



# THE ENTRANCE PENINSULA COMMUNITY PRECINCT

ENCOMPASSING: THE ENTRANCE; THE ENTRANCE NORTH; LONG JETTY TOOWOON BAY; BLUE BAY; SHELLY BEACH & MAGENTA

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WYONG SHIRE COUNCIL

## Wyong Shire Council's Manager of Environment and Natural Resources, Greg White's presentation, Saturday, 23 July, 2011 at 10:00am on "Coastal Zone Management Plan" ( CZMP )

The Chairperson of TEPCP, Vivienne Scott, invited the Chairperson of The Tuggerah Lakes Estuary and Coastal Management Committee, the Deputy Mayor, Bob Graham to say a few words by way of introduction. Bob advised that this was the third presentation this week. He requested that those in attendance not punish Council or Greg White, because Council is implementing State Government law and to remember that it is just not Wyong Shire that has to prepare a Coastal Zone Management Plan, but all the Councils on the New South Wales coast from the Queensland border to the Victorian border. He referred to our friends living right on the coastline who are frustrated by the process and asked them to bear with us. Bob praised Greg White for the work he has put into the CZMP saying he has done a magnificent job. Bob advised that Doug Darlington and Marlene Pennings were both members of The Tuggerah Lakes Estuary and Coastal Management Committee and asked the audience if there was anything they wanted brought up at Estuary Management to let their community representatives know.



Greg began by thanking those who attended on such a cold winters day and advised that the CZMP was on exhibition until 26th August, 2011 and that part of that exhibition was Greg talking to The Tuggerah Lakes Estuary and Coastal Management Committee, Council Workshops and Precinct Committees to get the communities comments on the proposal.

Greg advised that the CZMP was something you needed to get your head around, think about your property and then have some discussion about it. Those affected may not be happy with the CZMP, but by understanding what is going on, they will know what the plan says and

what is facing them and what are their options further on down the track. It is not all doom and gloom, there are a lot of options to take action.

Greg reminded TEPCP that he was here about a year ago when he was talking about the then Coastline Manage Plan. It is now the Coastal Zone Management Plan ( CZMP ). It is the same thing, with the name change brought about by the State Government. The Plan was almost complete when in 2011 the State Government brought out new guidelines. Council had to revise the document and rewrite sections. Because it has been changed so many times in its preparation it is now a large and complex document. We have had a number of people say it is difficult to read, it is hard to follow. It would be nice to go back and re jig it a little to make it easier to understand before the final document goes to Council. It has already been subject to internal review by Council and one of the good things that this has allowed is in formulating the budget money that has already been set aside to implement it if we move forward.

The Tuggerah Lakes Estuary and Coastal Management Committee meets monthly and consists of representatives from State Government Agencies, the community and all of Councils Directorates. Bob

Graham, as Chair of the committee has encouraged vigorous debate on the matter over the last few years. It is not only Council that has to implement this, it is the community and the State and Federal governments.



The CZMP is on exhibition from 6th June to 26 August 2011 It is available for review at:

- Libraries, Chambers (hard copy)
- On Council's Web site (pdf.)
- On CD (limited copies available)

Because the document is so big Council has produced a Snapshot. It does not contain details but provides a broad understanding of what is in the plan; what are the actions, what are the strategies, what are the recommendations. Council has also produced Comment Feedback Forms and we encourage you to give your views to Council.

Greg then went on to explain the Plan Development advising that there are three main studies:

- **Hazard Studies**
  - beaches and bluffs
- **Coastal Zone Management Study**
  - community values, management issues and options
  - previous consultation
- **Coastal Zone Management Plan**
  - strategies, actions, timeframe



Some things are fixed – some are open to comment and change. Council is interested to you hear from you about the things we can change so please get your comments in. We will consider them and present them to Council in a table form with a report, probably in September /October 2011. Council will then consider the report and make a decision on what is adopted.

Greg then went on to explain What's fixed in concrete:

**1. The Hazard lines.**

These were developed in line with Government policy, guidelines and requirements. They include the location and conservative nature of the lines. They includes allowances for sea level rise, as required by the NSW Government's Office of Environment and Heritage.



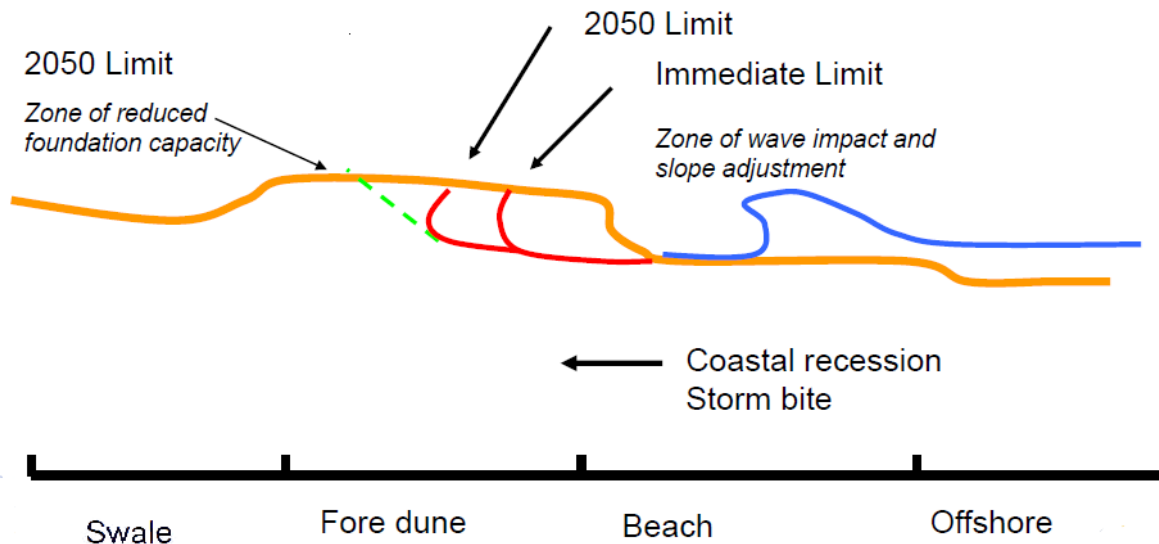
A lot of people become fixated about the Hazard Lines. They should not. It is what you do about planning controls and infrastructure that is within these hazard lines that is important.

If you do nothing the lines mean nothing, but if you prohibit development in these areas that can mean a great deal. So it depends on what we do not where the line is. They do include an allowance for sea level rise, in accordance with the State Government's Department of Environment and Heritage. These stipulate a sea level rise of 40cm by 2050 and a 90cm by 2100 and must be adopted in producing the hazard lines.

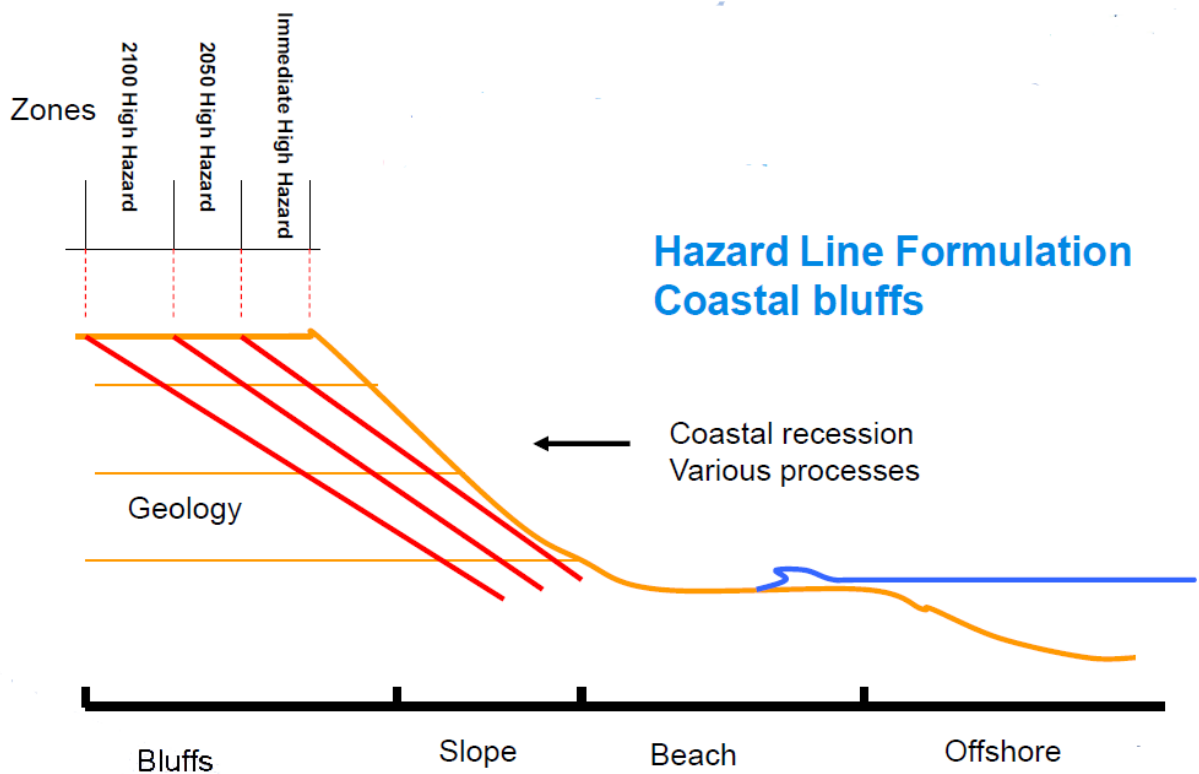


The dark blue line closest to the beach on the above aerial photo is the wave run up in a major storm. That's where the dune front will migrate to. The purple line behind it is the line of stable foundation. If you have a very steep dune the top is liable to collapse. This is explained in the following diagrams. The NSW Department of Planning has directed that Councils plan to that line of stable foundation

Greg then explained the Hazard Line Formulation for Beaches. In the diagram below the blue line represents waves coming onto the beach. In a very large storm it will take out a bite, called a Storm Bite and reduce the dune to the Immediate Limit and that was the dark blue line on the previous map. By 2050, because of the allowance for higher sea levels, the storm bite will be bigger. The dashed green line shows the zone of reduced foundation capacity and is the purple line on the previous aerial photo. If you take the development away the dune would continue to migrate inland. That is what it has been



doing for ten thousand years at least. What we have here is a large sand spit, which is a large dune pushed up by the waves and the rising sea levels. If the sea level continues to rise at the rate predicted then it will migrate inland. The problem is we have lots of infrastructure, reserves, people living there, and that's what is creating the problem for us.



The geotechnical hazards have caused some concern. They are shown as large blobs on the map and this is where we get areas of slope instability. We have a lot of igneous intrusions with dykes and stills running through there. This makes the land very unstable. It just needs to be addressed it does not need to be overcome.

Places like the back of Kims Resort at Toowoan Bay are very unstable.



One of the things we do have here in Wyong is fairly soft rock. Sydney has sandstone and the recession rates are very, very slow. So there is various processes operating, we do have the soft rock, and unfortunately when our headlands erode they do so at metres per year. Over the years, at places like Ada Avenue, Noraville, we have had numerous land slips and it has gone back a couple of metres a year - it is frightening.

Greg then posed the question: What's fixed in concrete? He advised that NSW Government Legislation, Policies and Guidelines that are in place can be changed, especially by lobbying, but this takes time. Council is required to prepare the plan now and align it with the existing NSW and Federal coastal management legislation, policies and guidelines.

The Plan has been prepared in line with:

- the NSW Coastline Management Manual 1990 and 2011 Guidelines.
- the new NSW coastal zone planning framework and Coastal Reforms Government planning policy which includes:
  - o **No intensification of land-use in high hazard areas.**
  - o **No development seaward of the Immediate Hazard Line.**

If you are in the hazard area your Section 149 certificates will say this land is subject to a geotechnical hazard or a coastal erosion hazard. So if somebody is going to buy your property they will be alerted to enquire and find out what is the hazard. It is no reason to panic. Some houses are severely affected, others very, very minor.

Greg said there are **Four Broad Planning Approaches**:

1. **Do Nothing** – existing dwellings and Infrastructure Management by disaster.
2. **Hold the Line** - protection works or rebuild.  
 Protection works allowed if they comply with certain conditions include: sand bag walls, you can build harder protection works, these require a Development Application from Council. This can be difficult because it is an integrated development requiring State Government approval as well, but it is not impossible. The big issue with protection works is the cost and who is going to pay for them. Council is building a small wall at Cabbage Tree Harbour to deal with a 1 in 20 year storm, about 100 meters long at a cost of \$2million. If you want to do more the costs rise significantly and the question is who pays.



3. **Accommodate** – adaptation – modify dwellings and infrastructure. For example in some of these geotechnical areas we can beef up the foundations.
4. **Planned Retreat** – needs financial support. This is the only realistically viable option that the Wyong Shire Community can afford. All the other options are generally unaffordable. This is the basis of where the plan is heading and I believe where all Coastal Councils are heading.

The State Government has not provided Councils with mechanisms for dealing with residents who have to abandon their homes. One suggested option is that the affected property owners pay some money into an assurance fund. If the State and Federal Government puts in then in twenty to thirty years time, when the property is threatened, and they need to vacate, they can draw on that assurance and that will soften the blow. The three levels of government need to get together and put something in place. That is the biggest thing that will come out of the CZMP.



Greg restated that you can't stop nature. The **Coastal Processes** will continue; storms, beach erosion and coastal recession from climate change impacts – temperature increases, increased storm intensity and sea level rise. The CZMP documents some of the history of coastal recession that has already taken place. The amount of coastal recession has been between 10 and 40 meters over the last 100 years in some places. The report shows the hydrodynamics; the way the currents move off shore, longshore drift in a northerly direction. If you build a wall you will get a build up on one side and erosion on the other.

One of the things that is set in concrete is **Risk Reduction**, - Councils need to reduce the risk to public and private assets, the community and the environment.

**This is the main thrusts of the CZMP; to identify risks and how we are going to address them.**

**What you can influence:**

- The mix of planning options.
- Degree and type of protection
  - Application of the NSW Government's Coastal Reforms:
    - » emergency protection works and long term protection.
    - » dune stabilisation.
- The type of planning controls:
  - Time limited consents, building restrictions, building modifications.
- Adaptation measures:
  - Modular dwellings, relocatable dwellings, infrastructure modifications.
- Who Pays and How:
  - Funding for management options can come from:
    - » Local Government.
    - » NSW Government.
    - » Federal Government.
    - » Shire-wide levy.
    - » Landholders who benefit from works.
    - » Insurance companies.



### Lobby for change:

- Council's actions - capped by funding and limited influence.
- Other levels of Government, business and the community - have roles to play in implementing the plan.
- The NSW or Federal governments - have not provided a financial mechanism to buy-back or protect properties in the immediate hazard zone. There needs to be a mechanism developed for planned retreat which involves the three tiers of government, the insurance agencies and landholders.

### Your involvement with:

- » Dunecare, coastcare
- » Local surf clubs
- » Environmental groups
- » Precinct committees



### Where to from here –



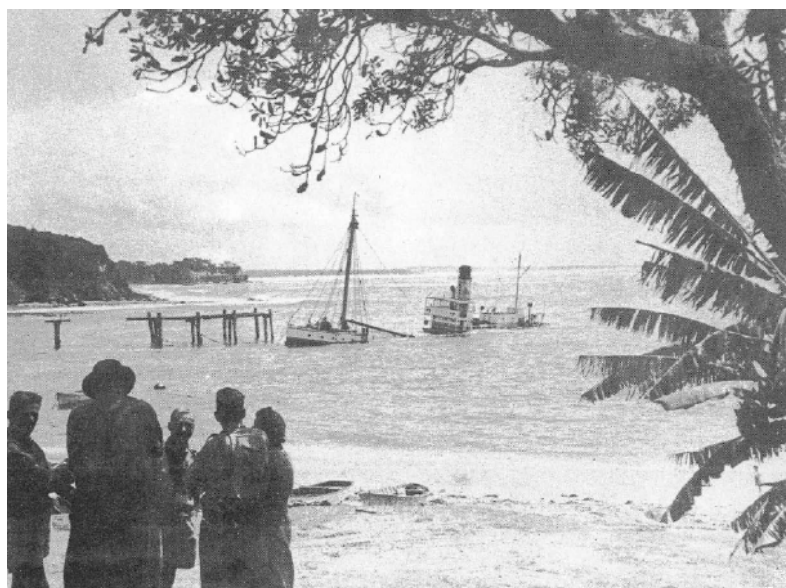
### Council invites your comments

- Via feedback forms on Council's Web Site Environment page under coastal management
- Via Council's Coastal Management Blog
- In a letter to General Manager PO Box 20, Wyong NSW 2259
- Council Workshop – 2nd August 2011 (7-9 pm) Council Chambers

## Strategies and Actions - Summary

Greg advised that there were four main strategies coming out of the CZMP:

Strategy	Actions
1. Manage Coastal Risks	Risk assessment of coastal recession, erosion, inundation and geotechnical (landslip)  Planned retreat with interim protection for current development  Planning controls to ensure adaptation for new and re-development – LEP and DCP  Measures to ensure long term use of community assets  Emergency measures for coastal storms, etc
2. Engage the Community	Engage with the community to ensure active participation  Distribution of costs - Federal, State and Local Government and community
3. Improve Council's and Community's Knowledge	Monitoring trends, researching issues and reporting  Prepare Integrated Plans of Management on priority basis  Emergency management  Engage with community to increase awareness and understanding of hazards and risks, - S149 Certificates
4. An overall approach of adaptive management	New information, research and monitoring of trends ▼ feeds into review of strategies and adaptation measures





Vivienne Scott thanked Greg for the presentation and general discussion followed.

Vivienne provided a summary of what she thought were the key points people had wanted to know;

- Where is my house located in the hazard zone?
- When am I going to be affected?
- What is Council doing about it?
- What action can we take?

The TEPCP secretary then showed a slide of the Hazard lines for North Entrance:



Vivienne advised that TEPCP wanted to give Council feedback:

- The first hazard line is the immediate line that impacts Curtis Parade and Hutton Road, North Entrance.
- The second hazard line is 2050. Vivienne asked what impact this had: Hervé Nayna responded: *"We are already effected by the immediate hazard line. The question is how will we be effected by nature and how will we be effected by what Council adopts. If the assumptions that have been adopted by the State Government are overly conservative then it is more likely that we will be effected more by what Council does than what nature does."*

*The question is how many less of the 100 properties impacted by the CZMP and the 2000 properties impacted by the Lake Flood study would be effected if a less aggressive assumptions were adopted."*

The TEPCP secretary then showed the existing 1999 Hazard Zones for North Entrance: This demonstrated that the only new properties in North Entrance were on the eastern side of Curtis Parade.



A Curtis Parade resident commented:

*"Council have identified that there are fifty houses in the high risk hazard zone. It would have been nice if Council could have come to those areas that are directly affected, like Curtis Parade and similar areas and spoke to them separately. The meetings I have been to are generic, so you get a broad brush overview. There are specific impacts and possible actions that only apply to these properties and are only of interest to these people and no one else."*

Vivienne commented that their property values had gone from millions to zilch because no one will buy them. Vivienne noted that Council needed to get together with these residents as a group and see what options they have.

Rather than making it generic it may be more useful to look at people affected in different areas and say:

- Here is your risk.
- This is the expectation - this could happen.
- This is what you might do.
- People come together for Landcare, which is wonderful, they should come together for this and maybe be able to contribute to an outcome because it involves protecting their property.

Vivienne asked Greg: *"If you live inside a hazard line will there be restrictions applying where, say after thirty years, will have to make an application to stay in your home?"*

Greg replied that: *"The main thrust of the plan is not to sterilise the land before nature takes it away. The aim is to let people stay in an affected area as long as possible."*

Vivienne then asked: *"What impact does the hazard lines have on property sales?"*

Greg replied that: *"Council has had some economic analyses done on the impact of placing a notice on 149 Certificates. You will get a drop in property valuations and sales for a period. That picks up after about six months. This happens anywhere, it happened down in Gosford. We also found out that when people buy a property they do not look further than forty to fifty years when considering their investment. People seem unwilling to put money into defending against a hazard that may happen forty to fifty years hence. So it is pretty silly to do protection works now for something that may or may not happen in fifty years time. So if you are within the 2050 line you need to address it. If you are beyond the 2050 line you need to be aware of it, but it may not happen. If you are between the immediate hazard line and the 2050 line there may be a range of things you may have to take into account to protect your house for that time. It may be that you will not be able to get a DA in that zone if the CZMP is adopted. If you are affected by the immediate hazard line it is nature that is dictating things. Council understands this is a highly emotive issue, but Council does not set property prices. Some of the decisions Council makes affects property prices but Council has a duty of care to tell everyone what the issues are"*

Comment: *"One of the most controversial parts is the geotechnical zones. My house is back 80 to 90 metres from the sand. I have lived there for forty years. If there is going to be any slippage cracks appear in the walls. I have not noticed any. Sometimes Governments err on the side of caution, and in the process of erring on the side of caution the individual home owner is affected. I am wondering if the geotechnical zone are set in concrete or whether I am set in concrete."*

Greg Replied: *"They are just geotechnical hazards. Some are cause by climate change and others are not. Council is letting you know there could be a problem on your property. So if you apply for a DA you would get a geotechnical report, the issue may be very, very minor or it may be major and they can alert you to that so you can safeguard against it."*

The response was: *"Having a geotechnical hazard on you 149 certificate can affect the value of my property by \$200,000.00 and that is a substantial effect. Individual house holders have to prepare ourselves for something like that and also protect ourselves because the consultant who drew the line may not have got it right."*



A question to Greg asked: "What had he observed from the Wyong Shire community, did the community believe this was going to happen and if not are they of the opinion that we should just ignore it?"

Greg Replied: "It seems that the residents who are not impacted are quite supportive of the proposal while those who are directly impacted tend to question it more closely."

Greg returned to the question of property prices. He advised that the properties on Curtis Parade have had the notice on their 149 certificates for over ten years and it is only recently that it has had an impact. "Is it because of the 149 certificates or is it because these houses may not be long for this world if we have a major storm?"

Mathew Lusted drew attention to the fact that the CZMP only affected a few hundred properties, while his property was part of the eight thousand that are impacted by the Tuggerah Lakes Flood Plain Management Study. He stated Council's Control Plan had frozen out development and sterilised these eight thousand properties. He said his experience in getting approval for his development met a lot of resistance from Council staff and thanked the Councillors who voted against the recommendation to approve the development by a vote of nine to one. He said this is an issue for all of us. He is of the belief that development was the answer to changing things. If we just retreat and say "woe! woe! woe!" as we wait for water to come in, saying we can't afford to pay for it, then we sterilise peoples land. He stated that we would all lose if development is halted.

Greg replied that the CZMP is not anti development it is about appropriate development. The more development we have the more we can afford to put in place protection measures.

Councillor Doug Vincent commented that we have to have development in the right areas. In Brisbane they allowed a lot of development on flood prone land, when it flooded they called for a bail out from the public purse. They are asking Federal, State and Local Governments to put in one third each to buy them out. You have to be mindful if you put the development there you have to be mindful of the public purse because you could be privatising the profits and socialising the losses.

The Mayor, Doug Eaton, made the following points:

- Everyone agreed that we are going to have big storms and we are going to have erosion.
- We have existing houses that are endangered.
- The question is what do we do about these properties?
- Do we allow people to reduce the risk by building safer houses?
- The State Government has mandated the 40cm sea level rise by 2050 and the 90cm rise by 2100.

There was a question to Greg about where is the boundary between Council's responsibility and the State Governments responsibility? Greg replied that he beach was State owned Crown land and administered by the Department of Primary Industries..If you want to put in a rock sea wall, you have to put in a DA. It has to be properly engineered. It can't effect your neighbours by causing erosion to their property. It still needs approval from the State Government.

Marlene Pennings stated that she lives in Hutton Road. She stated that the 149 Certificates along that section were marked as "Coastal Hazard " back in 1999. The property market went up and peaked around 2004, 2005. It has since gone back down and this was due to market forces not the hazard lines. She said the best thing we can do is support Coast Care and get as much sand put on the beach as we possibly can. Dune fencing is a great way to slow down erosion and if we had more we could protect Curtis parade.

A comment from the floor advised that Westpac was providing full flood cover at very competitive rates.

Doug Vincent wanted to know if people supported a levy to help address the sea hazard. There was no clear support from the meeting.

Vivienne Scott wanted the possibility of an assurance scheme to be investigated. She wanted Council to:

- Put together some proposals for the protection of properties from flooding and coastal erosion.
- Flooding and coastal erosion have to be linked.
- Prepare a costing of the proposals.
- Prepare some options for funding the proposals. It could be a grant, a levy or insurance.

We are not in a position to consider a levy when we do not know what it is for.

Another comment was that it was not about levys, but about planning and development. She recalled the letter she received in 1976 when there was a cyclonic storm here. The properties went into the ocean then. I have never forgotten that. We ignore the warning signs and we are still building on the coast like nothing happened. I can't see how a funding levy is going to help with all the other things attached to it.

Marlene Pennings supported Vivienne's call for options and costings to be developed, saying that this has not been addressed in the CZMP and gave the example of the proposal to place sand bags at Curtis Parade. The trial of the sand bags at Curtis Parade has been talked about for several years at the Estuary Management Committee and seem to have gone by the by. We need to know what options like this would cost and what it would cost to do them properly.

Greg advised that the CZMP is a strategic plan and gives you the option of looking at options at the next level. It comes back to money.

Greg advised that following consultation the plan would be reviewed and any changes that were necessary would be made. It would go to Council for adoption and be forwarded to the State Government Minister. He expected that there would be small amounts of grant funding to become available to develop the programs, like dune stabilisation.

Vivienne Scott disagreed saying he had it the wrong way around. You develop the plans, do the costing and then look for the grants. You are much more likely to get funding if you have a design.

Vivienne Scott thanked Greg White very much for coming and stated that this was not the end of the story and that TEPCP would be taking issues further with Council.