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- MEDIA RELEASE -

NSW Coastal Management Reforms – Are all facts being presented to Parliament?



The NSW Coastal Alliance of regional coastal communities calls on the NSW State Coalition Government to withdraw its proposed Coastal Reforms Legislation which is premature and lacking in critical information.

In the Upper House last week, the State Government made this statement:

“I am pleased to say that the response during the three-month consultation period was overwhelmingly positive and constructive. The approximately 450 submissions that were received expressed a range of views raised issues and concerns and proposed suggestions.” MLC Sarah Mitchell, told Parliament in her introduction to the Coastal Management Bill.

An overwhelming majority of submissions do not favour the proposed legislation passing through Parliament without the critical supporting information of the proposed Coastal Management State Environmental Planning Policy and accompanying maps, including maps which indicate the extent of the threat to existing coastal communities, now exposed to rising seas.

The Government nor the Minister should not ram this legislation through the Parliament without proper consultation and agreement on key outstanding issues.

Some submissions critical of the Government's Coastal Reforms haven't been considered and are missing from the list of 452 submissions. This is unprofessional on the part of the government.

Parliamentarians are expected to debate and vote on a Bill that will be informed by a State Environmental Planning Policy (SEPP) and supporting mapping **that do not exist and are yet to be subjected to any public scrutiny.**

MLC Sarah Mitchell made no reference to this critical and overriding issue.

The NSW Law Society in its submission states:

*“The Law Society is concerned that key aspects of the coastal management package, including mapping for the coastal zone and the draft text of the proposed SEPP, **have not been released as part of the consultation package.** These are critical elements of the reforms, and without these documents the ability of stakeholders to properly consider all aspects of the reform package at this stage is limited. It is concerning that the proposed SEPP has not yet been released, particularly given the link between management objectives for each of the proposed areas and development controls.*

While the Explanation of Intended Effect contains certain details regarding the development controls that will be contained in the SEPP, the information in this document is general and non-binding.

*The Law Society acknowledges that the Government has committed to make the mapping of the proposed new coastal zone and full text of a draft SEPP available for public consultation prior to finalisation of the draft Bill. **We urge that these documents be made available, with sufficient time for proper consultation, before the Bill is introduced into Parliament.**”*

*“The public is being asked to comment upon, and potentially approve, a scheme **without the critical information inherent in the zoning maps.** The zoning will be critical.” **North Coast Environmental Council Inc.***

In its submission, Gosford City Council says “It is understood that the reform process is not complete, however, some information is essential for Council to conduct a thorough review of the implications of the proposed framework on Council’s activities. In particular, the spatial mapping underpinning the four proposed Coastal Management Areas is critical information in determining whether the proposed legislative and policy framework can be applied effectively for those areas.”

In its submission the Nature Conservation Council said “We note that key aspects of the coastal management package, including mapping for the coastal zone and the draft text of a new Coastal Management SEPP have not been released as part of the consultation package. These are key elements of the reforms, and our ability to comment on these aspects of the reform package at this stage is therefore limited. We acknowledge that the Government has committed to make the mapping of the proposed new coastal zone and full text of a draft SEPP available for public consultation prior to finalisation of the draft Bill.”

Greens MLC Jan Barham said in her submission “The coastal zone mapping and CMSEPP must be publicly exhibited for comment prior to introduction to parliament”

“However, without the draft SEPP and maps, LGNSW is unable to fully comprehend the intended effects and reserves the right to comment further once all of the information is available.” Local Government Association of NSW

Sydney Coastal Councils Group submission states, “We note that critical information, including the draft text of the SEPP and the maps of the four proposed coastal management areas, has not been released at the time of public consultation. We have previously written to the Minister for Planning, the Hon. Dr. Rob Stokes MP, on this matter who has agreed to publicly exhibit the draft SEPP when it is available from the Department (per comm at SCCG Full Group meeting 12 December 2015).

We further understand that draft maps of the four proposed coastal management areas will be provided to NSW local councils for comment prior to finalisation of public consultation. We therefore reserve the right to provide additional comments on the coastal management reforms when the draft SEPP and its associated maps and any additional information is released.”

The NSW Coastal Alliance requests that the NSW State Coalition Government:

- Properly engage all affected coastal communities prior to progressing the Bill. This has not occurred;
- Make provision in its proposed reforms for existing settlements
- Make provision for the compensation of people forced to abandon and demolish their homes under planned retreat policy of Local Government, now empowered by Minister Stokes under this Bill.



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