

HOUSE OF ASSEMBLY
LAID ON THE TABLE

30 Nov 2023

Progress Report – Reform Opportunities

Preparing South Australia's Coast



**Government
of South Australia**

Department for
Environment and Water

Contents

Background	3
An opportunity for change	3
Local impacts on our coast.....	4
National Initiatives	5
State Initiatives	6
Preparing South Australia’s Coast	7
ERDC Recommendations – progress	8
Appendix 1- ERDC recommendations delivered through reform areas	11
Appendix 2 – Progress on ERDC recommendations	14

Background

The *Coast Protection Act 1972* (the Act) was introduced to conserve and protect the beaches and coast of South Australia and established the Coast Protection Board (the Board) as an independent central body under the control and direction of the Minister.

On 1 February 2021, the Environment, Resources and Development Committee (ERDC) resolved to conduct an *Inquiry into the Coast Protection Board and coastal legislation*. The ERDC reported its findings and made 11 recommendations to Parliament in a report tabled on 12 October 2021.

The Minister for Climate, Environment and Water committed to provide Parliament a report on progress in 2023. This is that progress report (**Recommendation 1(b)**).

An opportunity for change

The ERDC report provides a foundation for reviewing South Australia's coastal legislation and the impetus to start a broader discussion on coastal management with our community. The ERDC report states that the committee found overwhelming support to amend and modernise the Act and that retaining a coastal-focused board and agency, with relevant expertise and resourcing was important to lead future strategic coastal management for the state. The 11 recommendations within the report have multiple components resulting in 26 proposed actions, some of which could be acted on with administrative, policy and operational changes and others requiring legislative reform to deliver.

The Act has served its purpose to protect and preserve the South Australian coast. The ERDC concluded for the Act to be effective for the future, consideration of climate change and the projected impacts of sea level rise on our coast was required. It is timely for a refreshed approach to coastal management, protection and adaptation to ensure South Australia's coasts remain our valued and valuable protective barrier.

While severe coastal impacts have been limited to date in South Australia, changes in seasonal and daily weather patterns and the duration of extreme events are already occurring in South Australia, with previously stable coastal areas experiencing erosion, and tide-dependent ecosystems gradually migrating to higher ground. The impacts of climate change are being felt in communities across the globe, with increased frequency and severity of fires, floods, hot and cold events. On 31 May 2022, the South Australian Government declared a Climate Emergency, reaffirming the urgent need to decarbonise the South Australian economy and shift to renewable sources of energy. Adaptation to the impacts of climate change is critical, to enable South Australia to live with the changes to which we are already committed.

The coast is important to South Australians with 90% of our population living within 50 kilometres of the coast, in addition to those who recreate and holiday near or at the coast. In considering amending the Act, it is important to engage with the community to understand collectively what we want to protect now and for future generations.

In implementing the ERDC recommendations we have focused on those matters that can be actioned immediately, and this is the focus of this report.

Changes to the Act need to build on the Governments wider legislative agenda, including the Australian Government's Native Positive Plan agenda.

Local impacts on our coast

To lead the facilitation, preparation and adaptation of communities, industries, infrastructure and natural systems to the predicted, and unpredictable, effects of a changing climate is the emerging challenge. Engaging the community to adjust their expectations about how they can use the coast in the future will be critical in successful ongoing management of our coast. There are multiple factors to consider including:

- Storm damage of development and coastal infrastructure through flooding and erosion "hot spots"
- Increased regional tourism and camping on remote and high value beaches
- Increased numbers of vehicles on beaches, 4-wheel driving within sand dunes, and overnight camping, including by caravan
- Pressures on the environment and biodiversity with climate change
- Protection of existing blue carbon sites and the protection from development of potential inland migration areas required as a result of future sea level rise
- Sand movement and management (metropolitan and regional beaches)
- Infrastructure maintenance (e.g. seawalls, groynes, and harbors)
- Increased development along the coast including aquaculture, tourism accommodation, the hydrogen initiative, desalination plants, residential developments and management of redevelopment in areas at risk of sea level rise.

National Initiatives

There are a number of Australian Government initiatives underway that strengthen South Australia's proposed direction for coastal management into the future. The State has been actively involved in the development of these initiatives and future implementation actions will need to be cognisant of these. Where opportunities exist the State Government has been seeking to ensure coastal management matters are considered and addressed where possible.

- **Nature Positive Plan** – published in December 2022, the Nature Positive Plan sets out the Federal Government's commitment to reform Australia's environmental laws to better protect, restore and manage our unique environment.
- **National Climate Risk Assessment** - will deliver a shared national framework to inform Australia's national priorities for climate adaptation and resilience actions and enable consistent monitoring of climate risk across all Australian jurisdictions.
- **National Adaptation Plan** – is being led by the Department of Climate Change, Energy, the Environment and Water and is due by the end of 2024. It will use the national climate risk assessment to build an agreed, nationally consistent pathway that prioritises Australia's adaptation actions and opportunities to adapt to the risks, scale up our adaptation efforts and build our national resilience to climate impacts.
- **Sustainable Oceans Plan** – is under development and will protect our marine environment and support our growing ocean economy. The plan provides the opportunity to consider how to manage our ocean in the future with work happening to identify a shared vision to guide our efforts.
- **Biodiversity and Nature Repair Market** - *The Nature Positive Plan* introduced a Federal government commitment to establish a world first Nature Repair Market. The market will make it easier for businesses and individuals to invest in and drive nature repair across Australia.
- **Coastal Blue Carbon Ecosystems** – funding to support restoration, conservation and accounting for blue carbon ecosystems, and leading the *International Partnership for Blue Carbon* which shares a vision to protect, restore and sustainably manage global blue carbon ecosystems.

State Initiatives

Since 2021 the South Australian Government has undertaken a number of initiatives to improve coastal management including:

- **Scientific review of Adelaide Beach Management** – An Independent Advisory Panel was appointed to undertake a comprehensive review of all available coastal (sand) management options to ensure a long-term solution is found which puts community and the environment at the core. The Panel will provide advice for consideration by government as a result of community consultation in 2023.
- **Environmental impact assessment of major sand works** – Fulfilling the election commitment to prepare an amendment to the *Coast Protection Act 1972* to incorporate Environmental Impact Assessment (EIA) for significant sand movement activities.
- **Managing vehicles on high value beaches** - Managing the impacts of vehicles on high value beaches to benefit shorebird habitat, nesting areas, and beach amenity. A trial program of closures on select beaches utilising provisions of the *National Parks and Wildlife Act 1972* and *Coast Protection Act 1972* is under consideration to inform the development of long-term management solutions.
- **Improving coastal policy in planning** – Ensuring contemporary coastal policy is reflected in the planning system to better protect the coast and minimise coastal hazard risks on development through the *Planning, Development and Infrastructure Act 2016* reform.
- **Climate Ready Coast Program** – Partnering with the Local Government Association SA and Coast Protection Board on the *SA Climate Ready Coast Program*. This three-year program is advancing hazard assessment and adaptation planning for coastal councils to improve decision making in partnership with the Board and to develop adaptation planning guidelines for South Australia.
- **Securing funding through Blue Carbon Ecosystems Restoration Fund** – South Australia secured \$4.7 million from the Australian Government’s Blue Carbon Ecosystem Restoration Fund for two projects. One in partnership with The Nature Conservancy to progress the first tidal reconnection project at Webb Beach and the Adelaide International Bird Sanctuary, and the second with University of Adelaide and SARDI for seagrass restoration off Port Gawler. Both projects seek to protect and resort coastal ecosystems through a range of blue carbon measures to reduce emissions, facilitate social, environmental, and economic co-benefits and progress the implementation of the Blue Carbon Strategy for South Australia.

Preparing South Australia's Coast

In addition to the State initiatives above the Department of Environment and Water (DEW) work has commenced on a reform program entitled "*Preparing South Australia's Coast*".

The recommendations from ERDC *Inquiry into the Coast Protection Board and coastal legislation* provide the foundation of this program of work which will reform coastal management for South Australia in the light of the emerging impacts of climate change and sea level rise on coastal communities.

The "*Preparing South Australia's Coast*" reform program is structured around seven key areas to set South Australia up to protect and conserve our coast into the future. This reform program will put South Australia at the forefront of coastal management in Australia.

The reforms areas are:



ERDC Recommendations – progress

Each of the ERDC recommendations will be carefully considered through the proposed reform program and the review of legislation. Progress to date is outlined below.

- In 2022 the Board developed a three-year strategic priorities plan which was reviewed and recast in July 2023 (**Recommendation 4(a)**), see Appendix for description of ERDC recommendations). These priorities are already driving the Board’s agenda and are:
 1. Improved regional support
 2. Accelerated adaptation planning
 3. Review of grant programs
 4. Developing an information network
 5. Reviewing CPB policy
 6. First Nations engagement
 7. Investigating sustainable funding models
- Work has also been undertaken to ensure the Act aligns with other relevant legislation including the *Planning, Development and Infrastructure Act 2016*, the *Environment Protection Act 1993*, and the *Local Government Act 1999* (**Recommendations 2(c) and 6(b)**).
- Referrals to the Board have been progressively streamlined in improving the *Planning and Design Code*. DEW and the Board have sought to advance the *State Planning Policy 13 (Coastal Environment)* and better integrate the Board’s policies into the planning system through:
 - Provision of submissions to the *2023 Miscellaneous and Technical Enhancement Code Amendment* to ensure that the Board’s policies are adequately represented in the *Planning and Design Code* (**Recommendations 4(c) and 4(e)**).
 - Assisting the Department for Trade and Investment (on behalf of the State Planning Commission) develop Regional Plans to ensure coastal landscapes and features are appropriately recognised. This includes mapping blue carbon habitats requiring protection (**Recommendation 4(c)**).
- DEW and the Board have contributed to submissions identifying changes for consideration relating to coastal management issues during the public consultation process on the *Hydrogen and Renewable Energy Bill 2023* and the independent review of the *Landscapes South Australia 2019*, the *Greater Adelaide Regional Plan* discussion paper and the *Infrastructure SA 20-year strategy* discussion paper (**Recommendation 8(b)**).
- The Board is continuing to improve its relationships with and guidance for coastal councils in regional and metropolitan Adelaide (**Recommendation 6(c)**). The Board has undertaken a number of initiatives with DEW support including:

- Hosting a series of forums with Local Government CEOs and the Presiding Member of the Board.
 - Receiving presentations at Board meetings from the regions to improve the Boards understanding of issues facing regional coastal councils.
 - Continuing to build relationships and work closely with coastal councils and provide advice and expertise on a daily basis on coastal management issues across South Australia.
 - Development and release of a quarterly Board newsletter since Spring 2022 which has been distributed to key stakeholders and made available online.
 - Annual regional field trips and Board meetings to meet regional coastal council staff and understand first-hand the issues and challenges faced by the regions.
 - Improving the Board profile and presence through communication such as website improvements, the newsletter, and preparation of a Key Outcomes Statement released after every Board meeting to improve transparency on Board business
(Recommendation 7(a)).
- DEW, in partnership with Local Government Association SA (LGA SA), designed and successfully secured \$3.7 million in grant funding for the *SA Climate Ready Coasts* program to develop adaptation planning guidelines for South Australia in partnership with coastal councils and the Board. This program is addressing a number of the Board's strategic priorities and is enhancing councils' capacity to protect and adapt their communities in the future. Program partners include the Adelaide Coastal Councils Network (ACCN) and the SA Coastal Councils Alliance (SACCA).

The program comprises two parallel work streams: the LGA SA is leading delivery of the Capacity Building work stream and DEW is leading delivery of the Data work stream. Stage one of the program will systematically understand the status of coastal adaptation in South Australia, evaluate needs, establish methods, and acquire data, including improved mapping of coastal hazards for the state, and deploying additional wave buoys for improved coastal monitoring. Stage two will accelerate adaptation planning through projects, grants and activities and stage three will consolidate learnings from the program and chart the way forward for further action
(Recommendations 4(a) and 4(e)).

- The Board is funding a jurisdictional review of legislation and adaptation planning to inform the development of a best practice model for suitable for South Australia **(Recommendation 4(a)).**
- The Board is continuing to improve its relationships with and guidance for coastal councils **(Recommendation 6(c)).**
- DEW works closely with coastal councils and provides advice and expertise on a daily basis on coastal management issues across South Australia **(Recommendation 6(c)).**

- The Board has been improving its understanding of First Nations through cultural training and meeting First Nation representatives on site when visiting regions to hear first-hand the coastal issues of concern to their communities (**Recommendation 4(f)**).
- The Board profile and presence is expanding through website improvements, quarterly coastal newsletters, and preparation of Key Outcomes Statements released after every Board meeting to improve transparency on Board business (**Recommendation 7(a)**).
- DEW in partnership with the Board, City of Port Adelaide Enfield, Adelaide University, Flinders Ports and Australian Naval Infrastructure, successfully secured funds from the Federal Government *Disaster Risk Reduction Program* in 2022 for *Sea Flood Mapping for Port Adelaide* project to undertake detailed sea flood mapping and impact assessment of the Port Adelaide region (**Recommendation 4(f)**).
- The South Australian Government and the Board are working on enhancing relationships with coastal councils, Landscape Boards, National Parks, other government agencies and NGO's to fund coastal management where the vision is shared (**Recommendation 4(c) and 6(b)**).
- The Board supports funding of core coastal datasets including beach profile monitoring, flood mapping for the coast and has invested in saltmarsh monitoring in partnership with the Eyre Peninsula Landscape Board (**Recommendation 5(a)**).
- The Board appointed the Climate Science Advisory Committee in early 2023, whose remit is to review sea level rise data and to provide advice on the policy implications of amending sea level rise allowances in light of recent Intergovernmental Panel on Climate Change (IPCC) climate change projections. The committee has met twice and is providing a report to the Board in December 2023 (**Recommendations 2(b), 5(b)**).

Further detail on progress to date for each recommendation is included in Appendix 2.

Appendix 1- ERDC recommendations delivered through reform areas

ERDC recommendations will continue to be delivered by the following reform areas:

1. The vision for our coast
2. A contemporary Coast Protection Act
3. Coast Protection Board leadership
4. Adapting for change
5. Strengthening connections
6. Funding for the future
7. Evidence based decisions

ERDC RECOMMENDATION	REFORM AREA						
	1	2	3	4	5	6	7
1. State government: a. retains the <i>Coast Protection Act 1972</i> and a statutory authority (the Board) that is mandated with leadership responsibility to conserve, protect, and manage the coast;							
b. commits to a Bill to amend the Act and presents a report to both Houses in late 2022/early 2023 in which it outlines how amendments of the Act will proceed and how state government will collaborate with stakeholders and the community on the development of a Statute Amendment Bill; and							
c. commits to inserting a provision within the Bill that ensures the Act will be regularly reviewed.							
2. State government: a. aligns the membership of the Board to ensure the skillset remains relevant to the functions as set out in the Bill;							
b. ensures that Board members are vested with particular skills and expertise, or the Board be supported to make better use of advisory panels; and							
c. considers the Board's functions in accordance with planning and development legislation and commits to resourcing appropriately skilled support staff to provide evidence-based advice for decisions.							
3. State government commits to inserting a provision into the Bill on objects or principles that support integrated coastal management objectives and address contemporary coastal impacts and are aligned with other statutes with jurisdiction in coastal areas.							
4. State government: a. commits to positing the Board in legislation as the leader and authoritative voice for state wide integrated coastal management and strategy; including planning and development, coastal conservation and climate change adaptation policy; and developing, or causing to be developed, best practice coastal management techniques;							

b. commits to inserting a provision into the Bill that gives the Board's state wide strategies and/or policies a statutory basis;							
c. commits to amendments to ensure strategies and/or policies made under the <i>Planning, Development and Infrastructure Act 2016</i> and <i>Landscape South Australia Act 2019</i> are consistent with, and incorporate, the Board's strategies and/or policies to ensure an integrated and collaborative approach to coastal management;							
d. considers amending the definition of 'coast' to ensure it is sufficient to enable the Board to undertake its functions in accordance with the draft Bill, and the <i>Planning, Development and Infrastructure Act 2016</i> , and that the definition facilitates the Board in a leadership role in integrated coastal management;							
e. considers removing the need to develop management plans based on coast protection districts, but considers the role of the Board in developing authoritative documents (as needed) that are based upon environmental imperatives, such as bio- or geophysical, to address coastal hazards and impacts; and							
f. commits to providing the Board with sufficient authority and resources to lead monitoring and adaptive policy responses for sea level rise, and development of state wide strategies and/or policies for managing coastal impacts, in partnership with regional authorities.							
5. State government:							
a. commits to providing the Board with appropriate authority and resourcing to undertake development of a state wide research strategy for coastal areas, and support for the strategic collection of local data, in collaboration with stakeholders; and							
b. commits to including a legislative mechanism in the Bill to require the Board to commit to ongoing monitoring and review of sea level rise policy, and regular reporting and publishing of the data collected.							
6. State government:							
a. commits to developing an equitable, sustainable and sufficient funding model with the Board and other stakeholders that is long-term and aligns with state wide and regional coastal policies and strategies;							
b. commits to a long-term strategy in finding an intergovernmental and cross-agency solution to the issue of applicants requiring multiple referrals to different agencies for any one development application including: a) considering increasing technical expertise within regional areas; and b) assessing the Limestone Coast Local Government Association pilot program of hosting a regional coastal officer							
c. commits to maintaining a sufficient amount of staff with appropriate skills and expertise within the Coast Protection Branch within DEW to support the work of the Board and regional councils.							
7. State government:							
a. commits to making the Board's processes and decisions more transparent and inclusive of the public; and							
b. considers incorporating provisions within the Bill that allow the Board to evaluate its performance against national and international indicators, such as coastal health.							
8. State government:							

<p>a. considers developing a framework, in collaboration with stakeholders, to clarify responsibility and decision-making for protection, development, monitoring and compliance in coastal areas and makes this publicly available; and</p>							
<p>b. considers that any legislative reform to the powers and functions of the Board to regulate coastal works must consider and align with existing powers and objectives in the <i>Environment Protection Act 1993</i> and the <i>Planning, Development and Infrastructure Act 2016</i>.</p>							
<p>9. State government following implementation of an amended Act: a. in collaboration with the State Planning Commission, commits to a cross-agency review of the operation of the Board and its objectives, as a referral agency in accordance with the Planning and Design Code; and</p>							
<p>b. commits to reviewing the role of the Board and state and local government authorities in approving and undertaking coastal protection works.</p>							
<p>10. State government commits to legislating community engagement and consultation within the decision-making processes of the Board.</p>							
<p>11. State government considers inserting a provision in the Bill that sets out a framework for the Minister's limited and publicly notifiable direction of the Board.</p>							

Appendix 2 – Progress on ERDC recommendations

ERDC RECOMMENDATIONS	GOV. RESPONSE (May 2022)	PROGRESS TO DATE
<p>1. State government:</p> <p>a. retains the <i>Coast Protection Act 1972</i> and a statutory authority (the Board) that is mandated with leadership responsibility to conserve, protect and manage the coast;</p>	<p>SUPPORTED</p> <p>The state government is committed to retaining the Coast Protection Board (the Board) and reviewing the <i>Coast Protection Act 1972</i> (the Act).</p>	<p>COMMENCED</p> <p>In 2022 the Board developed a three-year strategic priorities plan which was reviewed and recast in partnership with DEW in July 2023.</p>
<p>b. commits to a Bill to amend the Act and presents a report to both Houses in late 2022/early 2023 in which it outlines how amendments to the Act will proceed and how state government will collaborate with stakeholders and the community on the development of a Statute Amendment Bill; and</p>	<p>The state government will report to both Houses of Parliament on the outcomes of the review in 2023.</p>	<p>COMMENCED</p> <p><i>Progress Report to Parliament – Reform Opportunities: Preparing South Australia’s Coast</i> has been drafted and provided to Cabinet for noting.</p>
<p>c. commits to inserting a provision within the Bill that ensures the Act will be regularly reviewed.</p>	<p>The inclusion of a provision to review the Act regularly will be considered as part of the review of the Act.</p>	<p>SUPPORTED</p> <p>Identified to be addressed through the proposed reform program.</p>
<p>2. State government:</p> <p>a. aligns the membership of the Board to ensure the skillset remains relevant to the functions as set out in the Bill;</p>	<p>SUPPORTED</p> <p>Appropriate skillsets for Board members will be considered as part of the review of the Act.</p>	<p>SUPPORTED</p> <p>Identified to be addressed through the proposed reform program.</p>
<p>b. ensures that Board members are vested with particular skills and expertise, or the Board be supported to make better use of advisory panels; and</p>	<p>The most appropriate means by which the Board can be supported by advisory panels will be considered as part of the review of the Act. The government will ensure that the Board is appropriately supported in accord with the Act.</p>	<p>COMMENCED</p> <p>The Board appointed a Climate Science Advisory Committee in early 2023, whose remit is to review sea level rise data and to provide advice on the policy implications of amending sea level rise allowances in light of recent IPCC climate change projections. The committee has met twice and is providing a report to the Board in December 2023.</p>

ERDC RECOMMENDATIONS	GOV. RESPONSE (May 2022)	PROGRESS TO DATE
<p>c. considers the Board’s functions in accordance with planning and development legislation and commits to resourcing appropriately skilled support staff to provide evidence-based advice for decisions.</p>	<p>Continued support from the Department for Environment and Water will provide the Board with policy, planning, scientific, engineering and administrative support.</p>	<p>COMMENCED</p> <p>Referrals to the Board have been progressively streamlined in improving the <i>Planning and Design Code</i>. DEW and the Board have sought to advance <i>State Planning Policy 13 (Coastal Environment)</i> and better integrate the Board’s policies into the planning system by:</p> <ul style="list-style-type: none"> • Providing submissions to the 2023 <i>Miscellaneous and Technical Enhancement Code Amendment</i> to ensure that the Board’s policies are adequately represented in the <i>Planning and Design Code</i> (Recommendations 4(c) and 4(e)). • Assisting the Department for Trade and Investment (on behalf of the State Planning Commission) develop Regional Plans to ensure coastal landscapes and features are appropriately recognised. This includes mapping blue carbon habitats requiring protection (Recommendation 4(c)). <p>The Board has provided submissions via the public consultation process on the <i>Hydrogen and Renewable Energy Bill</i>, the <i>Landscapes South Australia 2019</i> review, the <i>Greater Adelaide Regional Plan</i> discussion paper and the <i>Infrastructure SA 20-year strategy</i> discussion paper.</p>
<p>3. State government commits to inserting a provision into the Bill on objects or principles that support integrated coastal management objectives and address contemporary coastal impacts and are aligned with other statutes with jurisdiction in coastal areas.</p>	<p>SUPPORTED</p>	<p>COMMENCED</p> <p>Identified to be addressed through the proposed reform program.</p> <p>The Coast Protection Board is funding a jurisdictional review of legislation and adaptation planning to inform the development of a best practice model for South Australia.</p>

ERDC RECOMMENDATIONS	GOV. RESPONSE (May 2022)	PROGRESS TO DATE
<p>4. State government:</p> <p>a. commits to positing the Board in legislation as the leader and authoritative voice for statewide integrated coastal management and strategy; including planning and development, coastal conservation and climate change adaptation policy; and developing, or causing to be developed, best practice coastal management techniques;</p>	<p>SUPPORTED</p> <p>The state government is committed to the Coast Protection Board remaining the appropriate statutory authority for statewide integrated coastal management and strategy.</p>	<p>COMMENCED</p> <p>Workshops undertaken within DEW on key policy issues supported refining the objects and principles of the Act. The outcomes of these workshops has contributed to determining the key reform themes.</p>
<p>b. commits to inserting a provision into the Bill that gives the Board’s statewide strategies and/or policies a statutory basis;</p>	<p>The state government will consider providing a statutory basis for the Coast Protection Board’s statewide strategies and/or policies as part of the review of the Act.</p>	<p>COMMENCED</p> <p>The Coast Protection Board has updated and refreshed its policy document which was released in 2022. This will be more comprehensively reviewed following the advice from the Climate Science Advisory Committee in early 2024.</p> <p>Workshops undertaken within DEW on key policy issues supported consideration of a statewide coastal strategy and statutory policies to be included in any review of the Act.</p> <p>Identified to be addressed through the proposed reform program.</p>
<p>c. commits to amendments to ensure strategies and/or policies made under the <i>Planning, Development and Infrastructure Act 2016</i> and <i>Landscape South Australia Act 2019</i> are consistent with, and incorporate, the Board’s strategies and/or policies to ensure an integrated and collaborative approach to coastal management;</p>	<p>The state government will continue to facilitate consistency between Board strategy and policy and the <i>Planning, Development and Infrastructure Act 2016</i> (PDI Act) and associated planning instruments.</p> <p>The state government will consider any amendments that may be required to the <i>Landscape South Australia Act 2019</i> and other relevant Acts as a result of a review of the <i>Coast Protection Act 1972</i>.</p>	<p>COMMENCED</p> <p>Planning system amendments - Referrals to the Coast Protection Board have been progressively streamlined in improving the <i>Planning and Design Code</i>. DEW and the Coast Protection Board have sought to advance <i>State Planning Policy 13 (Coastal Environment)</i> and better integrate the Board’s policies into the planning system by:</p> <ul style="list-style-type: none"> • Provided submissions to the 2023 <i>Miscellaneous and Technical Enhancement Code Amendment</i> to ensure that the Board’s policies are adequately represented in the

ERDC RECOMMENDATIONS	GOV. RESPONSE (May 2022)	PROGRESS TO DATE
		<p>Planning and Design Code (Recommendations 4(c) and 4(e)).</p> <ul style="list-style-type: none"> Assisting the Department for Trade and Investment (on behalf of the State Planning Commission) develop Regional Plans to ensure coastal landscapes and features are appropriately recognised, this includes mapping blue carbon habitats requiring protection (Recommendation 4(c)). <p>The Board has provided submissions via the public consultation process on the <i>Hydrogen and Renewable Energy Bill</i>, the <i>Landscapes South Australia 2019</i> review, the <i>Greater Adelaide Regional Plan</i> discussion paper and the <i>Infrastructure SA 20-year strategy</i> discussion paper.</p>
<p>d. considers amending the definition of 'coast' to ensure it is sufficient to enable the Board to undertake its functions in accordance with the draft Bill, and the <i>Planning, Development and Infrastructure Act 2016</i>, and that the definition facilitates the Board in a leadership role in integrated coastal management;</p>	<p>The state government will consider any changes to the definition of the coast in the <i>Coast Protection Act 1972</i> and <i>Coast Protection Regulations 2015</i> that may be required as a result of the review of the Act.</p>	<p>SUPPORTED</p> <p>Identified to be addressed through the proposed reform program.</p>
<p>e. considers removing the need to develop management plans based on coast protection districts, but considers the role of the Board in developing authoritative documents (as needed) that are based upon environmental imperatives, such as bio- or geophysical, to address coastal hazards and impacts; and</p>	<p>The state government will consider contemporising and removing redundant sections of the Act in its review. The need for management plans has been superseded by more recent legislation such as the <i>Planning, Development and Infrastructure Act 2016</i> and the <i>Landscape South Australia Act 2019</i>. Alternative measures, such as statutory policy and special management area planning will be considered.</p>	<p>COMMENCED</p> <p>Workshops undertaken within DEW on key policy issues supported the role of coast protection districts, management plans and restricted areas in the Act. The outcomes of these workshops have contributed to determining the key areas of reform including adaptation planning.</p> <p>Identified to be addressed through the proposed reform program.</p>

ERDC RECOMMENDATIONS	GOV. RESPONSE (May 2022)	PROGRESS TO DATE
<p>f. commits to providing the Board with sufficient authority and resources to lead monitoring and adaptive policy responses for sea level rise, and development of statewide strategies and/or policies for managing coastal impacts, in partnership with regional authorities.</p>	<p>The state government commits to building the capacity of the Board and its coastal management partners to develop best practice monitoring and adaptive policy responses for sea level rise and statewide strategies and/or policies for managing coastal impacts.</p>	<p>COMMENCED</p> <p>The Board appointed the Climate Science Advisory Committee in early 2023, whose remit is to review sea level rise data and to provide advice on the policy implications of amending sea level rise allowances in light of recent IPCC climate change projections. The committee has met twice and is providing a report to the Board in December 2023.</p> <p>The Board has been improving its understanding of First Nations through cultural training and meeting First Nation representatives on site when visiting regions to hear first-hand the coastal issues of concern to their communities.</p> <p>DEW has been developing and submitting proposals to the Australian Government's <i>Disaster Ready Fund</i> (DRF) with success in securing funds from <i>Disaster Risk Reduction Program</i> in 2022 for <i>Sea Flood Mapping for Port Adelaide</i> project.</p>
<p>5. State government:</p> <p>a. commits to providing the Board with appropriate authority and resourcing to undertake development of a statewide research strategy for coastal areas, and support for the strategic collection of local data, in collaboration with stakeholders; and</p>	<p>SUPPORTED</p> <p>The state government is committed to resourcing the development of a statewide coastal research strategy to inform the strategic and collaborative collection of data to underpin improved evidence-based decision-making for coastal development planning, policy and adaptation measures.</p>	<p>COMMENCED</p> <p>The Board supports funding of core datasets including beach profile monitoring, flood mapping for the coast and saltmarsh monitoring in partnership with the Eyre Peninsula Landscape Board.</p> <p>SA Climate Ready Coasts is undertaking a stocktake of coastal management data which will identify critical datasets and gaps that need to be considered.</p>
<p>b. commits to including a legislative mechanism in the Bill to require the Board to commit to ongoing monitoring and review of sea level rise policy, and regular reporting and publishing of the data collected.</p>	<p>The inclusion of a provision of legislative mechanisms that enable ongoing monitoring, review and reporting of sea level rise policy and associated data will be considered as part of the review of the Act.</p>	<p>COMMENCED</p> <p>The Board appointed the Climate Science Advisory Committee in early 2023, whose remit is to review sea level rise data and to provide advice on the policy implications of amending sea level rise allowances in light of recent IPCC climate change projections. The committee has</p>

ERDC RECOMMENDATIONS	GOV. RESPONSE (May 2022)	PROGRESS TO DATE
		<p>met twice and is providing a report to the Board in December 2023.</p> <p>Identified to be addressed through the proposed reform program.</p>
<p>6. State government:</p> <p>a. commits to developing an equitable, sustainable and sufficient funding model with the Board and other stakeholders that is long-term and aligns with statewide and regional coastal policies and strategies;</p>	<p>SUPPORTED</p> <p>The state government is committed to the development of a funding model in partnership with other levels of government and stakeholders.</p>	<p>COMMENCED</p> <p>The Board undertaking a jurisdictional review of legislation and adaptation planning to inform the development of a best practice model for South Australia.</p>
<p>b. commits to a long-term strategy in finding an intergovernmental and cross-agency solution to the issue of applicants requiring multiple referrals to different agencies for any one development application; including:</p> <p>a) considering increasing technical expertise within regional areas; and</p> <p>b) assessing the Limestone Coast Local Government Association pilot program of hosting a regional coastal officer; and</p>	<p>The state government planning reform has streamlined referrals; only referrals which require “expert” assessment are to be referred to a prescribed body (e.g. the Coast Protection Board).</p>	<p>COMMENCED</p> <p>Referrals to the Board have been progressively streamlined in improving the <i>Planning and Design Code</i>. DEW and the Board have sought to advance <i>State Planning Policy 13 (Coastal Environment)</i> and better integrate the Board’s policies into the planning system by:</p> <ul style="list-style-type: none"> • Providing submissions to the 2023 <i>Miscellaneous and Technical Enhancement Code Amendment</i> to ensure that the Board’s policies are adequately represented in the Planning and Design Code (Recommendations 4(c) and 4(e)). • Assisting the Department for Trade and Investment (on behalf of the State Planning Commission) develop Regional Plans to ensure coastal landscapes and features are appropriately recognised. This includes mapping blue carbon habitats requiring protection (Recommendation 4(c)). <p>DEW has commenced work on the SA Climate Ready Coasts Program in partnership with the LGA SA. This 3-year program, is assisting coastal councils across SA, based on sound baseline data</p>

ERDC RECOMMENDATIONS	GOV. RESPONSE (May 2022)	PROGRESS TO DATE
		to improve decision making in partnership with the Board and councils.
<p>c. commits to maintaining a sufficient amount of staff with appropriate skills and expertise within the Coast and Marine Branch within the Department for Environment and Water to support the work of the Board and regional councils.</p>	<p>The state government will review resources available to support the Coast Protection Board and regional councils, including within the department, and the potential for providing support for the regions.</p>	<p>COMMENCED</p> <p>Since 2021, the Board is continuing to improve its relationships with and guidance for coastal councils:</p> <ul style="list-style-type: none"> • The Board has held a series of forums with CEOs and the Presiding Member of the Board. • The Board receives regional presentations at Board meetings to improve its understanding of issues being faced by regional coastal councils. • Since Spring 2022, quarterly Board newsletters has been distributed to key stakeholders and provided online. • The Board and DEW are continuing to build relationships with and work closely with coastal councils and provide advice and expertise on a daily basis on coastal management issues across South Australia.
<p>7. State government:</p> <p>a. commits to making the Board’s processes and decisions more transparent and inclusive of the public; and</p>	<p>SUPPORTED</p>	<p>COMMENCED</p> <p>The Board profile and presence has been improved through website enhancements, preparation and release of quarterly newsletters, and preparation of Key Outcomes Statements released after every Board meeting to improve transparency on Board business.</p>
<p>b. considers incorporating provisions within the Bill that allow the Board to evaluate its performance against national and international indicators, such as coastal health.</p>	<p>The inclusion of provisions for evaluating the Board’s performance will be considered as part of the review of the Act.</p>	<p>SUPPORTED</p> <p>Identified to be addressed through the proposed reform program.</p>

ERDC RECOMMENDATIONS	GOV. RESPONSE (May 2022)	PROGRESS TO DATE
<p>8. State government:</p> <p>a. considers developing a framework, in collaboration with stakeholders, to clarify responsibility and decision-making for protection, development, monitoring and compliance in coastal areas and makes this publicly available; and</p>	<p>SUPPORTED</p> <p>The state government will consider an appropriate framework to best communicate the roles and responsibilities of coastal managers, regulators and authorities, and the decision-making processes related to their functions of protection, development, monitoring and compliance along the coast.</p>	<p>SUPPORTED</p> <p>Identified to be addressed through the proposed reform program.</p>
<p>b. considers that any legislative reform to the powers and functions of the Board to regulate coastal works must consider and align with existing powers and objectives in the <i>Environment Protection Act 1993</i> and the <i>Planning, Development and Infrastructure Act 2016</i>.</p>	<p>In the review of the Act, any legislative reform that amends the powers and functions of the Board will consider, and seek alignment with, related operational Acts.</p>	<p>COMMENCED</p> <p>The Board has provided submissions via the public consultation process on the <i>Hydrogen and Renewable Energy Bill</i>, the <i>Landscapes South Australia 2019</i> review, the <i>Greater Adelaide Regional Plan</i> discussion paper and the <i>Infrastructure SA 20-year strategy</i> discussion paper.</p>
<p>9. State government following implementation of an amended Act:</p> <p>a. in collaboration with the State Planning Commission, commits to a cross-agency review of the operation of the Board and its objectives, as a referral agency in accordance with the Planning and Design Code; and</p>	<p>SUPPORTED</p> <p>Any review of the <i>Coast Protection Act 1972</i> will include an assessment of the operation of the Board as a prescribed referral body under the <i>Planning, Development and Infrastructure Act 2016</i> (noting that the planning reform has only recently commenced full operation) and seek State Planning Commission input;</p>	<p>SUPPORTED</p> <p>Identified to be addressed through the proposed reform program.</p>
<p>b. commits to reviewing the role of the Board and state and local government authorities in approving and undertaking coastal protection works.</p>	<p>Including considering how to optimise the role of the Board and state and local government authorities in approving and undertaking coastal protection works.</p>	<p>SUPPORTED</p> <p>Identified to be addressed through the proposed reform program.</p>

ERDC RECOMMENDATIONS	GOV. RESPONSE (May 2022)	PROGRESS TO DATE
<p>10. State government commits to legislating community engagement and consultation within the decision-making processes of the Board.</p>	<p>SUPPORTED</p>	<p>SUPPORTED Identified to be addressed through legislative review.</p>
<p>11. State government considers inserting a provision in the Bill that sets out a framework for the Minister’s limited and publicly notifiable direction of the Board.</p>	<p>SUPPORTED</p>	<p>SUPPORTED Identified to be addressed through legislative review.</p>

Published by the Department for Environment and Water.
Government of South Australia
October 2023

ABN

Paper prepared by:
Department for Environment and Water
Coast Protection Branch
Environment, Heritage and Sustainability Directorate

www.environment.sa.gov.au



With the exception of the Piping Shrike emblem, other material or devices protected by Aboriginal rights or a trademark, and subject to review by the Government of South Australia at all times, the content of this document is licensed under the Creative Commons Attribution 4.0 Licence. All other rights are reserved.

© Crown in right of the State of South Australia



**Government
of South Australia**

Department for
Environment and Water