SEPP as well as relevant Regional Environmental Plans.
- Case Studies of best practice implementation of the policy and sea level benchmarks by councils.
- Monitoring and elevation and compliance processes and mechanisms.

The Draft Policy Statement notes that *“There is no regulatory or statutory requirement for development to comply with this benchmark. The benchmarks primary purpose is to provide guidance to support the consistent consideration of sea level rise impacts, within applicable decision making frameworks”*. Whether the benchmarks become a regulatory or statutory requirement for development to comply with will depend on the content of the proposed Department of Planning guidelines. The SCCG strongly urges the NSW Government and the Department of Planning to ensure that the benchmarks are to be complied with in a regulatory and statutory context. This certainty will be essential for Councils to be able to employ the appropriate considerations to development assessment and land use zonings for areas affected by the benchmarks.

Recommendations

The guidelines to be prepared by the NSW Department of Planning:

- Clearly state how the Policy and benchmarks are to be implemented by councils in the plan making and development assessment processes.
- Ensure that the benchmarks are to be complied with in a regulatory and statutory context.

The Benchmarks be implemented through an endorsed Environmental Planning Instrument (such as a SEPP) together with a formal planning circular that addresses the following:

- The development of Model provisions for:
 - The Standard LEP Instrument
 - Development Control Plans
- A clear framework for the integration on the benchmarks into development assessment;
- How section 117 directions of the NSW Coastal Policy 1997 and the NSW Coastal Design Guidelines will be applied consistently by all councils;
- If development is proposed in areas projected to be impacted by sea level rise how do proponents demonstrate that proposals can accommodate ongoing sea level rise whilst not effecting coastal processes, coastal access, coastal values and emergency management processes and procedures;
- How benchmarks are to be integrated with other related legislation including the Environmental Planning and Assessment Act, Section 733 of the Local Government Act, The Coastal Protection Act, SEPP 71 Coastal Protection, SEPP 14 Coastal Wetlands, SEPP 26 Littoral Rainforest, the Major Infrastructure SEPP as well as relevant Regional Environmental Plans.

- Case Studies of best practice implementation of the policy and sea level benchmarks by councils.
- Monitoring and elevation and compliance processes and mechanisms.

The NSW Government ensure that proposals for development in areas projected to be impacted by sea level rise have a clear process for demonstrating that the proposals can accommodate ongoing sea level rise whilst not effecting coastal processes, coastal access, coastal values and emergency management processes and procedures now and into the future.

5. Other comments on the Draft NSW Government Sea Level Rise Policy Statement

The SCCG would like to make the some additional comments and recommendations on the Draft Policy Statement on the following issues:

- Addressing the coastal impacts of climate change beyond sea level rise;
- Managing assets and infrastructure impacted by sea level rise;
- Managing the impacts of sea level rise on biodiversity; and
- Public awareness raising initiatives.

Addressing the coastal impacts of climate change beyond sea level rise

The impacts of climate change will not be restricted to sea level rise. The Draft Policy Statement isolates sea level rise impacts from other coastal impacts such as changes to the frequency and intensity of rainfall and storm surge from extreme events. To address this, the SCCG believes that other climate change impacts that may be compounded by sea level should be recognised and adequately addressed in relevant policies and legislation and obviously hazard assessments and associated maps.

Many councils are currently preparing Climate Change Adaptation Plans through programs such as the Australian Government funded Local Adaptation Pathways Program. The SCCG recommends the NSW Government work with the Australian Government to develop the necessary implementation frameworks and technical guidance to allow appropriate and consistent consideration of the complete range of climate change impacts in the required policies and legislation.

Managing assets and infrastructure impacted by sea level rise

Policy Principle number 3 notes that the NSW Government will “*encourage appropriate development on land projected to be at risk from sea level rise*”. The SCCG is concerned with the intent of this principle and requests the NSW Government articulate how proposals for development in areas projected to be impacted by sea level rise will demonstrate that they can accommodate ongoing sea level rise whilst not effecting coastal processes, coastal access, coastal values and emergency management processes and procedures now and into the future.

The Draft Policy Statement notes that “*Planning and investment decisions should consider the range of sea level rise projections over the life of an asset to decide how the asset can be located or designed to avoid or minimize associated impacts.*” The SCCG supports the intent of this statement and recognises that consideration of sea level rise impacts on an asset should be undertaken not only when an asset is being built but when alterations or additions are undertaken.

To assist this, Councils require guidance in identifying which benchmark is most appropriately applied when an asset is being built or when alterations or additions are

being undertaken. Therefore the SCCG recommends that the NSW Government develop guidelines on which benchmark is most appropriately applied when an asset is being built or when alterations or additions are being undertaken for the range of assets that occur in the coastal zone.

Managing the impacts of sea level rise on coastal access, recreational use and biodiversity

Sea level rise will have a significant impact on coastal access, recreational use and biodiversity of NSW. In the NSW coastal zone the existing ecosystems and beach environments provide a broad range of social, cultural, economic and biodiversity benefits. These values must be maintained and protected from the potential impacts of sea level rise. To assist in achieving this, the SCCG recommends:

- The Policy reiterate the intent and provisions of the NSW Coastal Policy and SEPP 71 to ensure the maintenance and enhancement of coastal access and recognition of the values of beaches;
- The NSW Government work with all stakeholders to identify and prioritise management actions that protect and enhance existing coastal and shoreline values and services of the NSW coastline from the impacts of sea level rise;
- Through the NSW Climate Action Plan, DECC take responsibility for developing and implementing a framework and investment program that prioritises the necessary research and identification of risk management responses to build the resilience of intertidal biodiversity in NSW to climate change;
- The NSW Government work with all stakeholders to identify and prioritise management actions that protect the existing intertidal biodiversity services of coastal environment in NSW from the impacts of sea level rise; and
- The NSW Government work with councils to investigate opportunities for strengthening existing legislation and regulation in order to protect vulnerable threatened species, populations and communities impacted by sea level rise be explored and implemented at the appropriate scale and locations.

Public awareness raising initiatives

The general public needs and has been requesting better and consistent information about sea level rise and its potential impacts. Additionally councils require consistent messages and communication tools for engaging residents about coastal sustainability and climate change vulnerabilities. The development of tools and strategies for a wide range of audiences would ensure this is done consistently and appropriately. The SCCG recommends that the NSW Government develop centrally available education tools and engagement strategies for a wide range of audiences that can be utilised for raising public awareness of the impacts and management strategies associated with sea level rise.

Recommendations:

NSW Government in work with the Australian Government to develop the necessary implementation frameworks and technical guidance to allow appropriate and consistent consideration of the complete range of climate change impacts in the required policies and legislation.

The NSW Government articulate how proposals for development in areas projected to be impacted by sea level rise will demonstrate that they can accommodate ongoing sea level rise whilst not effecting coastal processes, coastal access, coastal values and emergency management processes and procedures now and into the future.

The NSW Government develop guidelines on which benchmark is most appropriately applied when an asset is being built or when alterations or additions are being undertaken for the range of assts that occur in the coastal zone.

The Final NSW Sea Level Rise Policy reiterate the intent and provisions of the NSW Coastal Policy and SEPP 71 to ensure the maintenance and enhancement of coastal access and recognition of the values of beaches.

The NSW Government work with all stakeholders to identify and prioritise management actions that protect and enhance existing coastal and shoreline values and services of the NSW coastline from the impacts of sea level rise.

NSW Government develop guidelines on which benchmark is most appropriately applied when an asset is being built or when alterations or additions are being undertaken for the range of assts that occur in the coastal zone.

Through the NSW Climate Action Plan, DECC take responsibility for developing and implementing a framework and investment program that prioritises the necessary research and identification of risk management responses to build the resilience of intertidal biodiversity in NSW to climate change.

The NSW Government work with all stakeholders to identify and prioritise management actions that protect the existing intertidal biodiversity services of coastal environment in NSW from the impacts of sea level rise.

The NSW Government work with councils to investigate opportunities for strengthening existing legislation and regulation in order to protect vulnerable threatened species, populations and communities impacted by sea level rise be explored and implemented at the appropriate scale and locations.

The NSW Government develop centrally available education tools and engagement strategies for a wide range of audiences that can be utilised for raising public awareness of the impacts and management strategies associated with sea level rise.

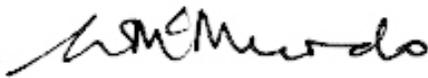
6. Conclusion

Coastal Councils and the NSW Government face a number of significant challenges in implementing a NSW Sea Level Rise Policy and benchmarks. It is also acknowledged that this will be a long and ongoing process requiring significant investment from all levels of Government. The recommendations outlined throughout the submission aim to assist overcoming these challenges.

The SCCG thanks the NSW Government for the opportunity to provide comments on NSW Government Draft Sea Level Rise Policy Statement and Draft Technical Note and looks forward to seeing responses to the issues and recommendations raised in this submission as well as the final Policy. As noted in the submission, the SCCG is eager to facilitate ongoing consultation processes with the NSW Government to enhance the necessary partnerships and provide strong direction that ensures all spheres of Government invest wisely to address the ongoing issues associated with climate change.

If you wish to clarify any matter in this correspondence or require further information, please contact SCCG Senior Coastal Projects Officer, Craig Morrison on (02) 9246 7702 or craig@sydneycoastalcouncils.com.au.

Yours sincerely,



Clr. Wendy McMurdo
Chairperson

