



Reference: 020-2025-JM

Thursday, 31 July 2025

The Hon. Mark Banasiak, MLC
Committee Chair – Select Committee on Access Restrictions to Public Lands and Waterways
NSW Parliament
Macquarie Street
SYDNEY NSW 2000

By submission form.

Re: Parliamentary Inquiry into Access Restrictions to Public Lands and Waterways

Dear Sir / Madam,

The Sydney Coastal Councils Group (SCCG) welcomes the opportunity to provide a submission to the above inquiry.

Background

The SCCG is a regional organisation of councils (ROC) established in 1989 to promote collaboration among member councils on environmental issues relating to the sustainable management of the urban coastal and estuarine environment. The group comprises nine councils in the Sydney region which together represents nearly 1.3 million residents.

We are guided by the SCCG's 2019-2029 Strategic Plan which includes six goals, four of which are highly relevant to the Inquiry:

- People and places adapt to a changing climate and future shocks and stressors
- Waterways and the foreshore are protected and healthier
- Marine biodiversity is protected in the bioregion
- There is a collaborative, effective and consistent approach to coastal and estuarine management

The SCCG's interest pertains to the proper management of public lands and waterways in the Coastal Zone in the Sydney region, ensuring that the various uses including recreational and commercial uses are managed in full consideration of conservation of the foreshores and marine and estuarine environments.

The NSW *Coastal Management Act 2016* (CM Act) provides for the management of the Coastal Zone and the development and implementation of Coastal Management Programs (CMPs) which are led by councils, in consultation with their communities. CMPs set the long-term strategy for the coordinated management of the coast and identify coastal management issues and the actions required to address these issues in a strategic and integrated way. Public access is the priority objective in the CM Act. This includes integration and alignment with other legislation and agencies involved in managing the coast.

Our comments

The SCCG strongly supports continuation of the current NSW National Parks System, comprising parks, reserves and protected areas under the NSW *National Parks & Wildlife Act 1974* and *Marine Estate Management Act 2014* with categories to guide management, according to the natural, cultural and social values of an area.

Of particular importance to the SCCG is the strengthening of conservation management for Marine Protected Areas, including Marine Parks, Sanctuary Zones within Marine Parks and Aquatic Reserves.

We urge the Inquiry not to consider any easing of access restrictions, particularly in relation to the taking of marine species. As population increases, there will be greater pressure to extract marine species from our oceans and estuaries. Also, the impact of climate change in increasing water temperatures and harming marine habitats through increased storm activities heightens the importance of refuges for marine flora and fauna.

The SCCG recently wrote to the Minister for the Environment, the Hon. Penny Sharpe MLC and the Minister for Agriculture, the Hon. Tara Moriarty MLC, stressing the urgent need to strengthen environmental protections for these important marine areas¹. Our letter contained the following key points which are relevant to the Terms of Reference (d) the legislative frameworks governing access restrictions for the management of public lands and waterways, with specific reference to Marine Protected Areas (MPAs) and how protections may be improved:

Marine parks

- Need for more Sanctuary Zones, supported by scientific evidence that current restrictions are inadequate for protecting marine biodiversity as well as the total area of Sanctuary Zones.
- Strong basis and community support for a Sydney Marine Park with a need to revive the proposal for the Sydney Marine Park in the Hawkesbury Shelf Marine Bioregion².

Aquatic reserves

- Need for more aquatic reserves, supported by scientific evidence that the existing aquatic reserves in the Sydney Region are inadequate and do not meet the international principles of CAR (Comprehensive, adequate and representative)
- Need for review of the performance of current Aquatic Reserves which was not undertaken in the recent statutory renewal³
- Need for revision of draft management plans and their finalisation e.g. Cabbage Tree Bay Aquatic Reserve; status of the draft management plan is not apparent.

Pertaining to Terms of Reference (c) the adequacy of government investment in maintaining and improving public access, we emphasise the importance of beach nourishment and its role in improving public access to our beaches, noting also that sea level rise impacts are likely to decrease public access and amenity in coastal areas. The SCCG has been advocating for a whole of government approach to beach nourishment, including identifying sand sources for the future including offshore sand and providing sand across Sydney beaches.

We have included further general comments on the specific terms of reference in Appendix 1.

The SCCG also supports the submission being made by the National Parks Association (NPA) which generally aligns with our position, evident from this extract from the NPA submission:

¹ [250612-SCCG-Letter-to-Ministers-re-MPAs-in-the-Sydney-region.pdf](https://www.sccg.org.au/250612-SCCG-Letter-to-Ministers-re-MPAs-in-the-Sydney-region.pdf)

² [NSW Government's Discussion Paper – Hawkesbury Shelf Marine Bioregion Suggested Management Initiatives.](https://www.npa.org.au/NSW-Government-s-Discussion-Paper-Hawkesbury-Shelf-Marine-Bioregion-Suggested-Management-Initiatives)

³ https://www.gazette.nsw.gov.au/gazette/2025/4/2025-4_141-gazette.pdf

State-owned lands and waters are the most significant public asset in NSW. They generate clean air and water, sustain biodiversity and heritage, sequester and store carbon and offer opportunities for recreation and recovery in nature. Public lands and waters sustain our communities and economy. Like any other shared asset the overarching objective should be to maintain and improve the condition of the asset, in this case our public lands and waters.

I trust the SCCG submission will be useful to the Inquiry. If you have any queries, please do not hesitate to contact me on 0407 733 075 or at sarah@sydneycoastalcouncils.com.au.

Yours sincerely



Sarah Joyce
Executive Director

Appendix 1 – Detailed responses to Terms of Reference

Terms of Reference	SCCG comments
a) The current and projected extent and rationale of access restrictions across public lands, including the balance between environmental protection, cultural heritage preservation and public access	<ul style="list-style-type: none"> - Continue current system of parks, reserves and protected areas under the National Parks & Wildlife Act and Marine Estate Management Act and the categories to guide management. - Maintain restrictions on the taking of shellfish to protect shoreline biodiversity. - Give priority to environmental protection and cultural heritage over public access, not balance with.
b) the social, economic and recreational impacts of access restrictions on local communities, recreational users and industries such as tourism, forestry and agriculture	<ul style="list-style-type: none"> - Limit access restrictions in consideration of conservation needs, backed by sound scientific research.
c) the adequacy of government investment in maintaining and improving public access and infrastructure on public lands	<ul style="list-style-type: none"> - Provide for appropriate Government investment to maintain existing public access and infrastructure. - Fully assess environmental impacts and conservation needs prior to any investment on new/improved public access and infrastructure. - Implement a whole of government approach to beach nourishment for Sydney beaches to mitigate the impacts of climate change on public access into the future.
d) the legislative and regulatory frameworks governing access restrictions, including any inconsistencies, gaps, or areas for improvement	<ul style="list-style-type: none"> - Undertake regular reviews of management restrictions in MPAs and how well they're providing for conservation, especially at times of statutory renewal and in consultation with stakeholders. - Designate more Sanctuary Zones in Marine Parks to provide the highest level of protection for biodiversity and natural and cultural features. - Increase the area of marine estate covered by Aquatic Reserves. - Ensure that compliance activities are adequately funded. - Finalise outstanding draft management plans for MPAs, including Aquatic Reserves. - Revive the proposal for Sydney Marine Park in the Hawkesbury Shelf Bioregion.
e) suitable alternatives or models for managing public land access that balance conservation objectives with public access, including examples from other jurisdictions	<ul style="list-style-type: none"> - Continue to align with other Australian states' national parks systems that provide for conservation as well as public access to ensure consistency of managing the national estate. - Restrict active recreational uses such as 4WDs in sensitive environments such as beaches, including closure of unauthorised tracks such as occurred in Western Australia recently.
f) the impact of restrictions on diverse user groups, including people with disabilities, Aboriginal communities and rural populations	<ul style="list-style-type: none"> - Give priority to protection of Aboriginal cultural practices including cultural fishing over public access.
g) consultation processes and the level of community engagement undertaken when implementing or reviewing access restrictions	<ul style="list-style-type: none"> - Ensure appropriate community consultation is undertaken in all reviews of access restrictions.
h) the role of state and local government authorities and any other relevant entities, in managing and enforcing access restrictions on public lands, and	<ul style="list-style-type: none"> - Undertake regular consultation with Local Government in relation to funding capacity for managing and enforcing access restrictions within its jurisdiction and ensure there is no cost shifting to Local Government.
i) any other related matter.	<ul style="list-style-type: none"> - Fully consider climate change impacts on protected areas in reviews of access restrictions.