

## 8.2 North Creek Coastal Management Program - Stage 1 Scoping Study

### Office of Environment and Heritage

#### Scoping Study Assessment Tool

Name of Scoping Study:	North Creek Coastal Management Program – Stage 1 Scoping Study
Council(s):	Ballina Shire Council
Synopsis/Key issues:	Setting a forward program for integrated catchment-coastal management in the North Creek catchment is a current priority for Ballina Shire Council. The catchment has a history of management challenges related to poor water quality and drainage, with adverse impacts on estuary health as well as agricultural and fisheries industries. The North Creek catchment is the focus area for this first CMP to be completed by Ballina Shire under the new legislation.
OEH contact officer:	Sara Cuthbertson
STL endorsement:	
CC endorsement:	

#### Document History

Version	Date submitted to OEH:	Reviewed by:	Date Review Complete	Action
Preliminary Draft Scoping Study (Rev 1)	September 2018	Sara Cuthbertson, Tim Macdonald and Michelle Fletcher	October 2018	Reviewed against scoping study assessment tool and sent significant comments for extra information to be added into the document.
Preliminary Draft Scoping Study (Rev 2)	February 2019	Sara Cuthbertson	March 2018	Under review – Document has improved but still requires significant amendment to come in line with mandatory requirements.
Final Draft Scoping Study (Rev 3)	December 2019	Sara Cuthbertson	January 2019	Review of this version 3 document against the scoping study assessment tool indicates that this version now meets Mandatory Requirements of the CM Manual. Version to be sent to Ben Fitzgibbon (A/Senior Team Leader) for sign off.

## 8.2 North Creek Coastal Management Program - Stage 1 Scoping Study


*Process Guide: OEH review by regional officer. Optional peer review by CPB. Scoping studies addressing contentious issues / sites or recommending fast track proposals will be referred to the NSW Coastal Council.*

Criteria	Yes	No
Is fast tracking proposed? If no, complete Table 1. If yes, please complete Tables 1 and 2		<u>X</u>
Are changes to Coastal Management Areas mapped under the SEPP proposed to be addressed through a planning proposal	<u>X</u>	

**Table 1 – CMP Scoping Study assessment sheet**

Task	Evidence required	Adequate (Yes / No)	Comments (demonstrate and include document references)
<b>Stakeholder Engagement</b>	<b>Public authority involvement</b> <ul style="list-style-type: none"> <li>Have relevant public authorities been involved in the development of the Scoping Study?</li> </ul>	Yes	Section 3.1.3 and Attachment A, Attachment C An Agency Reference Group has been formed and met in early stages of the scoping study to inform the vision, objectives and scoping study content/focus areas.
	<ul style="list-style-type: none"> <li>Is there evidence of (relevant) public authority commitment to ongoing involvement in CMP development?</li> </ul>	Yes	Section 3.1.3 and Attachment A, Attachment D Ballina Shire Council and other public authorities have committed to the Agency Reference Group and involvement in the CMP development.
<b>Determine the strategic context of Coastal Management</b>	<b>Environmental Context</b> -The document provides an overview of the environmental context, including	Yes	Environmental context is provided in Section 3.1 to 3.10
	<ul style="list-style-type: none"> <li>physical features / coastal processes</li> </ul>		Sections 3.1, 3.2 and across 3.3 – 3.10
	<ul style="list-style-type: none"> <li>sediment compartment / estuary catchment</li> </ul>	Yes	Section 3.1, 3.2, and across 3.3. – 3.10
	<ul style="list-style-type: none"> <li>habitat condition / extent</li> </ul>	Yes	Sections 3.3 – 3.10
	<ul style="list-style-type: none"> <li>significant storm or environmentally significant events since most recent study / coastal plan</li> </ul>	Yes	Section 3.2

## 8.2 North Creek Coastal Management Program - Stage 1 Scoping Study

Task	Evidence required	Adequate (Yes / No)	Comments (demonstrate and include document references)
	<b>Social Context</b> - The document provides an overview of the social context including a description of: <ul style="list-style-type: none"> <li>community demographics / population projections</li> </ul>	Yes	(Mandatory Requirement 12) Section 3.11 and Attachment A
	<ul style="list-style-type: none"> <li>seasonal fluxes</li> </ul>	Yes	Section 3.11 and Attachment A
	<ul style="list-style-type: none"> <li>cultural context / Aboriginal cultural heritage and use</li> </ul>	Yes	Section 3.11 and Attachment A
	<ul style="list-style-type: none"> <li>social values</li> </ul>	Yes	Section 3.11 and Attachment A Section 3.13
	<ul style="list-style-type: none"> <li>projected use of coastal land for infrastructure, housing, commercial, recreational and conservation purposes.</li> </ul>	Yes	(Mandatory Requirement 12) Section 3.4
	<b>Economic Context</b> -The document describes the economic context including coastal related tourism, industries and aquaculture	Yes	Section 3.12 Section 6.1
	<b>Legal / Planning Context</b> – The document provides an overview of <ul style="list-style-type: none"> <li>legislation, land tenure and Environmental Planning Instruments</li> </ul>	Yes	Section 2.1, 2.2, 2.3, 3.15, 3.16
	<ul style="list-style-type: none"> <li>public authority roles</li> </ul>	Yes	Section 2.1 - 2.3, 3.13, Attachment A
	<ul style="list-style-type: none"> <li>any coastal management legal challenges</li> </ul>	NA	None known
	<ul style="list-style-type: none"> <li>existence of a previous Coastal / Estuary Plan</li> </ul>	Yes	Section 1.2, 2.3, Section 3.16
	<ul style="list-style-type: none"> <li>other strategic / planning documents (such as CSP)</li> </ul>	Yes	Section 1.2, 2.3, Section 3.16
	<ul style="list-style-type: none"> <li>the strategic direction established for the coast through planning documents</li> </ul>	Yes	Section 1.2, 2.3, Section 3.16, 3.17
	<b>Barriers</b> - The document identifies barriers including political, governance or capacity.	Yes	Section 3.17
	<ul style="list-style-type: none"> <li>Opportunities to overcome these are discussed.</li> </ul>	Yes	Section 3.17

## 8.2 North Creek Coastal Management Program - Stage 1 Scoping Study

Task	Evidence required	Adequate (Yes / No)	Comments (demonstrate and include document references)
	<b>Enablers</b> – The document describes enablers for coastal management and identifies opportunities to utilise these.	Yes	Part of the narratives in Section 3.1 – 3.17
	<b>Sensitivity and Tolerance</b> – The document provides a discussion of sensitivity, tolerance and vulnerability of the community and natural /built assets and cultural values to coastal hazards and threats	Yes	Part of the narratives in Section 3.1 – 3.17
<b>Establish the purpose, vision and objectives</b>	<b>Vision statement</b> – The vision reflects the local context while remaining consistent with the states overarching vision of managing the coastal environment in a manner consistent with the principles of ESD for the social, cultural and economic well-being of the people of NSW.	Yes	Section 4
	<b>Objectives</b> – Objectives are <ul style="list-style-type: none"> <li>consistent with the 13 objects of the Coastal Management Act</li> </ul>	Yes	Section 4 – developed with Agency Reference Group input
	<ul style="list-style-type: none"> <li>consistent with management objectives in the SEPP</li> </ul>	Yes	Yes
	<ul style="list-style-type: none"> <li>in alignment with the community strategic plan</li> </ul>	Yes	Yes
	<ul style="list-style-type: none"> <li>realistic</li> </ul>	Yes	To be further developed with ARG in Stage 2 after priority studies are complete, and CMP priorities are better understood.
	<ul style="list-style-type: none"> <li>measurable</li> </ul>	Yes	
	<ul style="list-style-type: none"> <li>positive</li> </ul>	Yes	
<b>Identify the scope of the CMP including key management issues and areas</b>	<b>Issues</b> The document provides a list of key issues for consideration in the CMP	Yes	(Mandatory Requirement 3) Section 3.17
	<b>First pass risk assessment</b> – The risk assessment process: <ul style="list-style-type: none"> <li>includes tailored likelihood and consequence scales that are valid, transparent and applicable to environmental, social and economic consequences</li> </ul>	Yes	Section 5.1 Utilises a similar approach to the threat and risk assessment framework for the NSW Marine Estate (MEMA 2015).
	<ul style="list-style-type: none"> <li>utilises information provided through regional scale assessments such as TARA, framework for water quality and hazard mapping where locally specific information is not available</li> </ul>	Yes	Section 5.1 Utilises the threat and risk assessment (TARA) conducted by NSW Marine Estate

## 8.2 North Creek Coastal Management Program - Stage 1 Scoping Study

Task	Evidence required	Adequate (Yes / No)	Comments (demonstrate and include document references)
			using their online tool, and similar risk assessments.
	<ul style="list-style-type: none"> <li>determines and assesses coastal risks, vulnerabilities and opportunities (including without limitation risks to environmental, social and economic values and benefits); and</li> </ul>	Yes	(Mandatory Requirement 6) Section 5.1 and 5.2
	<ul style="list-style-type: none"> <li>considers pathways and planning timeframes from now, 20 years, 50 years and 100 years and beyond (where appropriate)</li> </ul>	?	(Mandatory Requirements 2 and 12) Section 5.1 and 5.2, includes present day, 2050 and 2100 timeframes. I feel like at this stage (preliminary risk assessment) these planning timeframes are enough to determine general risk, however in the full risk assessment present, 20 years, 50 years and 100 years should be considered.
	<ul style="list-style-type: none"> <li>demonstrates consideration of a range of future scenarios including rare or potentially catastrophic events</li> </ul>	Yes	(Mandatory Requirement 12) Utilises high level tidal inundation extents for 2050 and 2100 to assess potential implications for land use, economic and environmental values.
	<ul style="list-style-type: none"> <li>presents the results in a clear manner</li> </ul>	Yes	Section 5.1, 5.2 Tabulated risk assessment for priority issues across social, economic and environmental values for multiple planning horizons.
	<b>Assessment of adequacy of existing information</b> – The document discusses the adequacy of information available for hazards and threats to inform future stages including: <ul style="list-style-type: none"> <li>available hazard mapping and suitability cognisant of the risk levels</li> </ul>	Yes	Section 3 (including 3.2) narratives and Section 5.2
	<ul style="list-style-type: none"> <li>level of uncertainty for high priority risks</li> </ul>	Yes	Section 3, Section 5.2, qualitative consideration of potential uncertainties.
	<ul style="list-style-type: none"> <li>location and integrity of coastal protection works (if available) and social values</li> </ul>	Yes	Rock revetment work along lower estuary banks noted (Section 3.10) Other information not available to consultant.
	<ul style="list-style-type: none"> <li>coastal and catchment processes</li> </ul>	Yes	Section 3
	<ul style="list-style-type: none"> <li>climate change</li> </ul>	Yes	Section 3.2 (and across narratives)

## 8.2 North Creek Coastal Management Program - Stage 1 Scoping Study

Task	Evidence required	Adequate (Yes / No)	Comments (demonstrate and include document references)
	<ul style="list-style-type: none"> <li>other threats to environmental and social values</li> </ul>	Yes	Section 3 narratives
	<b>Coastal Management Areas</b> –The document <ul style="list-style-type: none"> <li>maps coastal management areas</li> </ul>	Yes	Section 3.15
	<ul style="list-style-type: none"> <li>assesses the suitability of management areas to address identified high priority issues</li> </ul>	Yes	Section 3.15
	<ul style="list-style-type: none"> <li>identifies where modifications to boundaries may be sought through a planning proposal?</li> </ul>	Yes	Due to integrated catchment-coastal management issues, notes that modifications are likely needed pending Stage 2 outcomes – Section 3.16
	<b>CMP spatial extent</b> –The document demonstrates that: <ul style="list-style-type: none"> <li>Provides rationale for selecting the proposed CMP area is appropriate and whether it applies to all or part of the coastal zone</li> </ul>	Yes	(Mandatory Requirement 4) Section 1.2 and Section 2.3
	<ul style="list-style-type: none"> <li>consideration has been given to sediment compartment and catchment boundaries</li> </ul>	Yes	Section 1.2, 2.3, and 3.1
	<ul style="list-style-type: none"> <li>the benefits and drivers for larger spatial areas have been considered</li> </ul>	Yes	Section 1.2, 2.3 and 3.11 Inter-related catchment and coastal process both influence change. The larger spatial area of the full catchment and estuary has been included. The broader Richmond River estuary and open coast will be the subject of the Richmond CMP / CZMP conversion.
<b>Review the current coastal management arrangements</b>	<b>Existing Management Plans</b> - The document includes: <ul style="list-style-type: none"> <li>details of previous coastal management related plans</li> </ul>	Yes	Section 2.3 Section 3.16, and Table 16
	<ul style="list-style-type: none"> <li>an audit of implementation</li> </ul>	Yes	Section 3.16, and Table 16 – high level, limited information available, other plans in early stages of implementation
	<ul style="list-style-type: none"> <li>outcomes for actions implemented against intended indicators</li> </ul>	Yes	Section 3.16 – high level, limited information available, other plans in early stages of implementation

## 8.2 North Creek Coastal Management Program - Stage 1 Scoping Study

Task	Evidence required	Adequate (Yes / No)	Comments (demonstrate and include document references)
	<ul style="list-style-type: none"> <li>analysis of implementation barriers for outstanding actions</li> </ul>	Yes	Section 3.16 – high level, limited information available, high level themes – funding and governance/admin limitations.
	<ul style="list-style-type: none"> <li>learnings from implementation process</li> </ul>	Yes	Section 3.16 – high level, limited information available, high level themes – funding and governance/admin limitations.
	<ul style="list-style-type: none"> <li>analysis of coastal emergency response or impacts where a storm event has occurred during the implementation phase</li> </ul>	Yes	Section 3.16 – outlines arrangements in place No examples to analyse.
	<ul style="list-style-type: none"> <li>commentary of integration with IP&amp;R</li> </ul>	Yes	IP&R framework noted – Section 6.3
	<ul style="list-style-type: none"> <li>details of monitoring undertaken</li> </ul>	Yes	Section 3.16 - Limited information to report Opportunity for improved M&E of implementation noted for the CMP.
Identify roles and responsibilities	<b>Responsibilities for CMP development.</b> The document <ul style="list-style-type: none"> <li>nominates a lead applicant for CMP development</li> </ul>	Yes	Ballina Shire Council – noted in Section 6.2
	<ul style="list-style-type: none"> <li>provides evidence of adequate engagement with other public authorities</li> </ul>	Yes	Section 3.1.3 and Attachment A, Attachment C
	<ul style="list-style-type: none"> <li>describes a governance structure that will facilitate collaboration (This may include a description of any intended advisory groups, MoUs etc.)</li> </ul>	Yes	Section 3.1.3 and Attachment A, Attachment C Agency Reference Group.
Determine where action is required	<b>Prioritised list of risks-</b> The document includes a prioritised list of risks including those resulting from coastal hazards and those related to other threats to coastal values	Yes	Section 5.1 and 5.2
	<b>Knowledge Gaps-</b> The document provides an appropriate prioritised list of knowledge gaps to be filled in later stages	Yes	Section 5.2 (recommended studies to fill gaps in Stage 2 and beyond)
	<b>Determine where action will be required in stage 2 –</b> The document recommends appropriate further studies for stage 2	Yes	Section 5.2 (recommended studies to fill gaps in Stage 2)
Prepare a community and stakeholder engagement strategy	<b>Who -</b> The community and stakeholder engagement strategy identifies: <ul style="list-style-type: none"> <li>the broad community, industry and internal and external public authority stakeholder groups to be engaged in developing a CMP</li> <li>the level of participation for each group (using IAP2 Spectrum or similar)</li> </ul>	Yes	Attachment A and Attachment 1 of Attachment A (Summary of Stakeholders)

## 8.2 North Creek Coastal Management Program - Stage 1 Scoping Study

Task	Evidence required	Adequate (Yes / No)	Comments (demonstrate and include document references)
	<b>How</b> – The community and stakeholder engagement strategy identifies: <ul style="list-style-type: none"> <li>a range of proposed strategies for engagement to reach the target audience</li> <li>pathways to engage with aboriginal people and communities</li> <li>specific stakeholder consultation required to align with the preparation of a planning proposal</li> <li>how the community and stakeholder engagement strategy will be evaluated</li> </ul>	Yes	Attachment A and Attachment 2 of A (Communication and Engagement Risk Management)
	<b>What</b> – The community and stakeholder engagement strategy describes: <ul style="list-style-type: none"> <li>the aims and key messages for community and stakeholder engagement</li> <li>specific mapping required to align with the preparation of a planning proposal</li> <li>how the community will be consulted in the preparation of a planning proposal</li> <li>how stakeholders will be consulted in the preparation of a coastal zone emergency action subplan (where CVA is to be mapped)</li> </ul>	Yes	Attachment A  (Mandatory Requirement 5)
	<b>When</b> – The community and stakeholder engagement strategy: <ul style="list-style-type: none"> <li>indicates timing for key engagement activities</li> <li>considers specific stakeholder consultation required to align with the preparation of a planning proposal</li> </ul>	Yes	Attachment A And forward program in Section 6.2
Prepare a preliminary business case	<b>Business case</b> – The scoping Study outlines: <ul style="list-style-type: none"> <li>components required to develop a CMP including costs, responsibilities and indicative timeframes</li> </ul>	Yes	Section 6.1 and Table 31
	<ul style="list-style-type: none"> <li>the benefits of preparing a CMP as proposed</li> </ul>	Yes	Economic analysis – Section 6.1 Also incorporated into threat and issues narratives in Section 3.
	<ul style="list-style-type: none"> <li>the risks associated with preparing and not preparing the CMP</li> </ul>	Yes	Economic analysis – Section 6.1 Also incorporated into threat and issues narratives in Section 3.
	<ul style="list-style-type: none"> <li>fit with the IP&amp;R framework</li> </ul>	Yes	Section 6.3, approach has been to ensure alignment



## 8.2 North Creek Coastal Management Program - Stage 1 Scoping Study

Task	Evidence required	Adequate (Yes / No)	Comments (demonstrate and include document references)
	<ul style="list-style-type: none"> <li>support from relevant public authorities for the process proposed</li> </ul>	Yes	Refers to support noted from Section 3.1.3 and Attachment A, Attachment D
Develop a forward program	<b>Timeframes</b> – are realistic around CMP development such as grant acquisition, consultation, review and exhibition	Yes	Section 6.2 and Table 31
	<b>Planning Proposal (PP)–</b> <ul style="list-style-type: none"> <li>Will a PP be prepared to amend council's Local Environmental Plan (LEP) to include updated boundaries for any coastal management area?</li> <li>Where a PP is proposed, it is this integrated with the <b>proposed</b> CMP preparation time frame?</li> </ul>	Yes	(Mandatory Requirement 5) Likely PP amendment noted in 3.15 and integrated into forward program for CMP preparation in Section 6.2 (preparation of amendment is included in Stage 2).
Documentation	Is the document <i>largely in accordance</i> with Part B stage 1 of the NSW Coastal Management Manual?	Yes	Yes

**Table 2 – Fast-tracking proposal assessment sheet (Mandatory Requirement 7)**

Evidence required	Adequate (Yes / No)	Comments
What fast-tracking is proposed?		<i>Is the council proposing to fast-track from stage 1 to 4, or only complete parts of stages 2 to 3. Please describe the proposal.</i>
Has fast-tracking been justified?		<i>Please demonstrate how this justification is consistent with section 1.11.2 of the manual</i>
Do existing assessments (of coastal risks/ vulnerabilities and opportunities/ evaluation of management options) provide sufficient information to enable council to prepare the CMP		<i>Please describe how the information enables preparation of a CMP in accordance with mandatory requirement 8 and sections 14 and 15 of the CM Act</i>
Has the effectiveness of the existing coastal management been assessed and described?		<i>Please describe how the existing management approaches have been considered and assessed.</i>
Have any circumstances concerning the coastal management of the study area changed?		<i>Please describe how the effectiveness existing coastal management has been considered for the study area?</i>

**Recommended Changes to the Draft Scoping Study (if any)**

Reference	Recommended Change
<b>Examples:</b>	
<b>Whole of Document</b>	
<b>Section 1.1.1</b>	