SEA LEVEL RISE PROBLEM
DEFINITION CONSULTATION RESPONSE

BACKGROUND

Following a sea level rise forum hosted by the Premier’s Climate Change Council (PCCC) in April 2013 the Local Government Association of South Australia (LGA), Department of Environment, Water and Natural Resources (DEWNR) and the Coast Protection Board (CPB) commissioned the development of a ‘Sea Level Rise Problem Definition Paper’ (the paper).

It was recognised by the PCCC that there are a number of deeply entrenched and contrary positions on priorities for managing the coastal zone, which has led to numerous examples (across both State and Local Government) where decisions have been made that place communities and key Council assets at risk from coastal hazards.

In light of the growing physical challenges and various competing interests, the PCCC recommended the commissioning of a paper to clarify the frameworks that exist in South Australia, as a baseline from which to negotiate reform of priorities in the coastal zone, and on which to develop an effective mechanism for strategic coastal zone management.

The aim of the paper was to quantify the extent of work required to achieve an ‘ideal coastal management system’ in South Australia, and to provide recommendations on which pathways to take towards achieving the ideal system.

The paper incorporated 11 recommendations with a range of measures to increase capacity in governance, strategy, risk assessment, evaluation, communication and implementation of coastal adaptation actions.

From these recommendations, three have been highlighted through consultation as priorities for the LGA to pursue as part of its coastal management work plan, namely:

1. further develop the ‘Model Sea Level Rise Management Framework’;
2. expand responsibilities and resources of the Coast Protection Board or create a new entity and give them responsibility for leadership on sea level rise management; and
3. review governance and institutional mechanisms to support the effective functioning of the framework.

1. THE MODEL FRAMEWORK

The ‘Model Framework’ (the framework) was developed to ‘provide strategic coordination to complement and enhance the ways in which existing systems operate to manage sea level rise’.

Existing systems (as defined in the project scope) are:

- land use planning (and policies of the Coast Protection Board);
- natural resource management;
- asset management;
- environmental protection; and
- property and user rights.
Existing systems were analysed in the context of how they currently operate to achieve the following:

- risk assessment and adequate protection of existing community assets;
- development assessment and control of approvals for new development;
- protection of environmental assets; and
- defence against liability.

The framework was also developed with cognisance of the need for the following:

- value for money; and
- minimal disruption of services.

2. Creating an Entity with Responsibility for Sea Level Rise Management

Due to the large number of agencies, industries and communities involved in managing and utilising the coast, it was acknowledged that for a framework to be successful, there would also need to be an entity that was dedicated to facilitating its development and implementation.

This entity would be responsible for (but not limited to):

- identifying State-wide priorities and objectives for sea level rise management;
- co-ordinating sea level rise adaptation across sectors and jurisdictions;
- communicating roles and responsibilities of sea level rise management;
- providing guidance and support; and
- engaging with stakeholders.

The paper looked at existing management arrangements and identified that no existing entity currently had the remit or resources to take on the functions listed above. As long as the functions are fulfilled, the paper does not specify a preference to expansion of existing remits or establishment of a new entity.

However, the Coast Protection Board (CPB) would seem the most obvious contender for expansion due to the coastal expertise that currently resides on the Board and within DEWNR.

The CPB currently carries out restoration and protection works along the coast, in addition to managing and maintaining the coastal resources for which it is responsible. The CPB advises the State Government on the development of coastal policy, as well as providing Councils with direction and advice in relation to coastal development.

For the CPB to function in the above capacity, its remit would need to be expanded from coastal management and policy setting entity to one with responsibility for developing State-wide priorities and a strategic direction for sea level rise management. This would include facilitating planning activities at the appropriate level and expediting implementation of adaptation actions.

3. Governance and Institutional Mechanisms to Support the Framework

It will be essential to underpin the activities outlined in recommendations one and two with governance/institutional arrangements that support its effective and consistent operation across the State.
The aim of the framework was ‘to complement and enhance the way in which existing systems operate’. The paper has identified that a good place to start to identify ways to enhance existing systems would be to consider the recommendations in the CPB’s submission to Expert Panel for Planning Reform. The report outlines current issues faced by the CPB and identifies ways they believe the current planning system can be enhanced with regard to sea level rise management.

In further developing the framework, additional work will be required to analyse the legislation and policy frameworks of other (related) existing systems to identify gaps and opportunities for reform to support sea level rise management.

It is envisaged that in negotiating reform of priorities in the coastal zone, that legislation/policy reform will be pivotal in achieving progress towards the ‘ideal coastal management system’.

FINDINGS OF THE PAPER

The paper acknowledges that ‘existing systems for coastal management do have good policy and system architecture in place to support improved adaptation to sea level rise’, and has developed its position based on this premise.

The framework calls for a high level State-wide assessment of the entire coastline to be undertaken, so that high value and high risk locations can be identified. Once this has been achieved, assessment, prioritisation and allocation of roles and responsibilities for adaptation action can be completed at the regional level, through the Regional Adaptation Planning (RAP) process.

It is acknowledged that the RAP process worked well for assessment, prioritisation and determining which adaptation actions to progress. However, for the regions that have completed their plans, attracting the funding to implement adaptation actions has been challenging.

As the paper states, this is likely because ‘there are still clearly identifiable gaps in strategic planning, prioritising and scheduling of investment for adaptation’. The framework therefore advocates that adaptation actions are expressed through enhancements to existing systems (listed above). From a Council perspective, these systems are predominantly land use planning and asset management.

WHAT WE HEARD

After considering the feedback from 17 coastal Councils, it is clear the Local Government sector is seeking the development of a ‘well informed State Government strategic plan for the management of sea level rise’.

The framework proposed in the paper does not currently represent the transformational change required to achieve this. However, it is clear that taking steps towards the development of a strategic framework is required before coastal Councils will advocate for enhancement of existing systems.

This is largely due to the experience Councils have had in utilising existing systems to deliver adaptation outcomes. Climate risk considerations are currently lacking in the strategic and operational processes currently utilised by Councils and the governance and institutional arrangements currently in place are not sufficient to support expansion of scope to consider climate risks.
As part of the feedback, a critique of current tools available to Councils to manage climate
related risk was undertaken. The conclusion is that the development assessment process is
the only tool currently available to manage the challenges associated with sea level rise (and
other climate impacts), due to a complete lack of spatial planning with regard to sea level
rise management.

There is an ‘absence of a strategic approach to land use planning as it relates to sea level
rise’ and the 30 Year Plan for Greater Adelaide is ‘effectively silent on land use planning for
adaptation’.

Given that CPB policies only consider new development and not the risks to existing
development (or costs associated with alleviating these risks) of inundation of existing
properties and threat to life, current provisions are inadequate to manage immediate,
medium and long term risks.

The development assessment process does not offer a strategic and proactive approach to
management of sea level rise risk and was never intended to. As the paper notes, ‘in the
absence of a coordinated and strategic approach to adaptation to sea level rise, the default
management system will be reactive to the most immediate risk’.

The feedback provides evidence that current public works systems are struggling to react to
even the most immediate risks, with the financial burden of a reactive approach often
resulting in no action being taken, even when clear evidence of risk exists. This issue is
further demonstrated by the difficulties experienced in implementing the actions of the RAPs.

There is a strong conviction in the consultation responses that:
   a) the development of a sound strategic planning and investment program is the most
effective mechanism through which to resource adaptation activities in the medium
and long term; and that
   b) funds are urgently required to tackle immediate risks if millions of dollars of assets
and community safety is not to be put at considerable risk.

**LGA RESPONSE**

Research findings from the LGA/DEWNR funded Science to Solutions (StoS) project identify
that gaps in existing systems persist largely due to governance and institutional
arrangements not supporting strategic and co-ordinated implementation of appropriate
adaptation actions for sea level rise management.

They confirm that there is a lack of consideration of climate risk in current strategic and
operational practices and that the current governance and institutional frameworks do not
support expanding the scope to accommodate climate risk considerations.

The barriers that have been identified both via consultation on the paper and through the
StoS research broadly align with those already being tackled in Europe through the
implementation of Integrated Coastal Zone Management (ICZM), which as the paper notes
has consistently failed in Australia due to ‘the diverse and conflicting stakeholder interests
and the (in)ability of institutional structures, governance instruments and practices currently
in place’.

A key aspect of the European approach is subsidiarity. The ICZM framework has been
developed so that impacts can be managed by the least centralised competent authority
(i.e., decisions should be taken at a local level if possible, rather than by centralised
Government).
In the South Australian context, this means that the Federal Government would set the national objectives for sea level rise management, but the individual States/Territories would need to determine the most appropriate strategy to achieve the objectives.

At the State level, the distinction is that the strategic lead would come from State Government and the operational lead would come from Local Government. This has been proven as an effective model in Europe, but there were (and still are) many barriers to overcome.

The model relies on all tiers of Government having adequate governance and institutional capacity to implement effective direction, strategy and policy, and for supportive values and a commitment to achieve the level of integration required. This is not currently the case for any of the tiers of Australian Government.

Success in Europe has been attributed to ensuring proper allocation of competencies, functions and tasks across Government levels, providing strong strategic leadership at the Federal and State levels and incorporation of coastal management considerations into ongoing refinements to governance and institutional arrangements.

This has been achieved through utilising/strengthening existing spatial strategies, plans and policies to demonstrate the need for reliable resourcing for both funding and expertise. In the absence of a strategic plan and investment program for sea level rise management, achieving this goal in South Australia is currently untenable.

**RECOMMENDATION**

The LGA has recently sought endorsement from the LGA Board to develop a position based on the outcomes of the paper and consultation, for the preferred approach in developing a strategic plan and a governance/institutional framework for sea level rise management.

It was noted during the consultation that there are synergies between the concerns raised by Councils in managing flood risk from both coastal inundation and storm water.

The Stormwater Management Agreement has been recently updated to incorporate the requirement that the Stormwater Management Authority (SMA) develop a 10 year Strategic Plan and a two-year Operational Plan, in addition to its function as a governing, coordinating, enabling and financing body.

This enhanced model also presents opportunities for managing inundation from sea level rise in a way that will meet the current requirements of the Local Government sector.

The LGA is currently exploring the benefits of:

a) expanding the remit of the SMA to include coastal inundation (which is closely linked to the management of storm water in most areas);  
b) expanding the CPB remit to include strategic leadership for coastal management (plus the other functions of the SMA); and  
c) taking aspects of both the SMA and CPB that work well, and creating a new body (and supporting governance/institutional arrangements) to achieve the strategic outcomes required by Councils for sea level rise management.

It is envisaged that the LGA will develop a position based on the outcomes of an internal investigation and from discussions with State and Local Government. It is likely that the position will be settled within a two month period so that the LGA Secretariat can prepare and provide a report for consideration of the LGA Board at its July 2015 meeting.