

Comments about the State Environmental Planning Policy 2016 by Adrian & Suzanne Hibberd and Family

We write to express concerns about the SEPP 2016 which is planned to be part of the NSW Coastal Management Act legislated on the 31 May 2016. We have been residents at 78 Newman Avenue Blueys Beach NSW 2428 since 1994. We are actively involved in the community of Blueys and Boomerang Beaches which includes the lead role in the Blueys Beach Dune Regeneration Group (work done in collaboration with Mid-Coast Council).

Request 1: Removal of coastal risk planning map (hazard map) for Boomerang and Blueys Beaches (File number 3320_COM_CRA_040_20140117) from the SEPP

Rationale This coastal risk planning map was gazetted in the LEP for the Great Lakes Council on the 4 April 2014 and under clause 4.2 of the SEPP has been automatically inserted into the SEPP. This hazard map means that these two beaches are unstable and at risk of cliff slippage and cliff recession. This hazard map is fundamentally flawed and not based upon evidence i.e. **it is wrong**. This mistake is now recognized by Minister Stokes at a meeting between the Boomerang Blueys Residents Group Incorporated Association and the Minister on the 10 January 2017 in his Department at 52 Martins Place Sydney. There are two components to the error: **first the coastal risk planning map (hazard map)** was based on the Worley Parsons report 2011 which is a partial study and flawed (e.g. it omitted sand accretion at these two beaches from its conclusions but recognized that it existed) and, **second, the LEP 2014 was gazetted after only 2 of the mandated 6 steps for instrument planning** were followed. The vital step omitted was the use of local and regional data to construct the planning instrument. There are three sets of local and regional data omitted: **first** serial photogrammetric data from 1956 to 2013 (11 studies) show both beach dunes are stable for over 60 years with no significant change along the full length of the dunes despite major storms of 1974, 1996, 2002 and 2016; **second**, both beaches are embayment model beaches with large rock based headlands that provide natural protection and restorative capacity; and, **third** both beaches are sand accreting recognized by studying the run off of the photogrammetric profile of the beaches and by experts (Angus Gordon, Angus Jackson). Consultative opinions from two experts (Angus Jackson and Professor Short) support the conclusion that both beaches are stable resisting sea level rise by sand accretion. Hence

the LEP 2014 GLC is inadequate for planning. Further the conclusions from the evidence are that the beaches and dunes at Boomerang and Blueys are stable, naturally protected and restored. Therefore the hazard maps in the SEPP are erroneous and should be deleted.

We suggest that the mechanism by which the maps are removed is deletion of Great Lakes from clause 4.2 of the SEPP (except for the hazard map for Winda Woppa Beach –this is the only other coastal risk planning map in the LEP 2014 for Great Lakes Council).

Request 2: Removal of coastal risk planning map for Boomerang and Blueys Beaches (File number 3320_COM_CRA_040_20140117) from the LEP 2014 for the Great Lakes Council

Rationale: It follows from request 1 that given that the two sets of maps are the same (in the LEP 2014 and the SEPP) then they should be deleted from the LEP 2014 GLC as well. Although the Minister may not have the direct authority to enact this he can request that the Administrator of the MCC to do this for consistency and of course fairness.

Request 3: that clause 4.2 be changed so that only maps currently in the planning instruments of Councils that are strongly evidenced based are transferred into the SEPP. If not evidenced then they are excluded from the SEPP 2016.

Rationale: the Coastal Management Act 2016 uses evidence as the basis for decision making about coastal processes. We fully support this principle. As the draft SEPP reads currently if a mistake is made in an LEP or DCP maps then it automatically perpetuated in the SEPP.

Request 4: removing inequity for residents resulting from the SEPP

Rationale The result of the erroneous hazard maps in the LEP 2014 and now perpetuated in the SEPP is a marked reduction in economic activity in the Pacific Palms Area including small businesses and land owners. This is unfair on residents. It is also unfair for this situation to be continued by gazetting the CZMP. The fundamental need is repeal of the hazard maps from the LEP, the CZMP and the SEPP.

Request 5 Construction of hierarchy of risks of coastal hazards for all beaches in NSW