

# SUBMISSION



## Stage II Coastal Reforms - Objection

Coastal Residents incorporated is focussed on the coastal management issues that face the NSW Central Coast. The Association strongly objects to the proposed Stage II Coastal Reforms announced by Minister Stokes at the Coastal Conference in November 2015. We note the Coastal Conference is a function owned by the Coastal Society.

The reasons we have for objecting to the reforms are below:

### **Consultation is Non Existent**

The NSW State Coalition Government must be ashamed of the way in which it has introduced these reforms. Public engagement and consultation has been negligible. Not one public information session was provided for the residents of the Central Coast who stand to most affected by the proposed reforms.

This is a cowardly and negligent approach to an issue of such consequence for the Central Coast.

The Central Coast has been identified as the most impacted region in Australia in terms of projected rising seas that will increase the frequency and intensity of coastal hazards. Not even the Parliamentary Secretary for the Central Coast Scott McDonald has been able to publicly address this issue and encourage local communities to submit their consideration of this package.

Instead his focus has been on encouraging submissions on the Central Coast Regional Plan. A pissant collection of ancient proposals that is changed with every new government.

The Minister for Planning Minister Stokes, presented a friendly face to the people of the Central Coast but it is now very obvious that this was an abject display of insincerity. He knew what was coming and not once did he provide residents of the Central Coast with any forewarning of these draconian proposals that will impact the economy of the Central Coast. One of his important "saltwater economies" he would lead us to believe.

Offering a so-called consultation period over the holidays and then not actually consulting with local communities displays contempt for the people of the Central Coast in much the same way the NSW Coalition Government did when it was elected in 2011 and proceeded to backflip on its promises over the Wallerah Coal Mine.

## **The NSW State Governments Responsibility to Protect Coastal Communities Against Threats of Rising Seas**

This is an important point to consider because the backflip over Wallarah Mine epitomises the insincerity of a State Coalition Government that is entirely focussed on the Sydney Metropolitan area.

The NSW State Coalition Government has planned to raise \$1.7 billion dollars in royalties from mining by the year 2017. They have allowed the destruction of huge tracts of arable land in the Hunter Valley and in the process destroyed the social fabric of local communities.

Having benefitted from the mining and sale of coal for the past 5 years they have been in government, they have now backflipped on promises to protect coastal communities on the Central Coast against rising seas and the draconian planning regime that they have implemented.

Instead they have allowed the Office of Environment and Heritage, a government agency, and Gosford City Council to run riot and cause long term damage to local communities by imposing development constraints that don't stand the test of logic.

Together they have allowed the waste of around \$10million in public funds on phony plans and highly flawed surveys of homes that are subject to coastal flooding or storm surge.

Wyong Council is now immune to such constraints but not from any assistance by the NSW State Coalition Government.

It is immoral that a NSW State Government can collect huge royalties from coal mining, be a global p-layer in the trade of coal and yet attempt to transfer all projected costs of rising seas onto local communities that will be affected by these threats.

### **Other Aspects of the Reforms that Are Objected To**

- **The proposed reforms are heavily biased against existing settlements.** There is no differentiation between existing developed areas and undeveloped land when it comes to mitigating the risk of rising seas.
- **The proposed reforms were meant to be simple and fit for the future.** Instead they are highly complex with a multitude of objects and objectives around 70 development controls and use large amounts of highly technical and legal jargon that a truck wouldn't get through. What this means is that the Minister, the Coastal Council and local councils will be all powerful in the implementation of the reforms because they will have unlimited reasons to argue against any proposals for development.
- **Whole suburbs on the Central Coast will be adversely affected** by the proposed reforms and there is no suggestion they will be protected or compensated. Many of the oldest suburbs in Australia located around the foreshores of Brisbane Water will be severely impacted as the proposed reforms are implemented by a diligent council
- **The planning constraints included in the reform package include the use of time limited development consent and planned retreat.** Previously promised by the NSW Coalition as a last resort they are now presented as a priority

- **The proposed Wamberal Revetment** will never be allowed by the new Coastal Council. This new authority will advise the Minister. It is well known the most likely members will be representatives of the Coastal Society and the Greens together with coastal engineers. All with vested interests that will not be reconciled with the needs of the Central Coast. Our other open coastal beaches are also deprived of any future protection works.
- **Emergency protection is removed by the reform proposals.** The right of property owners to protect their property is completely removed and replaced with a bureaucratic process entirely at the whim of local government, the Coastal Council and a Joint Regional Planning Panel. Advice is that owners plan ahead but emergency works are to be removed within 30 days or to be constructed as approved permanent works. Pigs will fly!

That will never happen while the Coastal Panel is in charge and while we have Minister Stokes in charge of the Coastal Panel

- **It is possible for mandatory requirements to be changed without the scrutiny of Parliament.** Minister Stokes has allowed the construction of the most complex legislation known that includes provisions for the mandatory requirements embedded in the new Coastal Manual to be changed by the minister without the knowledge or input of Parliament. Councils can disregard the new State Environmental Protection Plan (SEPP) maps indicating the extent of the 4 new coastal management areas by amending their Local Environmental Plan - subject to ministerial approval.
- **The NEW SEPP extends wetlands and littoral forest boundaries and also provides a 500 metre landward boundary around lagoons and lakes.** Properties inside these new boundaries will be subjected to extreme environmental constraints. Residential property located within 500 metres of Pearl, Beach, Cochrane, Wamberal and Avoca will be subjected to the development controls required for at least 3 and probably all four of the new coastal areas. The SEPP does allow for residential land inside the extended wetlands zone to not be affected but councils can change this by amending their LEP.
- **It is also questionable that the protection works at Ettalong can be expected to survive into the future.** If these works were to be proposed under the new reforms, it is most unlikely they would be approved. If at some stage they need to be replaced or sand needs to be pumped onto the foreshore again, these reforms will present a challenge.
- **Dredging of Brisbane Water and Broken Bay will most likely not be approved under the constraints imposed.** The beach in open coastal situations extends out to a depth of 40 metres while in enclosed waters it is to a depth of 10 metres. The environmental constraints on any coastal protection works are very severe.
- **The value of private landholdings will be affected.** It is logical and completely undeniable that land value will be adversely affected. All information regarding projections of current and future hazards will be referenced on S149 planning certificates to warn off potential buyers.
- **No plans or proposals for adaptation.** The proposed reforms while claimed to allow coastal communities to become more resilient will have the opposite effect. The only adaptation that stands out are proposals for managed retreat. This comes when there is speculation regarding the current level of global warming which has been shown to have slowed. Nonetheless, the NSW State Government is determined to implement a punitive and risk averse approach to climate change **which goes against recommendations of the Federal Productivity Commission which investigated barriers to adaptation to climate change.**

## Conclusion

These fatally flawed proposed reforms are not what the Central Coast needs to combat the projected risk of climate change and consequential rising seas. Central Coast Communities need certainty for the future. These reforms do not provide that. Instead they will divide local communities and ultimately damage the local economy.

They are the misguided rantings of a minority who believe the best way to respond to climate change and sea level rise is to weed out those who will be affected, divide them from the general community and threaten them with loss of wellbeing and livelihood.

The NSW State Coalition Government has lost the plot! They need to go back and get a good dose of optimism instead of going into a complex attempt to cover their rear.

Len Gibbons President

A handwritten signature in black ink that reads "Len Gibbons". The signature is written in a cursive, flowing style.