

Beach house owners told to surrender to will of the waves

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Jo and Eugene Marchese at their home at Wamberal beach on the NSW central coast.



Picture: Ryan Osland

All Eugene Marchese wants is to spend his own money to protect his house from being swallowed up by the sea.

If his place were on a beach on Queensland's Gold Coast, he would not only be allowed to do so, he would be required to under council regulations.

But Mr Marchese's beach house is at Wamberal on the NSW central coast, and so far the state government appears to have been doing all it can to stop him saving his property.

It's symbolic, Mr Marchese says, of a broader attitude among those in NSW state and local government responsible for dealing with coastal erosion.

"Their thoughts are, 'natural processes should be left to natural processes'," Mr Marchese said.

"If your house ends up in the water, that's your problem."

The saga began a little over a year ago when a storm that tore through Sydney's northern beaches almost managed to grab some of the houses on Wamberal beach too. "The storm took away a big chunk of our property, the beach-facing side," said Mr Marchese, who runs a Sydney-based international architectural practice.



The encroaching sands. Picture: Ryan Osland

"Next storm, our houses will end up in the ocean. Six of us got together, a logical group of properties, and said 'We're prepared to pay for this, to get some protection for ourselves'."

The six owners commissioned an engineering study, came up with a plan for a 100m sea wall, which would cost \$2.5 million, and lodged a development application.

The DA had to go not to the local council, but to the Coastal Panel, a body specifically established by the state government within the Office of Environment and Heritage to consider seafront management and approvals.

From there the owners' proposal for a sea wall met a brick wall. The 42 days the Coastal Panel had under law to consider the DA expired, meaning it was deemed to have been rejected. The next step, court-ordered mediation, failed because, Mr Marchese said, the panel's environmentalist inclination is for a "planned retreat" strategy of allowing the sea to take what it will.

The chairman of the Coastal Panel, Sydney University emeritus professor Bruce Thom, who is a distinguished coastal processes and climate-change scientist, declined to respond to Mr Marchese's claim of green bias in the panel. "The Coastal Panel followed what's in the law, what's in the act," Professor Thom told The Australian.

So the beachfront owners took the matter to the Land and Environment Court for adjudication.

But not long before the case was due to be heard, Environment Minister Gabrielle Upton approved a Coastal Zone Management Plan for the Central Coast Council, meaning the local council replaced the Coastal Panel as the "consent authority" for the DA.

That meant the court application no longer had a respondent, and the Central Coast Council, under administration because of amalgamation plans, did not agree to an application from the owners to be joined to the case so it could be dealt with.

So a year later and having spent about \$500,000 on legal, engineering and planning fees, the owners are back at square one.