




Our Ref: R06/0041 Out-16099

30 May 2008

Ms Janet Holmes  
Committee Secretary  
Standing Committee on Climate Change, Water, Environment and the Arts  
PO Box 6021  
House of Representatives  
Parliament House  
CANBERRA ACT 2600  
AUSTRALIA

Submission No:	..... 31 .....
Date Received:	..... 30-5-08 .....
Secretary:	.....  .....

Dear Ms Holmes

**Inquiry into climate change and environmental impacts  
on coastal communities**

We thank you for the opportunity to provide a submission to the House of Representatives Inquiry into climate change and environmental impacts on coastal communities (the Inquiry).

We note the Inquiry's terms of reference, specifically:

- existing policies and programs related to coastal zone management, taking in the catchment-coast-ocean continuum;
- the environmental impacts of coastal population growth and mechanisms to promote sustainable use of coastal resources;
- the impact of climate change on coastal areas and strategies to deal with climate change adaptation, particularly in response to projected sea level rise;
- mechanisms to promote sustainable coastal communities;
- governance and institutional arrangements for the coastal zone.

Our submission will be structured around those terms of reference.

The NSW Local Government and Shires Associations (LGSA), as representative organisation for all local councils in NSW, presents this submission as representing the views of NSW councils.

Please note that in order to meet the Inquiry's 30 May deadline, this submission is being provided in draft form. It will be considered by the LGSA Executives at their next meeting in August 2008. We will inform you after the August Executive meetings if there are any changes.

We would be happy to expand on any of the points raised in our submission at any hearings conducted as part of this inquiry.

Yours sincerely

Cr Genia McCaffery  
**President**  
Local Government Association

Cr Bruce Miller  
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## **Local Government and Shires Associations of NSW Submission**

### **1. Existing policies and programs related to coastal zone management**

NSW Local Government has a responsibility for land use planning in the terrestrial zone. The NSW Greenhouse Plan aims to develop a capacity building program for adaptation within the local government sector as well develop tools and guidelines for use in land use planning and development assessment.

The LGSA, with funding from the NSW Department of Environment and Climate Change (DECC), is running a capacity building project for local government. This includes a series of nine workshops across NSW to raise awareness of climate change issues with a range of professions within local government. The workshops address climate change scenarios, risk management and adaptation planning, legal implications to the planning system, impacts to coastal infrastructure, community health concerns and community engagement. The project has also developed a web resource. The Climate Change Action Pack provides practical advice to councils on mitigation and adaptation strategies, political support through the NSW Mayors' Agreement on Climate Change and links to relevant publications and internet resources.

The NSW Department of Planning has used airborne laser technology to map low-lying areas in selected regions across the State to consider the likely impacts of sea level rise on low lying coastal areas both for existing and future development. The LGSA is working with DECC to promote the application of this technology to local government.

Local Government within the coastal zone also needs to consider:

- NSW Coastal Policy 1997 which suggests a precautionary approach to coastal management and development as climate change and sea level rise may exacerbate natural coastal hazards.
- State Environmental Planning Policy 71 – Coastal Protection which mandates local government to consider the impacts of coastal processes and hazards in Local Environment Plans (LEP) and development assessment.
- Coastal Protection Act 1979 which encourages local government to produce Coastal Management Plans to protect beach environments.

Source: MacDonald, J. The adaptation imperative: Managing the legal risks of climate change impacts in ed Bonyhady, T; Christoff, P (2007) *Climate Law in Australia*; Federation Press, Sydney.

Climate change impacts on the coastal zone are unavoidable. The NSW Local Government needs to factor such impacts into their decision making. To assist with these considerations, local government needs:

- Consistent design parameters across jurisdictions such as national uniform sea level rise scenarios.
- Consistent legislation, policies and programs between State and Australian Governments.
- Timely and accurate estimates of population growth and demographic change.
- Community engagement in adaptation strategies that address land use planning.

### **2. Environmental impacts of coastal population growth and mechanisms to promote sustainable use of coastal resources**

Population growth on the coastal fringe places increased demand on and for natural assets, infrastructure and community facilities. Adaptation planning needs to consider climate change impacts in the context of increased population growth and demographic change. To develop adaptation plans, local government needs further information on the impacts of climate change and urban expansion on biodiversity and natural areas especially in river estuaries and coastal lagoons.

The submergence of water, sewerage and stormwater infrastructure could lead to environmental and health impacts. Population growth could further exacerbate these problems. Further research is needed on appropriate design parameters based on climate change scenarios and projected population growth.

In NSW, there have been some instances where coastal planning decisions have been removed from councils. It is essential to ensure that, where this occurs, planning decisions are based on sound analysis of the anticipated local environmental impacts of climate change, rather than driven by state-wide priorities to manage increasing coastal zone populations.

### **3. Impact of climate change on coastal areas and strategies to deal with climate change adaptation**

State and Local jurisdictions across Australia have set a myriad of planning levels for sea level rise. A consistent planning criterion is needed to ensure appropriate and equitable responses to sea level rise. LGSA recognises that due to regionally specific conditions, sea level rise might be experienced at higher levels on the east coast of Australia and a single national criterion may not be appropriate.

A consistent sea level rise criteria could guide planning and development decisions regarding the coastal zone. The use of a nationally consistent basis for this information would ensure that all jurisdictions worked on the same basis and thus that there were no additional distortions in the development / investment market.

Local governments have traditionally based infrastructure design parameters based on historical records, measurement and analysis. Existing design values and procedures may no longer valid. The implications of this could see the submergence of water, sewerage and stormwater system (as previously discussed), faster deterioration rates of buildings and roads, the loss of clearance under bridges and wharves, jetties and boat ramps becoming inoperable. Also impacts are not linear. For example a 10% increase in wave height may result in a need for a 33% increase in breakwater armour size. Further technical assistance is needed in addressing these issues with possible changes to Australian Standards and building codes.

### **4. Mechanisms to promote sustainable coastal communities**

NSW Local Government already has a track record of engaging with their local communities on environmental and sustainability issues. By providing tools and support, perhaps similar to the NSW Government's Water for Life program, local government and community groups would be in a position to run localised sustainable community projects. This could also promote the Australian Government rebates available to households to address climate change.

### **5. Governance and institutional arrangements for the coastal zone**

Of great concern to local government in NSW is the ability to continue to access insurance for public liability, community assets and property and third party property. NSW local government has found it difficult to participate in the global insurance market due to the high cost of liability claims. To combat the increasing number of liability claims, councils received legislative protection under the Civil Liabilities Act (2002). Similar legal protection measures may be needed to avoid liability costs arising from property damage due to climate change impacts. Such protection measures may be needed sooner rather than later, as local government does not want to be in the position of being uninsured which may occur if insurance underwriters consider the risk to great.

There is also the possibility that properties in the coastal zone may not be able to secure any property insurance similar to households in the hurricane belt in the USA. If this occurs, public funds may be

required for clean up operations, repairs and reconstruction for both private property and public infrastructure and assets.

The effective management of anticipated climate change impacts in the coastal zone will require significant additional capability and resources. Local government, as the key planning and management agency over much of the coastal zone, must be adequately equipped to ensure effective responses to these difficult challenges.