

Our ref: CBPG 1701
20th January 2017

Hon. R. Stokes
Planning Minister
NSW State Government



Dear Rob

SUBMISSION ON NSW COASTAL REFORMS AND SEPP

On behalf of the Collingwood Beach Preservation Group (CBPG), I submit our thoughts on the proposed NSW Coastal Reforms and SEPP. The CBPG wishes to preface its submission by thanking you for taking the time to visit our beach in May of 2016. Yours is a substantial portfolio covering the entirety of a large state, and we hope that the knowledge you gained from the visit will assist in the analysis of not only this submission, but submissions from all affected coastal communities.

The Collingwood Beach Preservation Group (CBPG) objects to the proposed Coastal Reforms and SEPP arrangements, there are a number of extremely concerning facets regarding this legislation.

It is not possible to provide a detailed submission given the lack of information in the public domain relating to this proposal, and the EXTREMELY SHORT TIME FRAME between release of the mapping and the date of closure of submissions (today!). Many members of the CBPG have looked at the proposed legislation and mapping and are unable to determine whether they are likely to be affected. This is mainly because Collingwood Beach, Jervis Bay, is recognised in expert reports on coastal hazards to be an accreting beach which is not presently prone to coastal erosion as a result of sea level rise. Further, the historical evidence is that the beach will adapt to future sea level rise without recession.

Collingwood Beach is more prone to damage from storm surge, which occurred in a significant way most recently in 1974 and 1978. Even the now “famous” East Coast Low of June 2016 caused minimal damage to the Collingwood Beach incipient dunes. The only damage to infrastructure was the loss of a park bench and minor damage to a footpath, and this damage arose purely from incompetent council design which positioned the bench and footpath adjacent to the foreshore

The CBPG is particularly concerned that the proposed legislation and SEPP are quite clearly committed to a policy of “planned retreat” for those unfortunate property owners facing the open ocean, in our region this would include Culburra Beach, Warrain Beach, Currarong Beach, Mollymook Beach, Narrawallee Beach, and Collers Beach. There has been an abject failure by the authors of the legislation to seriously take into account the social and economic impacts of the proposal. A smaller amount of dollars spent on appropriate defensive measures now (such as sea walls or beach nourishment) would be dwarfed by the social and economic costs of planned retreat, and beaches would be maintained for members of the public to enjoy.

The CBPG also objects to suggestions from the NSW Coastal Panel that land which becomes inundated due to sea level rise or coastal erosion might automatically revert to ownership by the State, *without compensation to the owners*. This is both constitutionally and morally

unfair, and – if passed – will undoubtedly lead to lengthy and expensive class legal action against the Government.

The CBPG feels that the only reason there are not more widespread and vocal complaints and objections to the draft legislation is the fact that the Government has done little to inform the community about what is proposed. For example, there was a community consultation given by departmental staff in Vincentia in December 2016, however this was at the instigation of the CBPG, not the department. The level of consultation undertaken by the Government does not meet the standard of consultation that the Government has set for its own agencies in the Consultation Arrangements: Policy and Guidelines document.

The absence of detailed accurate maps can only be seen as a subterfuge aimed at creating a climate of ignorance. During the community consultation the staff displayed the hazard map for Collingwood Beach and it was both incorrect and out of date.

The CBPG believes implementation of the SEPP should be delayed until such time as accurate and up-to-date mapping is completed, all affected coastal residents are directly advised of the potential impact on them, and adequate opportunity is given for genuine community consultation. These are not unreasonable demands.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'John'.

John Stuchbery
Chair, Collingwood Beach Preservation Group