

Currently the CHCC Coastal Hazard Planning Project threatens to destroy coastal residents' ability to live and improve their properties in the future. It is the subject of outdated, damaging climate change projections related to flooding and coastal erosion. **PLANNED RETREAT IS NOT THE ANSWER.**

"There is nothing planned about retreat that expropriates people's homes without recourse or assistance. Planned retreat without anywhere to go is surrender by another name."

Coastal Residents Incorporated believes that our NSW coastal communities, including those of the Coffs Harbour have an opportunity to revitalise and in that process contribute to the future prosperity of NSW.

Currently the policy of the CHCC project is Retreat and Risk Aversion. Residents have had little or no say in the methods of planning nor amelioration of the problem.

More disturbingly, Coffs Harbour City Council Coastal Hazard Planning Project has no costings for this project in any format.

No consultation on reimbursement of loss of amenity or ability to build or develop has been considered in this document. There is also no mention of the loss of value of property (this issue was directed by the State Government to Councils in a recent planning circular to be addressed).

Future funding options have been currently proposed to the State Government to adopt a protective approach rather than retreat from the problem. Protective adaptation would support community engagement and hard and soft protective measures including a properly funded beach and dune stabilisation program together with appropriate flood mitigation works and programs.

The annual funding of emergency services, including around \$350million for Rural Fire Services should be redefined to also support a **"disaster management fund"** that includes future funding for coastal management.

Current funding for coastal management is an inadequate \$3million annually and an increase to around \$30million would rapidly address most immediate issues while also ensuring long term protection and improved public access and amenity for all users of our waterways and open coastal beaches. Residents would be happy to lobby State Government for this increase. At present there are no references to funding for stabilisation programs mentioned within the CHCC Coastal Hazard Planning Project.

Coastal communities would like to see an end to ad hoc management of our coastal areas. Coastal councils and the communities they serve are not capable of undertaking this important role without adequate support and guidance from the State Government. However, there is a need for a local approach from Council to address the pressing issues of loss:

- Loss of property value
- Loss of building options
- Loss of gross domestic product through the economic loss of tourism where beaches are ravaged
- Loss of economic growth in business areas such as Woolgoolga where Council has recently commissioned a growth plan.

CONSIDERATION OF RETRIBUTION FROM RESIDENTS

Already it is well documented that residents from many coastal Councils have taken their cases to the Land and Environment Court and won based mainly on the insane levels of sea rise predictions presently being adopted by Councils. There is a bank of Case Law on this subject to date.

Councils such as Eurobodalla, Port Macquarie/Hastings, and Gosford have moderated their estimated sea rise levels downwards and thereby avoiding costly and unnecessary court battles.

The cost of sterilisation of residents' properties will lead to financial loss and devastation by land owners and create unnecessary hostility towards Councils and State Government.

THE COST OF FURTHER IMPOSTS IN LEP AND DCP REQUIREMENTS AND THE BURDENING OF THE SECTION 194 LEGISLATION.

Future funding for the coastal management of the NSW Coastal Zone should address amenity, access, social and environmental concerns. Planned retreat fails for a number of reasons.

- Firstly it is discriminatory. Governments seem happy to protect public property using rock walls but not private property. Is it lawful to have a plan to protect part of the community whilst depriving the rest of the community of the ability to protect itself?
- Secondly, planned retreat also fails sociologically as it deprives ordinary people of their right to own and inhabit their legally obtained property. Forcing people to retreat from their homes would only create hardship, anxiety but possibly psychological damage.
- Thirdly, the 2011 government paper said "planned retreat creates significant legal problems for Councils, and exposes them to the possibility of having to pay significant damages". Another expert is quoted as saying "planned retreat opens up a legal minefield".
- Fourthly, Planned Retreat could be described as "resumption in disguise, and as any lawyer knows, there can be no resumption without compensation.
- Fifthly, another argument that is used in favour of planned retreat is that it is the cheapest option. Of course this is untrue. The real cost of planned retreat has to be measured by a number of factors such as the loss of infrastructure, the loss of Government land, potential legal cases and damages, and possible compensation.

OTHER OPTIONS

Other options such as groynes, beach nourishment, revetment, offshore reefs and rock walls would, in the long term prove to be cheaper and much more cost effective when everything is factored in.

If planned retreat is a valid solution to coastal management, why isn't it a valid solution to bushfire management? Why don't we tell the residents of Springwood, Warrimoo, Menai Canberra and all of the other bushfire prone areas that people cannot protect their houses by clearing and other preventative measures?

Why don't we tell them that when the bushfire approaches that they must demolish their homes and retreat?

Why don't we tell them that when they're standing in front of their burnt out homes, that they can't rebuild them and that they must pay for the demolition costs. The reason that we can't tell them this is that it would be morally wrong and politically untenable. So why is planned retreat any different?

Council should be cautious that interfering with peoples' basic rights could be a very dangerous cause to pursue.

Further in the NSW Government advice to Councils 2011 it was stated that ***“planned retreat imposes considerable restriction on the use of property, and may even result in land being sterilised from any form of habitation”***. Is this what we want to happen to the NSW coastline as the Queensland coast flourishes due to their diametrically opposed strategy of beach protection and nourishment.

The current coastal management strategy assumes that affected property owners alone carry the cost and societal burden of Climate Change projections – I can only imagine the intellect that can embrace “climate change” as an absolute reality yet simultaneously dismiss the impact on those directly affected as “Their Problem – Not Ours!”

The project needs a ground up restructure to include:

- Due consideration for the protection of the existing beach and its value to the wider community – protect the beach “asset” before adjoining property is lost.
- Councillors' to be given Ministerial type indemnity from 733/ good faith prosecution to prevent them being coerced by Administration.
- Advocacy for property owners.
- Ministerial level representation, perhaps a Parliamentary Secretary as a conduit between the parties.
- Equitable compensation where Planned Retreat is the only option.
- A balanced approach to technical matters, an authority deemed with the responsibility of beach protection – not an over-arching presumption of failure.
- Independent and fair review of cost /benefit, not the current system where consultants offer favourable opinion to the highest bidder.

Angus Gordon suggested the establishment of a separate authority to manage beach nourishment from the massive off shore reserves of sand in NSW. Expand this view to an authority that manages coastal protection adequately funded via the existing disaster levy system while considering the above points. Then we have something approaching an equitable outcome for all residents.

Our many small coastal communities offer future benefits for a growing NSW population that are yet to be determined and to strike them out now ensures that those unknown benefits will never crystalize.

We need to maintain our coastline and to ensure that people living in coastal areas can enjoy their lives and follow their dream