

15 REPORT OF THE DIRECTOR PLANNING, ENVIRONMENT AND COMMUNITIES

15.1 Endorse for public exhibition: Coastal Management Program - Stage 4

CSP Objective: Outcome 2.1: We protect our people, our place, our flora and fauna through our planning and our actions.

CSP Strategy: 2.1.1 Protect our coast, our estuaries and waterways.

Delivery Program: 2.1.1.1 Develop, implement and review Coastal Management Programs as required under the NSW Coastal Management Act 2016 and the Coastal Management Manual.

Item 15.1

Summary

This report has been prepared to present to Council the draft Stage 4 Kiama Coastline Coastal Management Program (draft CMP) for Council's endorsement to release it for public exhibition. Subject to Council's endorsement being granted, the 28 day public exhibition period is planned to occur prior to Christmas.

Stage 4 of the CMP process involves preparing the draft CMP, publicly exhibiting it, finalising the CMP, submitting it for certification by the Minister, gazettal and Council adoption.

The draft CMP builds on the Kiama Coastline Coastal Management Program Stage 1 Scoping Study report (BMT, 2020), the Kiama Coastline Coastal Management Program Stage 2 report (BMT, 2021), and the Stage 3 Kiama Coastline Coastal Management Program: Management Actions report (BMT, 2023).

The management actions and business plan from the Stage 3 report have been further refined based on community, public authority and council staff feedback and a draft Coastal Zone Emergency Action Sub-Plan has been incorporated into the draft CMP.

Agency stakeholder consultation has been undertaken and incorporated into the draft CMP (see attached). Council's support is now being sought to present the draft CMP to the community for their comment via public exhibition. Submissions from this public exhibition will be collated. Should any recommended changes to the document be received, they will be incorporated into a final Stage 4 CMP and reported back to Council for further consideration.

It is also noted that a number of actions within the CMP will require further analysis, particularly in relation to Council's ability to fund capital projects that have been recommended to be completed. Given Council's financial situation, this list will require further refinement and rework. Allowing for consultation to occur now, will enable staff to obtain community feedback about priority areas, to feed into this consideration of appropriate capital projects and funding options.

Council will be seeking formal written endorsement from relevant public authorities for the final CMP. Once gained, Council will need to adopt the CMP and the written endorsements will be submitted with the final Stage 4 CMP document to the Minister for Certification.

Financial implication

Council will run the public exhibition in-house and meet the funding requirements for these activities through existing budgets. Council has already allocated budget and endorsed the 4 Stage program to develop the CMP. Fifty percent (50%) of the total cost to develop the CMP has been funded through the NSW State Governments Coastal and Estuary Grants Program.

The costs to implement the CMP once it is finalised and certified (Stage 5) is outlined in the Business Plan and presented within the draft Stage 4 CMP. This Business Plan estimates the costs, identifies the potential funding sources and nominates which public authorities will be responsible for each proposed management action.

The total cost for implementation of the CMP over the 10 year period is \$18.6 million, comprising \$13.9 million in capital expenses (capex) and a further \$4.6 million in operational and maintenance expenses (opex). Costs include \$6.55 million associated with construction of interim and permanent Coastal Protection Works that may not be required during the term of this CMP. Costs can be partially reduced if Council and agency staff can undertake various activities in the CMP rather than engaging consultants.

These costs will need careful analysis given Council's current financial position and cash flow analysis. At this stage the funding proposed has not yet had a source within the budget identified. Whilst works can occur through grant funding, in most cases this requires a matching portion from Council. These additional capex items have not yet been included within the long term financial plan.

Risk implication

The coastal hazard and risk information contained within the Stage 2 technical report has been considered in the proposed Stage 3 and 4 management actions. These aim to manage and mitigate as far as possible the risks posed by these coastal hazards relevant to the Kiama Local Government Area open coast. This will help to ensure long term decision making and planning within the coastal zone is informed by up-to-date best practice information.

Policy

The CMP is being prepared under the NSW Coastal Framework, to meet the requirements of the Coastal Management Act 2016, the NSW Resilience and Hazards State Environmental Planning Policy 2021 and the NSW Coastal Management Manual.

The Kiama coastline and its adjacent lands are located within the NSW Coastal Zone and are subject to the provision and objects of the NSW *Coastal Management Act 2016* (CM Act).

Council is preparing the CMP in accordance with the requirements of the CM Act, with technical and financial assistance from the NSW Government. The CMP has been prepared to cover a 10-year period from 2024 to 2034. It defines the long-term strategy for the coordinated, sustainable management of the Kiama coastline within the coastal zone.

Once prepared and endorsed by relevant agencies and stakeholders, the final CMP will be provided to the Minister for certification as required by the CM Act. Once

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certified, relevant actions within the CMP will become eligible for funding under the NSW Coastal and Estuaries Grants Program which has a 2:1 funding ratio. Other funding sources and relevant lead and supporting agencies and organisations have also been identified within the Business Plan.

Stage 4 of the CMP documents the coastal management actions provides a business case for their implementation. Once the Stage 4 final CMP document is supported by relevant public authorities, certification of the CMP under the CM Act will be enabled and sought, therein achieving the Objects of the CM Act.

Consultation (internal)

Internal Council stakeholders have been involved through Stage 1, 2, 3 and 4 of the CMP development, including Strategic Planning staff, Infrastructure and Liveability staff, Development Assessment staff and Property and Finance.

Communication/Community engagement

The community were consulted during the development of the Stage 1 Scoping Study. This helped to define the CMP vision and objectives, identify the key issues to be addressed by the CMP and informed the Scope of the CMP.

Stage 3 of the CMP involved workshops and further consultation with public authorities and other key stakeholders to discuss and refine potential management options. The community were asked to comment on and indicate whether or not they supported the proposed draft management options to determine their acceptability. This community consultation was conducted through an online survey and two community drop-in sessions. A landholder mailout was sent to landholders identified as having exposure to identified coastal hazards across the study area with consideration of timeframes out to 2120 to encourage their participation.

The online survey was open between 4 May to 26 May and attracted 1453 visits from 346 users. The two community drop-in sessions were held on 18 May (5-7pm) and 19 May (9-11am) attracting 21 participants.

Once community comments had been incorporated, relevant agencies, were provided with a copy of the draft Stage 3 report, for their comment and review.

The combined results of this consultation were incorporated into the final Stage 3 report of the CMP and informed the initial draft stage 4 CMP.

On 10 October 2023, a Stakeholder Workshop was conducted, which presented the initial draft Stage 4 CMP to relevant agencies internal Council and other key stakeholders. It provided opportunity to discuss the document and ensure that the management actions were appropriately worded, allocated, scheduled, and costed to ensure support for the CMP. Agencies that were not able to attend the workshop were invited to review and provide feedback on the initial draft CMP. Their feedback was incorporated into the current draft CMP now being presented in this report.

This report seeks council endorsement for the draft CMP to go to public exhibition, immediately following the Council meeting. It is specifically highlighted that the community and other relevant stakeholders, will have further opportunity to comment during the public exhibition of this Draft CMP. Feedback from any submissions will be incorporated into the final CMP.

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Attachments

Nil

Enclosures

- 1 CMP - Stage 4 Report

RECOMMENDATION

That Council:

1. Note the draft Stage 4 Kiama Coastline Coastal Management Plan.
2. Endorse public exhibition of the draft Stage 4 Kiama Coastline Coastal Management Plan, for a period of 28 days.
3. Note, if submissions are received during the exhibition period, a further report will be provided on any proposed amendments to the draft Stage 4 Kiama Coastline Coastal Management Plan.
4. Adopt the draft Stage 4 Kiama Coastline Coastal Management Plan if no submissions are received on the day after the completion of the public exhibition period.

Conclusion

This report has been prepared to present to Council the draft Stage 4 Kiama Coastline Coastal Management Program, for review, and for Council's endorsement to release for public exhibition.

The management actions described in the Stage 4 draft CMP have been aligned with the requirements of the Coastal Management Framework including the Coastal Management Manual. They address the vision, objectives and issues from the Stage 1 Scoping Study, as well as the identified hazards and risks from the Stage 2 Technical Report. The Stage 2 hazard report was previously reported to Council and is available on Council's website.

Following consultation and feedback, the Stage 3 report identified and evaluated potential management actions to ensure they were practical, realistic and affordable for Council and the community. The Stage 3 Report is also available on Council's website and was presented to ELT. It was used to inform the draft Stage 4 CMP. Following public exhibition, the draft CMP will be finalised and submitted to the Minister for certification. Stage 5 will involve the implementation of the CMP.