



28 March 2024

Port Stephens Council

# Submission: Draft Coastal Management Program

## About TRRA

The Tomaree Ratepayers and Residents Association Inc (TRRA) represents the community on a range of issues which affects the Tomaree Peninsula in Port Stephens LGA, including planning and development, economic development, cultural infrastructure and resources, the built and natural environment, tourism and other grass roots issues.

## Submission

TRRA welcomes this draft Program, as the culmination of several years of detailed work by Council staff and consultants. We congratulate all involved on their efforts and on the extensive consultation that has taken place, in several rounds, with community representatives, as documented in Appendix B.

## Consultation challenging

Unfortunately, but predictably, it has proved difficult to engage the wider community, and even directly affected landowners, on matters which will have profound implications for land uses, access, and the environment within the coastal zone. Due to its geography, Port Stephens has an unusually large coastal zone along more than a hundred kilometres of shoreline, both open ocean and inland bay and estuary waters. A large proportion of the residents of the Tomaree and Tilligerry peninsulas in particular live within or adjacent to the coastal zone.

The requirements that Council has had to meet under the Coastal Management Act and planning framework have resulted, unavoidably, in a complex multi-layered document which is difficult to understand, even for those community members who have taken a close interest. Engagement with affected parties will remain a significant challenge as the Program is implemented. TRRA looks forward to contributing to this process, and would like to be considered for the ongoing Stakeholder Reference Group proposed on p13 of the Draft Program.



## Scope of the Program

Stages 2 & 3 of the Program process understandably focussed on major ‘physical’ risks and in particular on Coastal Hazards, which were identified as Coastal erosion, inundation and sand-dune migration.

We are pleased to see that as well as addressing these hazards (and the threats to Recreation and Access that arise directly from the coastal hazards), the Draft CMP also addresses threats in the areas of Water Quality and Biodiversity. However, we are disappointed that the Program does not revisit two important aspects of the Unique Character and Sustainable Development ‘values’ that were identified in Stage 1 (Table E1, pix). These are visual amenity (local character) and heritage.

**Visual amenity and maintenance of local character** remain a very significant issue for many in the Tomaree communities and are seen as under threat from development pressures in the Coastal zone – particularly the pressure for high rise apartment buildings in coastal settlements, which many residents feel are incompatible with the local character and tourism appeal of the area. We submit that this issue needs to be expressly acknowledged in the Program as a risk to be appropriately managed. There is brief reference to the issue in the ‘Coastal Use Area’ row in Table 2-3 (p20) and on p26 (which chooses not to discuss population pressures) but it is not in our view sufficiently developed, and deserves more attention.

**Heritage** is also important and as well as significant aboriginal heritage considerations in the coastal zone, which others are better qualified to comment on, we think the program should expressly recognise the future of the Tomaree Lodge site, which has important heritage value, as a key issue requiring Council and State Government action.

We also submit that under the Sustainable Development ‘value’ there is insufficient consideration in the Draft Program of the full range of land- and water-use options, and specifically of the potential benefits and risks of **fisheries and aquaculture infrastructure**. We would have expected more discussion of the future of food oyster farming, and the potential for both land and water based aquaculture, particularly given the history of controversial fish farming and pearl oyster farming in and offshore Port Stephens.

We note the identification of the **offshore wind proposals** for Commonwealth waters off our coast as a Mining and Extractive Industry risk, leading to a proposed ‘action’ (Action D1001, p31). The offshore wind proposals are very controversial locally, but we acknowledge the proposed MoU between Council and the WLCB as an important necessary action as part of the wider engagement with Commonwealth and State authorities. Going to our point above about the missing ‘visual amenity’ element in the Program, the visual impact of offshore wind turbines even if they are located well outside the coastal zone is clearly a relevant risk/threat to be considered.

Management of **powered watercraft** is another controversial local issue. While it could be considered a legitimate issue to be covered by the CMP (under the ‘Coastal Use Area’

heading, given that the Coastal Zone includes the areas of water most used by personal watercraft) we assume that Council would prefer to address the issue in other forums, including those involving the Marine Park and NSW Maritime, and also in the context of Council's Boating and Fishing Infrastructure Plan. We agree that the 'jetski' issue does not fit well under the CMP.

## From risks to actions

The methodology used to assess and identify the risks, and then to reduce 158 management options to 60 specific 'actions' appear to have been sound (with the exceptions mentioned above).

We particularly welcome the level of detail attached to the 13 'complex actions' (for all of which PSC is the lead agency), with estimates for costs and timing for what are mostly specific capital works projects for particular foreshore locations (pp 40-68). These should be of great interest to residents in those locations, provided Council is able to engage them. Lesser detail for the other 47 'actions' is provided in Table 5.2 in the Business Plan.

We support the priority given to the necessary work involved in preparing changes to the planning instruments – particularly the LEP (Action CH011). We note that some initial changes to the LEP are concurrently on exhibition – TRRA has separately supported those changes. It is essential that as soon as practicable, Council prevents increased risks from coastal hazards as a result of inappropriate development approvals in unsuitable locations. We support the analysis in Section 4 and recommended changes set out in Table 4.2 (pp71-72).

We submit that the Program should give more explicit recognition to the concept of 'planned retreat' as an alternative adaptation strategy that could avoid the need for costly and ultimately futile sand nourishment and hard engineering 'protection' works. Several of the proposed 'actions' involve further risk assessments and planning, while others make an assumption that 'protection' is the preferable strategy. We urge Council to consider whether, in some cases, abandonment or relocation of public assets, and even 'buy-outs' of vulnerable private property, might not be a more cost effective and pragmatic approach. We acknowledge that Action CH029 does expressly give retreat of Foreshore Drive as an option with its own Action CH031.

We note that several of the proposed 'Actions' involve sand movement, which is also one of the responses in the Emergency Action Subplan at Appendix C. Appendix D details further sand management actions. Given the very substantial recurrent costs associated with beach scraping and sand nourishment, we submit that further assessment of these actions is required to ensure that they represent the optimum response to the specific risks in each location.

We submit that a higher priority should be given to further risk assessment of the stretch of Shoal Bay Road vulnerable to erosion. Action CH017 is shown in the Program as not commencing until Years 2-4, and the related Action CH073 until Years 2-3. Given that resolution of the Shoal Bay/Fingal Bay access problem is critical to future planning for those

localities, and that any sudden closure of the road at this point would be enormously disruptive, we suggest that preparatory work, and planning of alternative access, should start immediately.

In relation to Action CH001 – Coastal Hazard Monitoring, we suggest that there may be a valuable role for volunteer input ('citizen science') to make limited resources stretch further and complement or replace the need for consultants or Council staff.

## Funding implementation

The Program proposes works in the first ten years costed at more than \$14 million, with many of the 'actions' likely to identify further capital works required in successive time periods under future versions of the Program. Council hopes for some \$8 million in grants towards the ten year 'budget', but this still leaves \$6 million for Council to find from its own resources (Business Plan, p73).

The table on pp 78-83 itemises the cost to Council of each proposed 'action'. It would be helpful if the table also indicated, for each 'action' whether that cost is already committed in Council's Capital Works Plan, already flagged (but unfunded) in the Capital Works Plan Plus, or completely new. This would show which of the 'actions' are likely to be delivered from the already planned budgets, and which will require either new revenue or changes in priorities. There is reference on p27 to Council's IP&R framework, with its 1, 4 & 10 year 'horizons', and more detail in the Business Plan (Table 5-2) but a clearer 'laypersons' explanation of how the CMP Business Plan fits into the framework would be helpful.

It is also not clear from the table whether the estimated annual recurrent cost for some items is already budgeted or will need to be 'found' over and above already planned budgets.

## Mapping

The maps at Appendices A and E are clearly critical to an understanding the Program and of the risks and proposed actions. However, there are obvious limitations to how easily printed maps at the scale provided can be read and interpreted, particularly for parties interested in specific properties and the likely impacts on those properties. We assume that the maps are also available online with the facility to 'zoom in', and this facility needs to be clearly promoted and supported as the Program is implemented, to encourage further input from affected parties and the wider community.

## Emergency Action Subplan

We welcome the attention given to contingency planning for coastal emergencies, as set out in Appendix C. It is essential that Council leads and co-ordinates preparations in advance for responding to emergency events affecting the Coastal Zone, especially given that the likelihood and severity of some natural events is increasing due to the impact of human-induced climate change.

## Conclusion

TRRA welcomes the Port Stephens Coastal Management Program and looks forward to having continued input as the Program is implemented.

We have no objection to this submission being made public, in full and unredacted.

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