

Submission  
No 3

**INQUIRY INTO PLANNING SYSTEM AND THE IMPACTS  
OF CLIMATE CHANGE ON THE ENVIRONMENT AND  
COMMUNITIES**

**Organisation:** Surfrider Foundation Australia, Northern Beaches Branch

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31st October 2023

TO WHOM IT MAY CONCERN

RE: Planning System and the impacts of Climate Change on the environment and communities.

Climate change will impact the efficacy of the planning systems we currently use and the communities influenced by these systems in many ways. Surfrider Foundation's mission is for "the enjoyment and protection of oceans, waves and beaches" so this submission will centre on the coast.

Surfrider Foundation Australia is gravely concerned at the virtual total inadequacy of the Coastal Management Act 2016 to deliver climate adaptive outcomes that approximate the stated objects of the Act.

The planning system has been recently tested by Surfrider Foundation's strong opposition to the continuation of the beach vandalism inflicted by a 7.5metre vertical concrete seawall.

A recent Northern Beaches Council Local Planning Panel hearing proved to be, as expected, incompetent in its ability to properly assess the complex dynamic coastal processes in play with regard to development of this nature and a unanimous approval decision was delivered to allow an extension of the vertical wall (below) further north along Collaroy/Narrabeen Beach.



This style of development, brutalist vertical concrete walls, designed and constructed as protective structures along coasts, had been virtually prohibited by the compulsory requirement of a state appointed expert panel of coastal practitioners to assess any such proposals.

The revised Act of 2016, authored by Minister Robert Stokes, for some inexplicable reason, removed the compulsion for “best available” scrutiny and relegated approvals of these complex planning and design issues to local government that more or less universally is incapable of properly assessing the likely impacts.

Surfrider regards this to be a major retrograde step in coastal planning.

Coastal erosion is an increasingly problematic issue and the NSW State Government’s decision to retreat from its responsibility in this space is one that is very disturbing.

More expertise in this space, not less, is required for us to have any hope of effective adaptation with respect to coastal planning and management.

Given the rapidly changing nature of expected climate chaos events the notion of the abrogation of responsibility from State to local government is deplorable and needs urgent review.

The system Surf rider has recently encountered involved

1. The development proposal for a vertical 7.5m seawall being submitted to Council
2. This proposal should never have been considered, let alone approved, as it clearly fails to meet many, many aspects of the CMA(2016), associated SEPP (2018) Council's own CZMP(2016) and associated design specifications.
3. Notwithstanding this a DA was achieved and put on exhibition in much the same way a single carport might be.
4. Despite nearly 180 submissions, the vast majority of which opposed the further development of a vertical wall, the Local Planning Panel comprising 2 town planners, a community representative and a retired LEC judge approved DA unanimously (4-0) despite the fact none had relevant training in or demonstrated knowledge of coastal processes.
5. DA APPROVED\*

\*A similar but smaller vertical seawall DA proposal around the same time period to "protect" Newport SLSC that required a Sydney North Planning Panel (as opposed to Northern Beaches Council Local Planning Panel) comprising coastal experts unanimously DISALLOWED the DA due to the likely damage it would cause the beach environment.

Under the previous Act, had a similar DA ever been proposed Surf rider is certain it would have been REFUSED IMMEDIATELY by the State appointed Planning Panel as this was the case in many instances over many years in many places with vertical concrete wall proposals.

Rather than each coastal LGA taking on the issues facing them with an expertise bank that by definition would be highly unlikely to rival that of a State Government, Surfrider would applaud expanding the input to Federal expertise as well to attempt to arrive at best possible outcomes even if the Federal input were limited to some funding and broad brush guidelines.

Sand nourishment is an activity that requires (and has for some considerable time) urgent attention but to the best of Surfrider's knowledge not one individual in any level of local state or federal government has sand nourishment investigation as any part of their job description while many countries around the planet have for years been delivering successful outcomes for coasts by undertaking it.

Surfrider Foundation calls for the immediate reinstatement of compulsory review by an expert Coastal Panel along with the creation of a Coastal Commissioner, (similar to the Building Commissioner appointed following a spate of failing engineering in the construction industry) whose expertise would be used in every case of protective coastal structures (and other propositions for our coastline to be decided) to ensure they meet with requirements under the Act and properly consider community standards.

Australians are famously attracted to the coast with around half the population residing within 7 kms of it.

The pressure is surely on coastal development requiring the best possible outcomes to provide for the increasing challenges posed

by climate chaos need to be implemented in as an homogenous fashion as possible along our coastline and not left up to the ill equipped nuances of local government who have neither the expertise nor resources to adequately deal with the problems at hand let alone those emerging.

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