

Appendix D – Stakeholder and Community Engagement Strategy

Coastal Management Program – Open Coast and Lagoons Stage 1 Scoping Study

Stakeholder and Community Engagement Strategy

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1 Introduction

Coastal management planning involves important decision-making dealing with large, complex and long-term issues. These can have major economic, social and environmental ramifications for coastal communities and indeed for a range of stakeholders who have an interest in coastal assets or in the use of coastal land. Planning ahead for appropriate engagement opportunities throughout development of the Coastal Management Program (CMP) for the Open Coast and Lagoons of the Central Coast is considered imperative, as described in **Section 2**.

There are a range of legislative requirements for community engagement during development of a CMP, as well as local practices and policy considerations, which are outlined within **Section 3** of this Community and Stakeholder Engagement Strategy. The various Public Authorities that are likely to require engagement at relevant stage(s) during development of the CMP are provided in **Section 3.5**, while a range of potential barriers for preparation of CMP planning process are described in **Section 3.6**.

There has been significant community consultation undertaken across the LGA during development of the “One - Central Coast”, Community Strategic Plan 2018-2028 (Council, 2018), with many objectives and actions having clear relevance to coast and catchment management, as described in **Section 3.4.4**.

The requirements for consultation should Council wish to consider submitting a planning proposal for a Local Environmental Plan, such as to amend the mapping associated with the coastal management areas prescribed by the State Environment Planning Policy (Coastal Management) 2018, are described in **Section 4**.

The intent of this Community and Stakeholder Engagement Strategy is to build upon the existing body of knowledge of the issues of concern and opportunities for improvement that have been identified by the wider community, as well as site specific concerns. This information will be utilised to tailor the communications material produced for Stages 2-5 of the CMP, along with additional input gathered during delivery of this project. The proposed methodology for delivery of community and stakeholder engagement is described in **Section 5**. The opportunities for engagement during future CMP audits and review of the CMP are described in **Section 6**.

1.1 Draft Vision and Objectives for the Open Coast & Lagoons CMP.

The Vision created by Council and the community during development of “One – Central Coast, Community Strategic Plan 2018-2028” has strong relevance to this Scoping Study. It is recommended as a **draft Vision** to be further developed and refined in consultation with the local community and stakeholders during the preparation of the CMP:

We are ONE Central Coast - A smart, green and liveable region with a shared sense of belonging and responsibility.

Consistent with the CM Act 2016, the **Objectives** of the Central Coast CMP of Open Coasts and Lagoons are to manage the coastal environment in a manner that is consistent with the principles of ecologically sustainable development for the social, cultural and economic well-being of the people of the Central Coast.

As such, the objectives of the CMP are:

- to protect and enhance natural processes and environmental values of the Central Coast open coast and lagoons;
- to support the social and cultural values of the Central Coast and maintain public access, amenity, use and safety;
- to acknowledge Aboriginal peoples' spiritual, social, customary and economic use of the Central Coast;
- to recognise the subject area as a vital economic zone and to support sustainable coastal economies;
- to facilitate ecologically sustainable development in the Central Coast and promote sustainable land use planning decision-making;
- to mitigate current and future risks from coastal hazards, taking into account the effects of climate change;
- to recognise that the local and regional scale effects of coastal processes, and the inherently ambulatory and dynamic nature of the shoreline, may result in the loss of coastal land to the sea (including estuaries and other arms of the sea), and to manage coastal use and development accordingly;
- to promote integrated and co-ordinated coastal planning, management and reporting;
- to encourage and promote plans and strategies to improve the resilience of coastal assets to the impacts of an uncertain climate future including impacts of extreme storm events;
- to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities;
- to support public participation in coastal management and planning for the Central Coast and greater public awareness, education and understanding of coastal processes and management actions;
- to facilitate the identification of land in the coastal zone for acquisition by public or local authorities in order to promote the protection, enhancement, maintenance and restoration of the environment of the coastal zone; and
- to support the objects of the *Marine Estate Management Act 2014*.

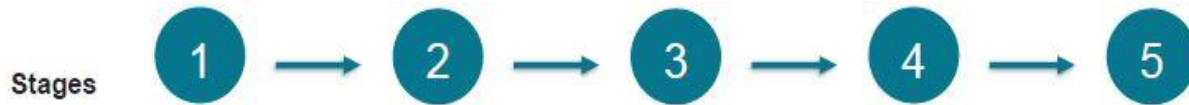
2 Objectives of the Community and Stakeholder Engagement Strategy

The objectives of the Community and Stakeholder Engagement Strategy for the CMP are as follows:

- Engage with stakeholders and review (and update if required) key themes that have been identified via past consultation;
- Utilise engagement and consultation methods which are broadly accepted and familiar to the community, as well as exploring opportunities to incorporate innovative communication techniques that may reach alternative audiences;
- Ensure all stakeholders have up to date information about the CMP project, and the framework within which the CMP project exists;
- Provide the opportunity to have direct input into aspects of the CMP development, and to shape and validate the final CMP; and,
- Ensure the community and stakeholders know where and how to get information relevant to their needs.

2.1 Engagement Overview

An overview of the requirements for engagement at each of the key stages is shown in **Figure 1**, while additional details are provided in the sections below to outline how those requirements will be actioned.



	1	2	3	4	5
	Identify the scope of a CMP	Determine risks vulnerabilities and opportunities	Identify and evaluate options	Prepare, exhibit, finalise, certify and adopt the CMP	Implement, monitor, evaluate and report
Engagement intent	<p>Community/stakeholders Bring all interested parties on board early to share information and ideas (before decisions are made).</p> <p>CMP content Identify stakeholders and prepare stakeholder profile. Review existing information about stakeholder perspectives to help set the focus and priorities of subsequent stages of the CMP.</p>	<p>Community/stakeholders Empower community and stakeholders with knowledge to contribute to decisions in subsequent stages. Share information equitably among stakeholders.</p> <p>CMP content Explore risks, vulnerabilities and opportunities of coastal management. Explore different perspectives on coastal risk management.</p>	<p>Community/stakeholders Share the decision-making dilemma. Establish a process that will be used to choose between options, incorporating community preferences and criteria.</p> <p>CMP content Identify and evaluate opportunities to address coastal risks for relevant coastal management areas, consistent with management objectives.</p>	<p>Community/stakeholders Gain community confidence and support for decisions that are in the documented CMP.</p> <p>CMP content High involvement stakeholders participate in the detailed process of finalising a plan, e.g. within the coastal management advisory committee or other activities relevant to the risks.</p>	<p>Community/stakeholders Maintain community support for and commitment to the CMP, especially among those directly involved in, or impacted by the implementation.</p> <p>CMP content Active community participation in implementation of CMP actions where relevant. Active community participation in monitoring and review of CMP implementation</p>
IAP2 levels of engagement	Inform, consult, involve	Inform, consult, involve	Inform, involve, collaborate	Inform, consult, involve	Inform, involve, collaborate
Level of community influence on decisions	Council retains decision-making about the scope of subsequent stages and will incorporate community input.	Council retains decision-making. Community and stakeholders may contribute to detailed studies on issues of concern and participate in risk assessment and evaluation.	Council, stakeholders and community collaborate to identify the full range of potential responses to manage coastal vulnerabilities and to evaluate options.	Council retains decision-making about the CMP. Community involvement and feedback refine actions in the CMP to address risks considered unacceptable by the community.	Council retains decision-making but will look to the community for advice, innovation and resources to improve implementation of the CMP actions.

Engagement outcomes	<ul style="list-style-type: none"> stakeholders and the community understand how they can be involved in the preparation of a CMP establish working relationships built on mutual trust and respect understand community goals, aspirations, values and priorities understand community motivations to participate in planning and implementation help community understand dynamic nature of coastal processes and the need to set long-term objectives increase community understanding of the new legislative and planning framework –CM Act, CM SEPP and manual determine the engagement activities that are required during the preparation of subsequent stages of the CMP 	<ul style="list-style-type: none"> a shared understanding of risks and opportunities over different timeframes, and the range of actions that could address different risks a shared understanding of the varied perspectives about coastal management within the community council understands community's 'attitude to risk' community and stakeholders understand vulnerabilities, risk and opportunity studies, including technical aspects such as scenarios for sea level rise, hazards and impacts increased community trust of technical information based on their involvement and understanding of assumptions and limitations 	<ul style="list-style-type: none"> strong working partnerships managers within council aware of coastal hazards, threats, risks and vulnerabilities, opportunities and actions relevant to their responsibilities and potential conflict with other council priorities public authorities contribute to identification and evaluation of management options, are aware of responsibilities and accept the adaptive nature of the CMP council understands stakeholder views about cost-benefit distribution, willingness to pay and potential trade-offs robust options, understood by all stakeholders in terms of risks, cost and benefits 	<ul style="list-style-type: none"> community and stakeholder support for actions and priorities in the CMP increased awareness about funding options and how CMP implementation will be integrated with council's Resourcing Strategy and Delivery Program under IP&R public authorities accept roles and responsibilities in the CMP 	<ul style="list-style-type: none"> community understanding of how CMP will be implemented through the IP&R framework and land use planning system; and by other public authorities community informed about progress on actions community is aware of the effectiveness of actions in terms of changes to coastal risk profile, coastal condition and community satisfaction continue partnership with community by creating opportunities for community involvement in implementing, monitoring, evaluating and reporting effectiveness of CMP
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Figure 1: Overview of CMP stakeholder engagement stages (DPIE, 2018)

3 Statutory and Policy Context for Engagement

3.1 State Level

3.1.1 Coastal Management Act 2016

The *Coastal Management Act 2016* (CM Act), at section 16, provides a range of requirements for consultation when undertaking coastal management planning. This includes mandatory consultation with the community, public authorities and adjoining local council in the same coastal sediment compartment or estuary catchment.

The CM Act also requires, at section 17, that a local council may adopt a draft coastal management program and submit it to the Minister for certification, and that the Minister, in certifying the CMP, needs to be satisfied that it has been prepared in accordance with the requirements of the Coastal Management Manual. The Manual provides detailed requirements for engagement and consultation.

Once certified by the Minister, the implementation of the CMP can commence.

In terms of implementation, the CM Act provides, at section 22, that a local council is to give effect to its coastal management program (CMP) in two ways:

- the preparation, development and review of, and the contents of, the plans, strategies, programs and reports to which Part 2 of Chapter 13 of the *Local Government Act 1993* applies; and,
- the preparation of planning proposals and development control plans under the *Environmental Planning and Assessment Act 1979*.

The mechanisms and consultation requirements of the *Environmental Planning and Assessment Act 1979* are discussed below.

3.1.2 Environmental Planning and Assessment Act 1979

It is important to also consider the *Environmental Planning and Assessment Act 1979* (EP&A Act) because there are two processes which overlap - one related to public consultation regarding the CMP and one related to public consultation regarding a proposal to amend a map (or maps) which form part of the CM SEPP. Similar but separate arrangements apply under the CM Act and the EP&A Act.

The EP&A Act provides for State environmental planning policies to be made by the Governor (EP&A Act, section 3.29) and that the SEPP can provide for any matter that, in the opinion of the Minister, is of State or regional environmental planning significance or of environmental planning significance to a district. There is also a requirement that the Minister take such steps, if any, as the Minister considers appropriate or necessary to publicise the intended effect and to seek and consider submissions from the public.

There is no provision within the EP&A Act for a local plan making authority such as Central Coast Council to directly make or amend a State environmental planning policy. There is, however, a power available under Section 3.31 for a local plan making authority to make a local environmental plan. This includes amending Local Environmental Plan (LEP) and Development Control Plan (DCP).

The mechanism by which a LEP is made or amended is via a planning proposal. Sections 3.33 to 3.37 of the EP&A Act provide for the processes, including the preparation of a document explaining the intended

effect and the justification for the proposal. Under section 3.34, there is a "gateway determination" required by the Minister or the Greater Sydney Commission (GSC) and the determination will include the minimum period for public exhibition of the proposal.

The CM SEPP and the NSW Coastal Management Manual provide guidance for linking the CM Act mapping provisions with the EP&A Act requirements. These are examined in that order below.

The Department of Planning and Environment published a *Guide to Preparing Planning Proposals* (DPE, 2016) which outlines the requirements in respect of content and process for a planning proposal.

3.1.3 State Environmental Planning Policy (Coastal Management) 2018

Clause 6 of the State Environmental Planning Policy (Coastal Management) 2018 (CM SEPP) provides that the coastal zone comprises areas mapped as:

- (a) the coastal wetlands and littoral rainforests area,*
- (b) the coastal vulnerability area,*
- (c) the coastal environment area,*
- (d) the coastal use area.*

Clause 6 also defines each of those areas by reference to published maps for each area.

Maps defining the coastal wetlands and littoral rainforest, coastal environment and coastal use areas are contained within the CM SEPP for the Central Coast LGA however the Coastal Vulnerability Area has not yet been defined.

In relation to the CM SEPP Maps, Clause 8 stipulates:

- (1) A reference in this Policy to a named map adopted by this Policy is a reference to a map by that name:*
 - (a) approved by the Minister when the map is adopted, and*
 - (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.*

Sub-clause (1)(b) is important because it prescribes the method by which a planning proposal to amend a LEP can formally amend the maps which form part of the SEPP.

This means that a LEP needs to declare a map to amend or replace a map adopted by the SEPP, and the Minister approves the new map by making the amended LEP.

There is a distinction to be made between the maps which may be produced as part of a coastal hazard study for a CMP, and the maps which might subsequently be applied by the CM SEPP. This is because the coastal hazard study maps current and future hazards for any given hazard (such as coastal erosion) and those hazards can be represented by multiple mapped lines which identify the likely presence of hazards under a number of variables, such as the estimated level of the sea at a series of future time periods (e.g. 50 or 100 years).

The maps in the CM SEPP impose development controls and matters for consideration by a consent authority when an activity is proposed within the mapped area.

The need for separate consultation is therefore appropriate because the CMP hazard mapping identifies a range of risk exposures (current and future), whereas the CM SEPP mapping selects one of those lines, or a separate line derived from those lines, to determine where the Coastal Vulnerability Area (CVA) controls will apply. Whereas the CMP hazard mapping answers the question: Where are the likely hazards now and in the future?; the CM SEPP mapping answers the question: Where should the CM SEPP's CVA controls be applied today?

3.2 NSW Coastal Management Manual

Section 21 of the CM Act provides for the Coastal Management Manual (the Manual) to impose mandatory requirements and guidance for CMPs.

Part A of the Manual provides that:

A draft CMP must be exhibited for public inspection at the main offices of the councils of all local government areas within the area to which the CMP applies, during the ordinary hours of those offices, for a period of not less than 28 calendar days before it is adopted. This mandatory requirement does not prevent community consultation, or other consultation, in other ways.

The Manual also provides further guidance on best practice community consultation, by reference to the *Quality Assurance Standard for Community and Stakeholder Engagement* (prepared by the International Association for Public Participation).

The Manual also notes that:

The identification of issues and the decisions made during the preparation of a coastal management program (CMP) are generally of the same level of public impact as the decisions for the CSP, so tools and techniques aligned with the 'involve' and 'collaborate' levels of engagement are strongly recommended. It is important to note that to operate at the 'involve' and 'collaborate' levels, the council will 'inform' throughout the process.

The public participation spectrum prepared by the International Association for Public Participation is reproduced in **Figure 2**.


Increasing impact on the decision 					
Public participation goal (what are we trying to achieve)	Inform	Consult	Involve	Collaborate	Empower
	To provide the public with balanced and objective information to help them understand the problem, alternatives and/or solutions	To obtain public feedback on alternatives and/or decisions	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered	To partner with the public in each aspect of the decision including the development of alternatives and identification of the preferred solution	To place the final decision-making in the hands of the public
Promise to the public	We will keep you informed	We will keep you informed, listen to and acknowledge concerns and provide feedback on how public input influenced the decision	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision	We will work with you to formulate solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	We will implement what you decide

Figure 2: Public participation spectrum prepared by International Association for Public Participation

Part B of the Manual (part 1.1.1) notes that a CMP should identify whether a planning proposal will be prepared to amend council's Local Environmental Plan (LEP) to include updated boundaries for any coastal management area.

Part 1.5.2 of the Manual (Part B) notes:

The CM SEPP maps of the coastal zone provide a starting point and can be modified by planning proposals or by the NSW Government as further information becomes available. Local studies and modelling undertaken by or on behalf of councils when preparing their CMP will assist in better defining the coastal management areas. The community and government will have the opportunity to be involved in any proposed changes to the mapped areas through the preparation of a planning proposal under the EP&A Act, in parallel with the preparation of the CMP.

In addition, the Manual notes that:

The sensitivity, adaptive capacity and tolerance of the community to coastal hazards may be considerations in mapping of the proposed coastal vulnerability area for land use planning purposes in the local council area.

This further underlines the difference between mapping the areas potentially exposed to hazards now and in the future, and the mapping of the CVA area for the purposes of development control. The latter requires additional considerations, such as the community's risk appetite and capacity to adapt.

The Manual refers to Ministerial Direction 2.2 Coastal Management (made under section 9.1 of the EP&A Act) and notes that:

Under the section 9.1 direction for coastal management, councils may prepare a planning proposal to amend the maps in their LEP to increase or decrease the area mapped in any of the four coastal management areas in their local area.

3.2.1 Ministerial Direction

As noted, the CMP will require the preparation of a planning proposal to amend the LEP as a vehicle by which the strategic planning intent of the CMP can be given effect.

A planning proposal must identify which, if any, Ministerial Directions are relevant to the proposal and whether the proposal is consistent with those directions.

Ministerial Direction 2.2 deals with coastal management. Item 6 in that Ministerial Direction provides:

A planning proposal for a Local Environmental Plan may propose to amend the following maps, including increasing or decreasing the land within these maps, under the State Environmental Planning Policy (Coastal Management) 2018:

- (a) Coastal wetlands and littoral rainforests area map;*
- (b) Coastal vulnerability area map;*
- (c) Coastal environment area map; and*
- (d) Coastal use area map.*

Such a planning proposal must be supported by evidence in a relevant Coastal Management Program that has been certified by the Minister, or by a Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016.

It further provides, amongst other things, that the planning proposal must give effect to and be consistent with the objects of the CM Act and the objectives of the relevant coastal management areas; the NSW Coastal Management Manual and associated Toolkit; and any Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect.

3.3 Anticipating the need for a planning proposal

The Stakeholder and Community Engagement Program associated with a Stage 1 Scoping Study and a CMP should therefore provide for engagement at a standard which would satisfy the requirements of a planning proposal under the EP&A Act. This is explored in more detail within **Section 4**.

3.4 Local Level

3.4.1 Integrated Planning and Reporting Framework

The NSW Department of Premier and Cabinet, Division of Local Government, has published the *Integrated Planning and Reporting Manual for Local Government in NSW* (2013).

The Manual notes that:

There is no prescribed format for the [Community Engagement] Strategy, but there is a general requirement to identify stakeholders and plan methods of engaging each of these groups. How this is done will depend on the individual characteristics of the community, its existing relationship with the council and the time and resources available for the process. It is important that sufficient time is allowed for community engagement.

Although the Manual is written primarily for the development of a Community Strategic Plan, the recommended process should also be considered as a guide to preparing a CMP. The Manual notes three key processes:

1. *Providing information to the community*
2. *Seeking information from the community*
3. *Involving the community*

It is also noted that the Manual recommends an exhibition period of 28 days before Council considers comments and adopts the program or plan. It is also recognised that substantial opportunity should be given for community engagement and communication in the stages of the CMP leading up to an exhibition period.

3.4.2 Central Coast Council Community Participation Plan (2019)

The Central Coast Council Community Participation Plan (CPP) (Council, 2019b) recognises that the level and extent of community participation will vary depending on the community, the scope of the proposal under consideration and the potential impact of the decision. The community is noted to include anyone who is affected by the planning system and includes individuals, community groups, Aboriginal communities, peak bodies representing a range of interests, businesses, other local government, and State and Commonwealth government agencies.

Community participation in planning matters is important because:

- It contributes to building community confidence in the planning system;
- Community participation creates a shared sense of purpose, direction and understanding of the need to manage growth and change, while preserving local character; and
- It provides an improved process that generates two-way engagement that recognises and embraces community knowledge, ideas and expertise. (Council, 2019b)

The CPP is intended and designed to make participation in planning clearer for the Central Coast community. It does this by setting out in one place how and when community members can participate in the planning system, outlining the functions of Council and other planning bodies, as well as describing different types of proposals. This CPP also reaffirms Council's community participation objectives which are used to guide the approach to community engagement as detailed within the Central Coast Engagement Framework (adopted January 2017).

The following principles shown in **Figure 3** were designed to support Council's values, and guide its approach to all community engagement activities under the Engagement Framework, whereby engagement is led by both organisation and the community.



Figure 3: Central Coast Council Engagement Framework

3.4.3 Draft Central Coast Council Community Participation Plan (2020)

Council adopted the existing Community Participation Plan on 25 November 2019, which sets out how and when Council will engage with its community on planning projects. This plan has been updated to incorporate recommendations from a Councillor planning workshop held in March 2020, legislative changes due to the introduction of Central Coast Local Planning Panel and the COVID-19 pandemic.

For example, having regard to the current COVID19 Pandemic, the NSW Government has amended the Local Government (General) Regulation 2005, to provide that Council will not be in breach of the CPP exhibition requirements by publishing notices and making exhibition materials available electronically. Amendments have also been made to remove the requirement for Council notices to be advertised in newspapers and instead allow the relevant notice to be published on the Council's website (Council, 2020b).

[Community consultation](#) on the draft revised CPP concluded in November 2020.

3.4.4 Central Coast Council Community Strategic Plan 2018-2028

Central Coast Council is constituted under the *Local Government Act, 1993* (LG Act), which requires that Council engage with its community in corporate strategic planning. It is important for the community to know how Council operates, including how it plans and spends its budget, and how this connects to what the community has told us is important. Key plans developed under the LG Act outline how Council identify and plan funding priorities, manage regional challenges and plan for a sustainable future.

The "One - Central Coast", Community Strategic Plan 2018-2028 (CSP) is a 10-year plan developed by Council under the LG Act, developed through engagement with the community to help set the priorities and confirm strategies and activities that best achieve the community's desired outcomes for the future.

The CSP sets out the goals for management of the Central Coast LGA over the next decade and these include that the “Central Coast is known for its natural beauty; maintaining our natural assets is a critical component of what we value as a community” (Council, 2018).

Key relevant community engagement objectives articulated in the CSP are that Council will:

- G2 Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect
- G3 Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions
- I3 Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management

3.4.5 Local Government Authorities

Schedule 1 of the CM Act provides a table of coastal sediment compartments in NSW. The majority of the Central Coast is contained within the Central Coast coastal sediment compartment listed within Schedule 1 of the CM Act, however the northern extent of the LGA connects with the Newcastle coastal sediment compartment.

In accordance with Section 16 (1) (b) of the CM Act consultation with other local Councils within this sediment compartment (i.e. City of Newcastle and Lake Macquarie City Council) will be required during development of the draft Open Coast & Lagoons CMP.

3.4.6 Other Public Authorities

Consultation with public authorities is required if the coastal management program:

- (i) proposes actions or activities to be carried out by that public authority, or*
- (ii) proposes specific emergency actions or activities to be carried out by a public authority under the coastal zone emergency action sub-plan, or*
- (iii) relates to, affects or impacts on any land or assets owned or managed by that public authority.*

Further description of relevant public authorities that are recommended for consultation are provided below.

3.5 Relevant Public Authorities

The following public authorities have a role in coastal management of the Central Coast, with some having a final sign-off role at each stage of the CMP process. Input should be sought from all the authorities listed below at each stage of the CMP.

Minister for Local Government – The Minister has as a significant overarching role through administering the CM Act. The Ministers role includes appointing the NSW Coastal Council, may direct the NSW Coastal Council to undertake a performance audit of CMP implementation, tables reports from the NSW Coastal Council in Parliament, and may certify, or refuse to certify, a CMP.

NSW Coastal Council – The Coastal Council provides independent and expert advice to the Minister, oversees the effectiveness of coastal management, provides advice to councils and public authorities if requested by the Minister, and provides advice on compliance by councils with the management objectives and the manual when preparing a CMP. The Coastal Council also conducts performance audits of the implementation of local council CMPs and identifies opportunities for local council capacity building, reporting to the Minister about the outcomes of audits and making recommendations on appropriate remedial actions.

NSW Department of Planning, Industry and Environment – Environment, Energy and Science (DPIE) – The Environment, Energy and Science Group of DPIE has the role of supporting councils and communities in managing the open coast, estuaries and coastal lakes, providing oversight of the State's Coastal Management Framework. DPIE's role is the first point of contact for local councils planning to prepare and implement a CMP, working in partnership with councils and local communities to manage the coast. DPIE provide a range of data and technical advice including wave data and data on historical coastline changes, coastal geomorphology, coastal and estuarine processes, sediment cells, coastal hazard and risk assessment, ecosystem health and habitat mapping. DPIE also administers the Coastal and Estuary Grants Program that provides funding for councils to prepare and implement their coastal management program.

NSW Department of Planning, Industry and Environment – Crown Lands (Crown Lands) – Crown Lands are responsible for the management of NSW's Crown land, in accordance with the Crown Lands Management Act 2016 (CLM Act). Crown Lands are responsible for the administration and/ or management of Crown land under the Crown Land Management Act 2016 (CLM Act). Crown land includes submerged seabed and subsoil to three nautical miles from the coastline of NSW that is within the limits of the coastal waters of the State. Crown land includes much of the submerged land within the estuaries and intertidal areas (below mean high water mark) of the study area, as well as several foreshore reserves and beaches (for example Avoca Beach, Bateau Bay Beach and Tuggerah Beach). Several of the coastal Crown reserves and foreshores in the study area are under the management of Central Coast Council. Crown Lands licences domestic waterfront structures that occupy Crown land, such as jetties and pontoons. Development and activities on Crown land generally require a form of authorisation under the CLM Act. Crown Lands work in partnership with a range of agencies to make sure that natural resource management is managed across public land in NSW, and regulations and policies are met.

Marine Estate Management Authority (MEMA) – MEMA was established in response to the Independent Scientific Audit of Marine Parks, commissioned by the NSW Government in 2011. The key role of the Authority is to set the strategic direction and priorities for the NSW marine estate through a Marine Estate Management Strategy. Through MEMA, four NSW government agencies have key responsibilities for managing the marine estate, being Department of Regional NSW (DRNSW) - NSW Department of Primary Industries (DPI); Department of Planning, Industry and Environment (DPIE) - Environment, Energy and Science (EES) & Planning and Assessment (P&A); and Transport for NSW (TfNSW).

Transport for NSW (TfNSW) – TfNSW is the operating agency responsible for provision and management of road and maritime networks as part of the transport system. Through the maritime division, TfNSW is responsible for managing recreational boating activities, navigable waterways and assets across the Central Coast. The Maritime Infrastructure Delivery Office (MIDO) is under TfNSW and is responsible for improving the coordination and delivery of coastal and boating infrastructure programs

and projects including dredging across NSW that support recreational boating, fishing, tourism and a range of other commercial activities.

NSW State Emergency Service (NSW SES) - NSW SES is the combat agency for floods, storms and tsunamis. NSW SES is responsible for planning for and responding to flood, storm and tsunami events, including evacuation of those at risk. Coastal erosion events that are not caused by storms are the responsibility of the Local Emergency Operations Controller (LEOCON), however under specific circumstances, delegated responsibility may change in accordance with *the State Emergency and Rescue Management Act 1989*. The NSW State Storm Plan (2018) aligns with the *Coastal Management Act 2016*, under which Council's outline emergency responses through development of a Coastal Zone Emergency Action Subplan within the CMP.

NSW Department of Primary Industry – (DPI Fisheries) - DPI Fisheries has a regulatory role which seeks to ensure that developments comply with the requirements of the *Fisheries Management Act 1994*, (namely the aquatic habitat protection and threatened species conservation provisions in Part 7 and 7A of the Act, respectively), and the associated Policy and Guidelines for Fish Habitat Conservation and Management (2013). DPI Fisheries are also responsible for delivery of the *Marine Estate Management Act 2014* (MEM). CMPs should take into account the objectives of the MEM Act and associated regulations which includes the zoning plans.

DPIE National Parks and Wildlife Service – (NPWS) - NPWS manage over 7 million hectares of land across NSW, including more than 870 national parks and reserves, 4 World Heritage-listed sites, a number of Australian National Heritage sites and 17 Ramsar wetlands. These protected areas play a critical role in conserving biodiversity, as well as natural and cultural heritage. NPWS manages significant areas of the Central Coast coastline including Bouddi and Wyrabalong National Parks and is responsible for provision of facilities such as picnic areas, boardwalks and lookouts in the national park areas.

Darkinjung Local Aboriginal Land Council - (Darkinjung) - Darkinjung are a significant land owner in the Central Coast with responsibilities to improve, protect and foster the best interests of Aboriginal persons within the region. Darkinjung LALC works with the NPWS and DPIE to ensure the protection of habitats, ecosystems, plant and animal species, significant geological features and landforms and protects icons and sites of national significance.

Infrastructure NSW - Infrastructure NSW was established in July 2011 to assist the NSW Government in identifying and prioritising the delivery of critical public infrastructure for NSW. It is an independent statutory agency, established under the Infrastructure NSW Act 2011, responsible for preparing project implementation plans for major infrastructure projects, reviewing and evaluating proposed major infrastructure projects by government agencies or the private sector

NSW Local Land Services - Local Land Services is a regional-focused NSW Government agency delivering quality customer services to farmers, landholders and the wider community. The agency's remit covers agricultural production, biosecurity, natural resource management and help during emergencies. Local Land Services administer a variety of funding opportunities to assist farmers, landholders, Landcare, Aboriginal community groups and other partners to assist and promote the adoption of sustainable land management practices.

3.6 Barriers for preparation of CMP planning process

The following have been identified as barriers for the preparation of a CMP and implementation of management actions:

- Political barriers, for example political pressure on Council to take actions that may be inconsistent with existing Council policies and State legislation. These barriers may be overcome by ensuring that there is good communication and collaboration with stakeholders on coastal management issues, however challenges may arise during emergency situations;
- Institutional support, for example stakeholders not agreeing to management actions within a CMP that are within their areas of responsibility. This can be overcome through early and ongoing engagement with relevant agencies and stakeholders throughout development of the CMP to ensure agreement and support;
- Social support, for example community members not agreeing to management actions within a CMP that are within their areas of interest. This can be overcome through early and ongoing community engagement throughout development of the CMP to ensure agreement and support;
- Governance barriers, for example having processes in place to ensure that Council policies are adhered to and formally reviewed on a regular, scheduled basis. This can assist in ensuring that actions undertaken are consistent with Council's policies and not as a result of political and/or social pressure;
- Capacity issues, for example ensuring that Council has the resources to manage delivery of the CMP, as well as to implement the required management actions. These barriers can be overcome by reviewing and reinforcing Council's staffing and financial requirements, as well as by empowering local communities to assist implementation of management actions; and
- Legal challenges, for example by landowners seeking to implement coastal protection works may challenge the Conditions of Consent placed on development. To ensure consistency with the Coastal Management SEPP and Coastal Management Act 2016, it is suggested that the wording of development controls and related conditions be reviewed by Council's legal department to ensure that ambiguities are removed.

3.6.1 The Context for Engagement

Prior Consultation

There has been significant community consultation undertaken during development of each of the existing CZMP's, however it is recognised that engagement was primarily limited to within the relevant former local government areas. Reflecting the expanded Central Coast Council LGA, as well as Council's adopted Community Participation Plan and Engagement Framework, it is recommended that community consultation for the CMP be undertaken across the entire LGA.

Current Expectations

Coastal erosion events of July 2020 have resulted in establishment of the Wamberal Seawall Advisory Taskforce to provide Council with support to implement a sustainable long-term solution to the coastal erosion issues at Wamberal Beach, consistent with the certified Gosford Beaches CZMP. Council has engaged Manly Hydraulics Laboratory (MHL) to complete technical assessments and develop concept plans for the best combination of protection and sand nourishment options for Wamberal Beach, allowing Council and the community to make informed decisions.

In parallel with the MHL-led study, Council are leading a detailed program of community consultation that aims to:

- (i) provide baseline information on the CZMP, erosion issue and preferred strategy;
- (ii) understand how the community use and value Wamberal beach; and
- (iii) seek feedback on the range of concept options to guide decision making, going forward.

Results from Phase 1 of the Community Consultation include:

- 94 community members attended physical drop-in sessions
- 15 questions posted on online Q&A board
- 24,000+ social media users reached
- 1,841 visits to Council website
- 15+ phone calls from interested stakeholders
- 8 people participated in virtual drop-in sessions
- 578 people completed Wamberal Beach Values and Uses Survey

Community consultation for all Central Coast CMPs was conducted from April to June 2021 with the launch of a dedicated online Our Coast, Our Waterways consultation hub and community survey, as part of awareness raising ahead of targeted community engagement to be undertaken during Stages 2-4 of the CMP process. Consultation activities included:

- 3,918 visits to the Your Voice Our Coast project page;
- 1,168 survey responses received;
- Over 350 respondents have entered the focus group candidate pool;
- Over 220 stakeholder emails sent;
- 3 focus groups hosted with over 20 participants;
- 403 community members reached at pop up events; and,
- Over 500 postcards distributed.

It is expected that additional community consultation will occur during Phase 2 of this project.

4 Requirements for Consultation Regarding a Planning Proposal

The DPE *Guide to preparing planning proposals* describes the components of a planning proposal and explains the requirements. Much of the research and analysis during the Stage 1 Scoping Study will inform key parts of the planning proposal, such as Part 3 - the justification for the proposed planning instrument. The justification needs to provide information, amongst other things, on whether the planning proposal is the result of any strategic study or report (such as a CMP). The study (CMP) should be submitted with the planning proposal and forms part of the exhibition materials.

The information provided at Part 3, Section C of the planning proposal needs to be sufficient to satisfy the Gateway that the level of information available leads to the conclusion that the LEP can be completed within a reasonable timeframe and that identified potential impacts can be addressed. This will be enabled by quality engagement at the CMP stage.

Part 5 - community consultation of the planning proposal needs to outline any proposed consultation to be undertaken with the planning proposal. The Gateway process will determine what consultation is required to ensure interested parties can make an informed decision.

The EP&A Act makes the following provisions relating to the Gateway process:

3.34 Gateway determination

(1) After preparing a planning proposal, the planning proposal authority may forward it to the Minister or, if the planning proposal relates to the Greater Sydney Region, to the Greater Sydney Commission.

(2) After a review of the planning proposal, the Minister or Greater Sydney Commission is to determine the following:

- (a) whether the matter should proceed (with or without variation),*
- (b) whether the matter should be resubmitted for any reason (including for further studies or other information, or for the revision of the planning proposal),*
- (c) the minimum period of public exhibition of the planning proposal (or a determination that no such public exhibition is required because of the minor nature of the proposal),*
Note. Under Schedule 1, the mandatory period of public exhibition is 28 days if a determination is not made under paragraph (c).
- (d) any consultation required with State or Commonwealth public authorities that will or may be adversely affected by the proposed instrument,*
- (e) whether a public hearing is to be held into the matter by the Independent Planning Commission or other specified person or body,*
- (f) the times within which the various stages of the procedure for the making of the proposed instrument are to be completed,*
- (g) if the planning proposal authority is a council—whether the council is authorised to make the proposed instrument and any conditions the council is required to comply with before the instrument is made.*

(3) A determination of the community consultation requirements includes a determination under section 3.22 (or other provision of this Act) that the matter does not require community consultation.

(4) The regulations may provide for the categorisation of planning proposals for the purposes of this section, and may prescribe standard community consultation requirements for each such category.

Note particularly the provisions of subclause (2)(c) which allow the Gateway determination to specify the exhibition period. This will be based, in part, on the consultation undertaken as part of the CMP.

As noted previously, Clause 8 of the CM SEPP provides for the maps which give a spatial reference for the development controls in the SEPP. The SEPP stipulates:

- (1) A reference in this Policy to a named map adopted by this Policy is a reference to a map by that name:*
- (a) approved by the Minister when the map is adopted, and*
- (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.*

Sub-clause (1)(b) is important because it prescribes the method by which a planning proposal to amend an LEP can formally amend the maps which form part of the SEPP.

This also guides the sequencing of the steps associated with a CMP and planning proposal, including engagement.

1. Scoping Study stakeholder engagement to articulate the vision and objectives for the Central Coast coastal management, and community awareness raising regarding planning proposals (Stage 1);
2. Engagement with stakeholders and community on identification of hazards, risk, vulnerabilities and opportunities (Stage 2);
3. Engagement with stakeholders and community on the evaluation and application of options (Stage 3);
4. Engagement with community regarding draft CMP content, including the intent to make the planning proposal (Stage 4);
5. Council endorses draft CMP (noting that CMP includes an intention to prepare a planning proposal for the purposes of creating or amending the CM SEPP maps);
6. Referral to Coastal Council, if required;
7. Certification of the CMP by the Minister and notification via Gazette;
8. Preparation of the planning proposal, based on CMP studies, including justification, consultation details, maps and project timelines, and identifying the need to Minister to approve the map when the instrument is made;
9. Gateway determination of planning proposal by Greater Sydney Commission or Minister;
10. Public exhibition of planning proposal;
11. Submissions received, considered and post exhibition report to Council;
12. Council forwards planning proposal to DPIE, if authorised by Council determination;
13. DPIE refers the map and planning proposal to Parliamentary Counsels Office for preparation of the LEP instrument;
14. Instrument made by Minister or delegate and the maps (created or amended by LEP) are declared to be maps for the purposes of the CM Act and SM SEPP.

5 Delivery of Community Consultation for CMP Stages 2-5

5.1 Stage 1A: Identify the Scope of Community Consultation

Risk Assessment and risk management

Identify and consider the risks associated with the CMP consultation and engagement, especially those that may have a negative impact. Identify stakeholders and existing networks that should be involved in the engagement process.

Risks could include:

- Councillors, community groups or stakeholders feeling excluded from the engagement process;
- community members having different expectations of the community meetings;
- low participation or conversely larger than expect attendance;
- controversy of some aspects, such as hazard lines;
- under-representation or over-representation by organised interest groups; and
- inaccurate media coverage.

Risk management strategies should be developed and agreed prior to commencement.

Roles and responsibilities

Agree the allocation of roles and responsibilities between Council and the CMP service provider.

Agree approvals process for the publication of information or representation to the community.

Messaging

Agree on key messages, style and language.

Community profile

Consider the socio-economic and demographic attributes of the Central Coast area to ensure consultation is tailored to variables such as language background, age and particularly the economic activity of the area which is part of the 'saltwater economy'.

Geographic segments

Identify discrete geographic units for engagement purposes. Four precincts have been identified under previous coastal studies and these remain relevant as a basis for ongoing investigation and management planning.

Adjoining local government authorities

Document how the scope of the CMP relates to the roles and responsibilities of adjoining authorities.

Conduct a scenario planning exercise to anticipate any issues likely to be raised by adjoining authorities (including integration with any related studies or planning initiatives in those areas) and proposed management responses.

Advisory Group / Forum / Working Group

Establish a coastal management Advisory Committee (or similar entity) to ensure that any existing coastal management committee is briefed and engaged in the preparation for broader community and stakeholder consultation and engagement. It is recommended that a single advisory body be established which can have a central role in guiding the CMP process but also a role in further coastal management planning within the local government area. This reflects the likelihood of further coastal management

programs being considered in other coastal areas of the Central Coast. Continuity of skills and knowledge will assist in productive engagement. Terms of reference should ideally contemplate this wider role.

Staging

Identify the key stages at which specific information or specific engagement is required from key authorities.

5.2 Stage 1B: Awareness Raising

Content

- Linkages between key legislation, regulation, policies, plans and strategies.
- Why a CMP is being prepared and the benefits of coastal planning.
- Scope of the proposed CMP - spatial extent; hazards; coastal management areas.
- Processes and stages of a CMP.
- Opportunities and avenues to contribute and comment.

Audience

- Primary – “Hot Spot” residents and key stakeholder groups.
- Secondary - Central Coast residents and key stakeholder groups.

Methods

- Council website.
- Social media.
- Newsletter.
- Local media.
- Registration of Interest facility.

5.3 Stage 1C: Shared vision

Content

Draft Vision Statement and Objectives for the CMP.

The Vision created by Council and the community during development of “One – Central Coast, Community Strategic Plan 2018-2028” has strong relevance to this Scoping Study. It is recommended as a **draft Vision** to be further developed and refined in consultation with the local community and stakeholders during the preparation of the CMP:

We are ONE Central Coast - A smart, green and liveable region with a shared sense of belonging and responsibility.

Consistent with the CM Act 2016, the **Objectives** of the Central Coast CMP of Open Coasts and Lagoons are to manage the coastal environment in a manner that is consistent with the principles of ecologically sustainable development for the social, cultural and economic well-being of the people of the Central Coast.

As such, the objectives of the CMP are:

- to protect and enhance natural processes and environmental values of the Central Coast open coast and lagoons;

- to support the social and cultural values of the Central Coast and maintain public access, amenity, use and safety;
- to acknowledge Aboriginal peoples' spiritual, social, customary and economic use of the Central Coast;
- to recognise the subject area as a vital economic zone and to support sustainable coastal economies;
- to facilitate ecologically sustainable development in the Central Coast and promote sustainable land use planning decision-making;
- to mitigate current and future risks from coastal hazards, taking into account the effects of climate change;
- to recognise that the local and regional scale effects of coastal processes, and the inherently ambulatory and dynamic nature of the shoreline, may result in the loss of coastal land to the sea (including estuaries and other arms of the sea), and to manage coastal use and development accordingly;
- to promote integrated and co-ordinated coastal planning, management and reporting;
- to encourage and promote plans and strategies to improve the resilience of coastal assets to the impacts of an uncertain climate future including impacts of extreme storm events;
- to ensure co-ordination of the policies and activities of government and public authorities relating to the coastal zone and to facilitate the proper integration of their management activities;
- to support public participation in coastal management and planning for the Central Coast and greater public awareness, education and understanding of coastal processes and management actions;
- to facilitate the identification of land in the coastal zone for acquisition by public or local authorities in order to promote the protection, enhancement, maintenance and restoration of the environment of the coastal zone; and
- to support the objects of the *Marine Estate Management Act 2014*.

Audience

- Primary – “Hot Spot” residents and key stakeholder groups.
- Secondary - Central Coast residents and key stakeholder groups.
- Adjoining landowners.

Methods

- Council website.
- Social media.
- Newsletter.
- Local media.
- Advisory Committee briefing.
- Feedback facility.

5.4 Stage 1D: Integration with a Planning Proposal - *Optional*

Content

Prepare explanatory public-facing material for a non-technical audience which explains the concept of a planning proposal, how it overlaps with the CMP process and the integration of consultation. It should also signal the Council's intent to define a Coastal Vulnerability Area map for the purposes of the CM SEPP and point to the development controls and matters for consideration which are required under the CM SEPP within a mapped CVA.

Audience

Community generally.

Method

- Council website.
- Social media.
- Newsletter.

5.5 Stage 2: Determine Risks and Opportunities

5.5.1 Content

- Character and extent of risks and opportunities, including the identification of public and private assets within mapped vulnerability zones, and the range of risk treatments.
- The disclosure of risk (e.g. planning certificates) and liability issues.
- Technical information and guidelines on how to interpret the findings, including projections, sea level rise, assumptions, methods. Also include explanatory material regarding any changes to risk exposure or projections since the last coastal studies were conducted.
- Risk appetite, time horizons, funding and financing context.

5.5.2 Audience

- Primary – “Hot Spot” residents and visitors.
- Secondary - Central Coast residents and visitors.
- Targeted stakeholders including Councillors, State and Commonwealth public authorities, utilities, community.

5.5.3 Methods

- Council website.
- Social media.
- Newsletter.
- Local media.
- Advisory Committee briefing.
- Digital maps available via Council website.
- Drop in sessions with paper maps available.
- Focus groups of representative sectors.

5.6 Stage 3: Identify and Evaluate Options

5.6.1 Content

- Priorities in local risk management (hot spots, risk types, vulnerability ranking, financial risk).
- The main pathways for risk treatment (e.g. avoid, protect, accommodate and retreat) and the various sub-options within those pathways.
- Criteria on which evaluation is based.
- The costs and benefits, including the limitations and trade-offs, willingness to pay, capacity to pay.

- Arrangements for cost sharing, funding methods and financing feasibility, including principles upon which arrangements are based (e.g. beneficiary pays; public goods).
- Alignment and coordination with adjoining council plans and intentions.

5.6.2 Audience

- Primary – “Hot Spot” residents and visitors.
- Secondary - Central Coast residents and visitors.
- Targeted stakeholders including Councillors, State and Commonwealth public authorities, utilities, community.

5.6.3 Methods

- Council website.
- Social media.
- Newsletter.
- Local media.
- Advisory Committee briefing.
- Digital maps available via Council website.
- Drop in sessions with paper maps available.
- Facilitated workshops, including speakers from DPIE.

5.7 Stage 4: Prepare, Exhibit, Finalise, Certify and Adopt the CMP

5.7.1 Content

- Draft CMP.
- Supporting materials, technical reports, copies of CM SEPP and CM Act.
- Explanatory material on how feedback will be considered, recorded and incorporated (e.g. submissions report).
- Q&A document.
- Maps.
- Reports on outcomes of earlier engagement and consultation.

5.7.2 Audience

- Primary – “Hot Spot” residents and visitors.
- Secondary - Central Coast residents and visitors.
- Targeted stakeholders including Councillors, State and Commonwealth public authorities, utilities, community.

5.7.3 Methods

- Place copies in the main office of Council (mandatory).
- Council website.
- Social media.
- Newsletter.
- Local media.
- Advisory Committee briefing.
- Digital maps available via Council website.

- Drop in sessions with paper maps available.
- Facilitated workshops, including speakers from DPIE/DPE.
- Adoption of final draft by Council, including background materials and briefings.
- Publication of CMP in Government Gazette (pending certification by Minister) and notification to local community of gazettal.
- Copy of CMP available for inspection (no charge) at Council offices and on website within seven days after gazettal.

5.8 Stage 5: Implement, Monitor, Evaluate and Report

5.8.1 Content

- Implementation and progress reporting.
- Arrangements for monitoring and evaluation.
- Citizen science and partnerships.
- Benchmarking and integration with adjoining councils.

5.8.2 Audience

- Primary – “Hot Spot” residents and visitors.
- Secondary - Central Coast residents and visitors.
- Targeted stakeholders including Councillors, State and Commonwealth public authorities, utilities, community.

5.8.3 Methods

- Council website.
- Report cards (snapshot information) for specific projects.
- Social media.
- Newsletter.
- Local media.
- Advisory Committee engagement (assuming that the terms of reference provide for this stage of work).
- Consider evaluation audit by a third party for objectivity (but may also be internal) subject to funding availability.

6 Future Audits and Review

The Minister may request the Coastal Council to conduct a performance audit of CMP implementation (under section 26 of the CM Act), and Council is required to review its CMP at least once every ten years.

Broadly the engagement strategy for either event is:

- informing the community about the review or audit of the CMP, in both print and web-based formats, specifically identifying how the community may participate in the review;
- conducting surveys of satisfaction, for instance as part of the broader community satisfaction survey for the Community Strategic Plan;
- conducting focus groups with existing stakeholder groups to gauge whether community and stakeholder priorities have changed during the period since the CMP was certified;
- identifying if there are new or emerging risks that may be the focus of the next stage for the CMP, or whether there are new stakeholder groups who will need to be engaged; and,
- assessing community satisfaction with the engagement process to refine the stakeholder engagement strategy.