Coast, Estuary & Floodplain Advisory Sub-Committee

Business Paper

date of meeting: Tuesday 9 February 2016
location: Committee Room
       Port Macquarie-Hastings Council
       17 Burrawan Street
       Port Macquarie

time: 3.00pm

Note: Council is distributing this agenda on the strict understanding that the publication and/or announcement of any material from the Paper before the meeting not be such as to presume the outcome of consideration of the matters thereon.
Coast, Estuary & Floodplain Advisory Sub-Committee

CHARTER

Adopted: OC 18/11/15

1. Advise Council on conditions and management issues for the coast, estuaries and floodplains of the Port Macquarie-Hastings local government area.


3. Advise Council on the implementation of adopted coastal zone, estuary and floodplain risk management plans.

4. Act as a committee for the purpose of relevant NSW guidelines as they relate to estuary, coastline and floodplain management.
## Coast, Estuary & Floodplain Advisory Sub-Committee

### ATTENDANCE REGISTER

<table>
<thead>
<tr>
<th>Member</th>
<th>29/09/15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councillor Lisa Intemann</td>
<td>✓</td>
</tr>
<tr>
<td>Councillor Sharon Griffiths</td>
<td>A</td>
</tr>
<tr>
<td>Adrian Button (Waterways User Rep.)</td>
<td>A</td>
</tr>
<tr>
<td>Alan MacIntyre (Community Rep.)</td>
<td>✓</td>
</tr>
<tr>
<td>Bob Jolly (Community Rep. - Lake Cathie)</td>
<td>✓</td>
</tr>
<tr>
<td>Graeme Sayer (Development Industry Rep.)</td>
<td>X</td>
</tr>
<tr>
<td>John Hough (Community Rep.)</td>
<td>✓</td>
</tr>
<tr>
<td>Kingsley Searle (Oyster Industry)</td>
<td>✓</td>
</tr>
<tr>
<td>Laurie Lardner (Community Rep.)</td>
<td>A</td>
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<tr>
<td>Patrick McEntee (Community Rep.)</td>
<td>✓</td>
</tr>
<tr>
<td>Paul Hyde (Hastings River Fisherman's Co-op)</td>
<td>X</td>
</tr>
<tr>
<td>Tony Troup (Oyster Industry)</td>
<td>✓</td>
</tr>
</tbody>
</table>

### Staff

<table>
<thead>
<tr>
<th>Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Matt Rogers (PMHC)</td>
<td>✓</td>
</tr>
<tr>
<td>Tim Molloy (PMHC)</td>
<td>✓</td>
</tr>
<tr>
<td>Gordon Cameron (PMHC)</td>
<td>✓</td>
</tr>
<tr>
<td>Dan Croft (PMHC)</td>
<td>✓</td>
</tr>
<tr>
<td>Thor Aaso (PMHC)</td>
<td>✓</td>
</tr>
<tr>
<td>Jesse Dick (PMHC)</td>
<td>✓</td>
</tr>
</tbody>
</table>

### Agencies

<table>
<thead>
<tr>
<th>Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Tina Clemens</td>
<td>A</td>
</tr>
<tr>
<td>Jaimee Vlastuin (Lands Department)</td>
<td>✓</td>
</tr>
<tr>
<td>Lee Burdett</td>
<td>✓</td>
</tr>
<tr>
<td>Michael Northam (alternate) (DPI - Fisheries)</td>
<td>✓</td>
</tr>
<tr>
<td>Steve Atkins</td>
<td>A</td>
</tr>
<tr>
<td>Eric Claussen (National Parks Wildlife Service)</td>
<td>✓</td>
</tr>
<tr>
<td>John Schmitt</td>
<td>A</td>
</tr>
<tr>
<td>Kate Browning (Office of Environment &amp; Heritage)</td>
<td>✓</td>
</tr>
<tr>
<td>Matt Dawson</td>
<td>✓</td>
</tr>
<tr>
<td>Andre Uljee (Maritime Division - RMS)</td>
<td>✓</td>
</tr>
<tr>
<td>Anthony Day</td>
<td>A</td>
</tr>
<tr>
<td>Ray Richards (SES Rep)</td>
<td>✓</td>
</tr>
</tbody>
</table>

**Key:** ✓ = Present  
A = Absent With Apology  
X = Absent Without Apology
Coast, Estuary & Floodplain Advisory Sub-Committee Meeting  
Tuesday 9 February 2016

**Items of Business**

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<td>General Business</td>
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</table>
AGENDA

COAST, ESTUARY & FLOODPLAIN ADVISORY SUB-COMMITTEE

09/02/2016

Item: 01
Subject: ACKNOWLEDGEMENT OF COUNTRY

"I acknowledge that we are gathered on Birpai Land. I pay respect to the Birpai Elders both past and present. I also extend that respect to all other Aboriginal and Torres Strait Islander people present."

Item: 02
Subject: APOLOGIES

RECOMMENDATION
That the apologies received be accepted.

Item: 03
Subject: CONFIRMATION OF PREVIOUS MINUTES

RECOMMENDATION
That the Minutes of the Coast, Estuary & Floodplain Advisory Sub-Committee Meeting held on 29 September 2015 be confirmed.
PRESENT

Members:
Councillor Lisa Intemann (Chair)
Alan MacIntyre (Community Rep.)
Bob Jolly (Community Rep. - Lake Cathie)
John Hough (Community Rep.)
Kingsley Searle (Oyster Industry)
Patrick McEntee (Community Rep.)
Tony Troup (Oyster Industry)
Michael Northam (DPI - Fisheries)
Kate Browning (Office of Environment and Heritage)
Matt Dawson (Maritime Division - RMS)
Ray Richards (SES)
Eric Claussen (National Parks & Wildlife Service)

Matt Rogers (PMHC)
Tim Molloy (PMHC)
Gordon Cameron (PMHC)
Dan Croft (PMHC)
Thor Aaso (PMHC)
Jesse Dick (PMHC)

Other Attendees:
Jaimee Vlastuin (Lands Department)
Steve Lawrence (SES)

The meeting opened at 3.02pm.

01 ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was delivered.
02 APOLOGIES

Graeme Sayer (Development Industry Rep.) was absent possibly due to illness. Council to contact Graeme Sayer and confirm his status on the new committee.

Jaimee Vlastuin represented Tina Clement (Lands Departments) and Eric Claussen represented Steve Atkins (National Parks & Wildlife Service).

Matt Dawson (RMS) requested that Andre Uljee be included as a member for upcoming meetings as he is the Maritime Division - RMS representative for the Camden Haven Catchment.

A contact list of all members to be circulated when the minutes are distributed.

CONSENSUS:

That the apologies from the following members be accepted:
- Councillor Sharon Griffiths,
- Adrian Button (Waterways User Rep.),
- Laurie Lardner (Community Rep.),
- John Schmitt (OEH)
- Tina Clement (Lands Department)
- Steve Atkins (National Parks & Wildlife Service)
- Anthony Day (SES)

03 CONFIRMATION OF MINUTES

CONSENSUS:

1. That the Minutes of the Hastings LGA Coast & Estuaries Sub-Committee Meeting held on 14 October 2014 be confirmed.

2. That the Minutes of the Hastings LGA Floodplain Sub-Committee Meeting held on 23 April 2015 be confirmed.
04 DISCLOSURES OF INTEREST

Matt Rogers clarified that the conflict of interest form is provided in the agenda so that if a conflict arises the relevant member can fill out the form for that particular issue.

Cr Intemann confirmed that each member should fill out a form if there is the potential for a conflict of interest to occur as the attendance register records all members present at each meeting.

There were no disclosures of interest presented.

05 BUSINESS ARISING FROM PREVIOUS MINUTES

Business Arising from Coast & Estuary Committee Meeting held on 14 October 2014:

Item 07: Members were advised that Vegetation Mapping can be obtained by contacting Thor Aaso.

Item 09.01: Patrick McEntee confirmed that he had received the Flynn’s Beach Seawall design plans.

Item 09.08: Matt Rogers provided an update on the following matters:
- The Sea Level Rise mapping will be placed on Council’s website when the relevant web pages are reviewed in the coming months.
- An update on the Biodiversity Strategy will be presented at the next meeting and will be listed as an ongoing item on the agenda.
- There are currently no environmental education grant projects currently in place and Council has not applied for any grant funded environmental education projects for the current financial year. Grant opportunities will be monitored and collaboration will be undertaken with SES on flood related education projects where appropriate.

Business Arising from previous Hastings LGA Floodplain Sub-Committee held on 23 April 2015:

Item 08.04: Council staff confirmed that a review of all flood related information on Council’s website is being undertaken. Relevant sections of the website will be updated within coming months including the coastal management sections.
06  MERGER OF FLOOD AND COAST & ESTUARIES SUB-COMMITTEES

Cr Intemann, on behalf of the committee, paid respects to Alison Kennedy who passed away earlier in the year. Alison’s contribution to the committee was greatly valued and her passing will be a loss for both the committee and the community as a whole.

Matt Rogers confirmed that letters were sent out to thank all members for their past and ongoing commitment to assisting Council in the Coast, Estuary & Floodplain field.

Matt Rogers clarified that the vacancies which were apparent at the time the merger took place would not be filled. However should any future vacancies arise, these positions will be considered for replacement.

CONSENSUS:

That the report be noted.

07  DEVELOPMENT OF DRAFT COAST, ESTUARY & FLOODPLAIN ADVISORY SUB-COMMITTEE CHARTER

There was general discussion on various aspects of the charter. It was noted that issues that have an impact in the coastal area could be considered by the committee even if the cause originated outside the coastal area.

A revised charter will be drafted by Council staff with the wording based on the previous Coast & Estuary Sub-committee charter and expanded to include floodplain related matters where appropriate. The revised charter will issued to all committee members for review and input prior reporting the charter to Council for adoption.

CONSENSUS:

That a draft Charter, based on the format of the former PMH Coast & Estuaries Sub-committee charter, be emailed to members for comment and then be reported to Council for consideration.

08  PORT MACQUARIE-HASTINGS FLOOD POLICY

There was general discussion on various aspects of the draft Flood Policy.

Matt Rogers and Gordon Cameron provided a background on the progress made on the Draft Flood Policy to date. Future draft documents to include highlighted changes.

CONSENSUS:

That it a recommendation to Council that the Port Macquarie-Hastings Flood Policy (September 2015) be adopted.
09 FLOODPLAIN RISK MANAGEMENT, ESTUARY MANAGEMENT AND COASTAL ZONE MANAGEMENT PLAN IMPLEMENTATION UPDATE

There was general discussion on various projects. Members queried the status of items 19, 33, 36, 41 & 44 from the Estuary Management Plan. The status of these items to be listed as ongoing as per previous resolution.

Thor Aaso to provide the Eco Health Monitoring Report to Committee as soon as this is received.

Committee members to further review projects and contact Gordon Cameron with any comments or feedback.

CONSENSUS:

That the Committee note the remaining action items for each Coast, Estuary and Floodplain Management Plans.

10 GENERAL BUSINESS

10.01 SES Presentation:

Steve Lawrence (SES) spoke to the committee about the new SES Local Flood Plan. The documentation will be open for comment when it is placed on public exhibition on the SES website in Oct -Nov 2015.

SES will contact Council staff when the documents are on public exhibition so that the committee members can review the information and make a submission if desired.

Steve Lawrence also advised that the SES will be undertaking a 'Flood Hypothetical’ education workshop at the Port Panthers on 7th November 2015 with a specific focus on the Settlement Point/North Shore area. Various flood scenarios will be discussed with the goal of creating a community response plan for the Settlement Point/North Shore precincts.

10.02 Hastings River Sediment:

Kingsley Searle noted an increased amount of sediment in the Hastings River without any readily evident reason. Thor Aaso noted that the Eco Health monitoring which is currently being undertaken should be able to detect/confirm any increased sedimentation. The results of the monitoring will be made available to committee members once it is finalised.
10.03 DPI - Fisheries:

Michael Northam (DPI - Fisheries) advised that Dr Matt Taylor (senior Research Scientist - Estuarine Studies) on behalf of DPI - Fisheries will be undertaking a federally funded research project on prawn stocks in the Camden Haven River, including Queens Lake and Watson Taylors Lake.

10.04 RMS - Maritime Division:

Matt Dawson confirmed that the RMS had issued an infringement notice for pollution from a recreational vessel in the Hastings River for effluent. It was also noted that there had been changes to the navigational markers in the Hastings River due to the Dennis Bridge/highway upgrade works.

10.05 ‘Blue Star’ Weed Outbreak:

Alan MacIntyre alerted members to an outbreak of Blue Star ‘Aristea ecklonii’ weed on his property in the Camden Haven. Thor Aaso to follow up.

10.06 Biodiversity Strategy:

Alan MacIntyre requested an update on the status of the Vegetation Management Plan (Biodiversity Strategy). Matt Rogers & Cr Intemann provided an update on the mapping technique and scale improvements that have been made since the original Vegetation Plan had been undertaken. This has vastly improved the mapping and is ultimately providing the basis of the Biodiversity Strategy.

10.07 Flynns Beach Seawall:

Patrick McEntee commented that his comments on the design on the Flynns beach upgrade works had not been addressed in the final design (i.e. that wheelchair access should be located behind the rock outcrop located at the southern end of the beach). Matt Rogers advised that there are many issues which must be considered when assessing disability issues and that the location is subject to multiple criteria. Council to provide Patrick McEntee with the contact details for the project design team.

10.08 RMS Bridge Runoff - Highway Upgrade:

Patrick McEntee noted that stormwater runoff from bridges crossing the Hastings and Wilson rivers and tributaries did not appear to have adequate stormwater controls in place. Matt Dawson will provide Patrick McEntee with the contact details of the appropriate person in RMS who is looking after the bridge design for the Pacific Highway upgrade.
10.09 Prawn Stocking of Lake Cathie:

Thor Aaso noted that DPI - Fisheries are planning to undertake a trial stocking program of Eastern King Prawns in Lake Cathie. Mick Northam noted that up to 1 million prawns are planned to be released into the lake system.

The meeting closed at 4.55pm.
Item: 04
Subject: DISCLOSURES OF INTEREST

RECOMMENDATION

That Disclosures of Interest be presented

DISCLOSURE OF INTEREST DECLARATION

Name of Meeting: .................................................................
Meeting Date: .................................................................
Item Number: .................................................................
Subject: ........................................................................

I, ...................................................................................... declare the following interest:

☐ Pecuniary:
  Take no part in the consideration and voting and be out of sight of the meeting.

☐ Non-Pecuniary - Significant Interest:
  Take no part in the consideration and voting and be out of sight of the meeting.

☐ Non-Pecuniary - Less than Significant Interest:
  May participate in consideration and voting.

For the reason that: ..........................................................................................................................
..................................................................................................................................................

Signed: .................................................................  Date: ..............................................

(Further explanation is provided on the next page)
Further Explanation

(Local Government Act and Code of Conduct)

A conflict of interest exists where a reasonable and informed person would perceive that a Council official could be influenced by a private interest when carrying out their public duty. Interests can be of two types: pecuniary or non-pecuniary.

All interests, whether pecuniary or non-pecuniary are required to be fully disclosed and in writing.

Pecuniary Interest

A pecuniary interest is an interest that a Council official has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the Council official. (section 442)

A Council official will also be taken to have a pecuniary interest in a matter if that Council official’s spouse or de facto partner or a relative of the Council official is a member, has a pecuniary interest in the matter. (section 443)

The Council official must not take part in the consideration or voting on the matter and leave and be out of sight of the meeting. (section 451)

Non-Pecuniary

A non-pecuniary interest is an interest that is private or personal that the Council official has that does not amount to a pecuniary interest as defined in the Act.

Non-pecuniary interests commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.

The political views of a Councillor do not constitute a private interest.

The management of a non-pecuniary interest will depend on whether or not it is significant.

Non Pecuniary – Significant Interest

As a general rule, a non-pecuniary conflict of interest will be significant where a matter does not raise a pecuniary interest, but it involves:

- A relationship between a Council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the Council official or of the Council official’s spouse, current or former spouse or partner, de facto or other person living in the same household.
- Other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
- An affiliation between a Council official an organisation, sporting body, club, corporation or association that is particularly strong.

If a Council official declares a non-pecuniary significant interest it must be managed in one of two ways:

1. Remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council official.
2. Have no involvement in the matter, by taking no part in the consideration or voting on the matter and leave and be out of sight of the meeting, as if the provisions in section 451(2) apply.

Non Pecuniary – Less than Significant Interest

If a Council official has declared a non-pecuniary less than significant interest and it does not require further action, they must provide an explanation of why they consider that the conflict does not require further action in the circumstances.
SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

By
[insert full name of councillor]

In the matter of
[insert name of environmental planning instrument]

Which is to be considered at a meeting of the
[insert name of meeting]

Held on
[insert date of meeting]

PECUNIARY INTEREST

Address of land in which councillor or an associated person, company or body has a proprietary interest (the identified land)

Relationship of identified land to councillor [Tick or cross one box.]
- Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease trust, option or contract, or otherwise).
- Associated person of councillor has interest in the land.
- Associated company or body of councillor has interest in the land.

MATTER GIVING RISE TO PECUNIARY INTEREST

Nature of land that is subject to a change in zone/planning control by proposed LEP (the subject land) [Tick or cross one box]
- The identified land.
- Land that adjoins or is adjacent to or is in proximity to the identified land.

Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]

Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]

Effect of proposed change of zone/planning control on councillor [Tick or cross one box]
- Appreciable financial gain.
- Appreciable financial loss.

Councillor’s Signature: ……………………………… Date: ………………. 
Important Information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under sections 451 (4) and (5) of the Local Government Act 1993. You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred by the Director-General to the Local Government Pecuniary Interest and Disciplinary Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

i. Section 443 (1) of the Local Government Act 1993 provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

ii. Section 442 of the Local Government Act 1993 provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448 of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).

iii. A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section 443 (1) (b) or (c) of the Local Government Act 1993 has a proprietary interest—see section 448 (g) (ii) of the Local Government Act 1993.

iv. Relative is defined by the Local Government Act 1993 as meaning your, your spouse’s or your de facto partner’s parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.
## Item: 05
### Subject: BUSINESS ARISING FROM PREVIOUS MINUTES

<table>
<thead>
<tr>
<th>Item</th>
<th>Date</th>
<th>Subject</th>
<th>Action Required</th>
<th>Current Status</th>
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<tbody>
<tr>
<td>10.07</td>
<td>29/09/2015</td>
<td>Flynns Beach Seawall</td>
<td>Council to provide Patrick McEntee with the contact details for the project design team.</td>
<td>Contact details provided to Patrick in October 2015 via email.</td>
</tr>
<tr>
<td>10.08</td>
<td>29/09/2015</td>
<td>RMS Bridge Runoff - Highway Upgrade:</td>
<td>Patrick McEntee noted that stormwater runoff from bridges crossing the Hastings and Wilson rivers and tributaries did not appear to have adequate stormwater controls in place.</td>
<td>Matt Dawson to provide Patrick McEntee with the contact details of the appropriate person in RMS who is looking after the bridge design for the Pacific Highway upgrade.</td>
</tr>
</tbody>
</table>
RECOMMENDATION

That grant offers from North Coast Local Land Service NSW and Office of Environment and Heritage for the Camden Haven Coastal Estuarine Linkage Project be noted.

Discussion

Port Macquarie - Hastings Council has been successful in securing 3 years of joint funding from NSW Office of Environment and Heritage (OEH) and North Coast Local Land Service (LLS) under the Coast and Estuaries Programme to implement the Camden Haven Coastal Estuarine Linkage Project.

The Project focuses on rehabilitating a highly significant estuarine corridor in the lower Camden Haven estuary (see attached). The area supports numerous threatened species and endangered ecological communities (EEC). Threatened species include Black-necked Stork, Eastern Osprey, Wallum Froglet, Green Turtle, Pied Oystercatcher, Powerful Owl, Masked Owl, Spotted-tailed Quoll, Swift Parrot, Glossy Black Cockatoo, Koala, Eastern Chestnut Mouse, Squirrel Glider, Yellow-bellied Glider, Southern Myotis, Common Planigale, Little Tern and others.

These species, along with 4 listed EECs, are threatened by invasive weeds and feral pests such as feral cats, foxes and rabbits.

The project bid has secured a total $244,036 funding over three years. The OEH Coast and Estuaries Programme will contribute $186,036 and Local Land Services will contribute $58,000 to the total budget over three years.

The funding will be used to engage vertebrate pest and weed control services for the project. Complementary on-ground works will be undertaken by PMHC invasive weeds team and volunteer groups including Friends of Kattang and Queens Lake Landcare.

Within three years the project aims to significantly reduce weeds and vertebrate pests within 30 ha of EEC and 120 ha of other native vegetation communities. The works were identified as a high priority in the Camden Haven Estuary Management Plan. The works will include comprehensive primary (and follow-up as appropriate) weed and vertebrate pest control on key public land in the study area to enable Council and volunteer groups to take over long-term maintenance. The project will also facilitate improved support for volunteer groups.
AGENDA
COAST, ESTUARY & FLOODPLAIN ADVISORY SUB-
COMMITTEE
09/02/2016

Attachments

1 View. NSW OEH grant approval
2 View. Estuaine Linkages Study Area
3 View. Confirmation of LLS grant funding support to OEH grant
Dear Mr Swift-McNair

I refer to Port Macquarie-Hastings Council’s application requesting financial assistance under the 2015–16 Estuary Management Program.

I am pleased to advise that the NSW Government is making the following offer of financial assistance under the Program:

<table>
<thead>
<tr>
<th>Reference Number</th>
<th>Project</th>
<th>Amount</th>
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<tbody>
<tr>
<td>2015-16-EM-0044</td>
<td>Estuarine Lake Linkages: Protecting the</td>
<td>$186,036</td>
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<tr>
<td></td>
<td>Islands and Foreshores of the Camden Haven</td>
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</table>

This offer of assistance is subject to certain conditions and staff from the Office of Environment and Heritage (OEH) will be in contact with you shortly to finalise the terms and conditions.

If you require further information about this offer, Ms Leah Andrews, Senior Team Leader, Contestable Grants - Coast, Estuary and Flood, OEH can be contacted on 9895 6533 or at leah.andrews@environment.nsw.gov.au.

Congratulations on your successful application and I wish Port Macquarie-Hastings Council every success with the project.

Yours sincerely

Rob Stokes
Minister for Planning

Level 15, 52 Martin Place Sydney NSW 2000
Phone: (61 2) 8574 6707 Fax: (61 2) 9339 5554 Email: office@stokes.minister.nsw.gov.au
11 January 2016
Ref: DOC16/792

Mr Thor Aaso
Port Macquarie Hastings Council
PO Box 84
Port Macquarie NSW 2444

Dear Thor

Confirmation of support – Estuarine Lake Linkages: Protecting the Islands & Foreshores of the Camden Haven

North Coast Local Land Services (NCLLS) can confirm that we will contribute $30,000 cash for the 15-16 year towards your recently announced Project. NCLLS investment is still subject to annual approval. We can confirm commitment of a further $8,000 in 2016/17. The Southern team has planned for a further $10,000 in both 2016/17 and 2017/18, however this amount is still subject to receipt of funds from our investors and final approval from the NCLLS Board. We are in process of preparation of a Funding Deed for committed Year 1 and Year 2 funds, based on approved Project documentation you have provided, and Hugo will forward draft to you in coming weeks.

NCLLS looks forward to working with PMHC on this project. For further information, please do not hesitate to contact myself or Hugo Marree on 6563 6707.

Yours sincerely

Lindy Brown
Team Leader Land Services

North Coast Local Land Services
PO Box 1417
Coffs Harbour NSW 2450
Tel: 1300 726 295 | www.lls.nsw.gov.au/northcoast

Item 06
Attachment 3
Page 22
Item: 07

Subject: NSW GOVERNMENT REFORM PACKAGE FOR THE MANAGEMENT OF THE NSW COASTLINE

Presented by: Development and Environment Services, Matt Rogers

RECOMMENDATION

That it be recommended to Council that a submission be made on the Reform Package for the Management of the NSW coastline in line with the issues identified in the report.

Discussion

The NSW Government has released details of a Reform Package for the Management of the NSW Coastline. The proposed reforms have been in preparation for some time and follow initial consultation with coastal specialists, state agencies and councils.

The public consultation period in respect of the Reform Package runs until 29 February 2015. The Reform Package is comprised of:

- the public consultation draft of the Coastal Management Bill 2015 (Coastal Management Bill);
- an Explanation of Intended Effect for the proposed Coastal Management State Environmental Planning Policy (Coastal Management SEPP); and
- a draft coastal management manual (Coastal Management Manual).

Figure 1 provides an overview of how the components of the reform package function together.

An invitation to raise issues on the Reform Package was provided to all Committee Members via email on 23rd December 2015. At the time of writing this report no submissions from Committee members had been received.

The following provides an outline of the reform package together with comments and issues identified by Council staff.
Draft Coastal Management Bill 2015

Relevant aspects of the Bill are as follows:

**Statutory Objectives**
The bill contains new statutory objectives for coastal Management. However the broad thrust of these objects are similar to the current Act.

*Comment: The new objects are considered appropriate for the proper management of coastal areas.*

**New definition of ‘Coastal Zone’**
The Coastal Zone will be divided into four (4) coastal management areas:

- **Area 1: Coastal Wetlands and Littoral Rainforests Area.**
  - This is an area where coastal wetlands and littoral rainforests have been identified.

- **Area 2: Coastal Vulnerability Area.**
  - This area covers land exposed to coastal hazards such as beach erosion, tidal inundation and cliff instability.

- **Area 3: Coastal Environment Area.**
  - This area includes key features of the coast such as estuaries, lagoons and coastal lakes and critical areas of land adjacent to these features.

- **Area 4: Coastal Use Area.**
  - This area contains land with important coastal values.

The four areas will be mapped as part of a new Coastal Management State Environmental Planning Policy (SEPP). These areas will also be defined in the new
Act, with the legislation aiming to establish clear management objectives for each area to ensure councils apply appropriate management tools and development controls.

Further discussion on the coastal zone areas is provided under the SEPP heading below.

**Temporary Coastal Protection Works**
Provisions for temporary coastal protection works which allowed temporary works by private individuals will be repealed and coastal erosion emergency action sub plans will focus on the roles and responsibilities of public authorities. Councils with land and assets within ‘coastal vulnerability areas’ will need to outline the emergency actions before during or after periods of beach erosion.

*Comment: The proposed amendments are considered appropriate as they will provide for a strategic and coordinated approach to planning and response to major emergencies.*

**Coastal Management Programs**
Coastal Management Programs (CMPs) will replace Coastal Zone Management Plans (CZMPs). Local councils must determine and map the area that their CMP will cover. This may include any combination of the four coastal management areas.

The new CMPs will be given effect within the Local Government Integrated Planning and Reporting (IP&R) framework. This will include performance auditing powers to ensure that programs are appropriately implemented.

The IP&R framework is established under Chapter 13 of the *Local Government Act 1993*, and is the main mechanism by which councils comprehensively plan for and report on asset management and service delivery responsibilities. This is intended to ensure that CMPs and identified coastal management activities are aligned with broader community strategic plans, reflect community priorities, and are feasible, financially viable and able to be resourced.

*Comment: The new reporting requirements for CMPs is supported. Council has already included coastal management in the IP&R framework and implemented existing CZMPs through Management and Operational Plans.*

The consultation provisions for the preparation of CMPs includes a requirement to consult with the community, public authorities and other local councils that have land within the same sediment compartment. With regard to the latter, two sediment compartments apply to PMHC. The ‘South West Rocks-Port Macquarie’ shared with Kempsey Council and the ‘Tacking Point-Crowdy Head’ shared with Greater Taree City Council.

*Comment: These new provisions are supported as it is appropriate to consider coastal processes in the broader context.*

Councils will have a degree of flexibility in deciding whether or not they need to prepare a CMP. However, the draft Coastal Management Bill gives the Minister the power to direct a council to prepare a CMP. The draft Bill also allows the Minister to prepare a CMP on behalf of a council if it fails to comply with such a direction, or where a CMP does not meet the requirements for certification, (i.e. where certification has been refused).
NSW Coastal Council
A newly created Coastal Council will provide independent advice to the Minister on coastal planning and management issues. The Coastal Council replaces the statutory NSW Coastal Panel, as well as the NSW Coastal Expert Panel that was established to provide advice on the current reforms. However, unlike the current Coastal Panel, the Coastal Council will not have a development consent role, rather it will be focussed on advisory functions. It is proposed that the Joint Regional Planning Panel (JRPP) will (as necessary) comprise suitably qualified and experienced experts to enable the proper assessment of proposals for certain coastal protection works.

The Coastal Council will be able to conduct performance audits of a local council’s implementation of its coastal management program.

Comment: An independent body with appropriate expertise in coastal management is supported.

Regulating coastal protection works
The new Coastal Management Act will bring across existing provisions in the Coastal Protection Act 1979 designed to protect beaches and headlands from the impacts of inappropriate coastal protection works.

The Act will require councils and other consent authorities to be satisfied that proposed coastal protection works do not unreasonably limit public access to or use of beaches and headlands, or pose a threat to public safety.

The Environmental Planning and Assessment Act 1979 will be amended to allow consent authorities to condition approvals for coastal protection works to require the payment of costs for rectifying potential damage caused by the coastal protection works to other property.

These provisions are in addition to other planning and development controls that will be applied in the coastal zone via the Coastal Management State Environmental Planning Policy.

Further comment is provided on planning and development controls below.

Integrated compliance and enforcement
Integrated compliance and enforcement provisions are proposed to reduce regulatory overlap. Enforcement of the new legislative arrangements will be delivered through amendments to the Environmental Planning and Assessment Act 1979.

Comment: The integration of compliance and enforcement provisions is supported as it will reduce duplication and provide clarity on enforcement provisions relating to authorised works in the Coastal Zone.

Coastal erosion emergency action plans and emergency coastal works
Provisions for temporary coastal protection works will be repealed and ‘coastal erosion emergency action sub-plans’ (already included in the current legislation) will focus on the roles and responsibilities of public authorities.

Councils with land or assets within mapped ‘coastal vulnerability areas’ will be required to outline the emergency actions they will carry out immediately before, during or after periods of beach erosion.
Comment: The provisions for coastal erosion emergency action sub-plans is supported as this will provide for strategic coordination of actions that can be taken in the event of an emergency.

Transitional Arrangements
Transitional arrangements will apply for CZMPs currently in preparation or already approved. This is particularly important for PMHC as the Lake Cathie CZMP is still to be certified by the Minister. The Minister will have 6 months from the repeal of the current legislation to certify a draft CZMP. A CZMP certified after the new act commences or an existing CZMP will continue in force until 31 December 2021.

Comment: There should be no limit on the time for the Minister to certify a CZMP that has already been submitted for certification. The Lake Cathie CZMP was submitted for Certification on 17 March 2014 with the Minister not advising of changes required until March 2015. It has taken a further 9 months to review the draft CZMP which is now being finalised for resubmission. It is feasible that the Minister may still require some further amendment which may not be feasible in a 6 month timeframe. It would be unreasonable for the CZMP to be rejected and Council forced into a new process due to an arbitrary restriction on timing.

The savings provisions will only allow existing CZMPs to remain in force for approximately 5 years from commencement of the new legislation. There should be provision to allow for the Minister to extend the time for an existing CZMP to apply provided that it is demonstrated that the preparation of a new CMP is under way.

Coastal Management State Environmental Planning Policy (SEPP)

The SEPP will map the four coastal management areas and will incorporate existing provisions of SEPPs 14; 26; 71 and parts of Infra SEPP for issues relating to the Coastal Zone. Development controls and provisions of clause 5.5 of the Standard Instrument LEP will also be included in new the SEPP.

OEH staff have advised that Coastal Wetlands have been remapped and that the Coastal Vulnerability map will comprise a mix of existing LEP mapping and some new mapping being undertaken.

Section 149 planning certificates will be affected due to the expected changes to the boundaries of areas subject to the coastal planning mapping. Accordingly some change to notations on s149 certificates may be needed to align to the SEPP maps.

Draft maps of the four coastal management areas are intended to be available in late January 2016 but were not available at the time of preparing this report. It is anticipated that additional time will be granted to comment on the mapping. It is proposed that the committee will be provided with updated information and comment on the mapping via email prior to formalising any submission to the Government.

Comment: Due to the late provision of the draft Maps it is likely that the exhibition period for comment on the maps will be extended. It is imperative that adequate time is available for Council and the public to comment on the proposed mapping.

The Coastal Reform Package information contains specific questions on the reform package within the SEPP information brochure. These questions cover the key proposed changes in the SEPP and are listed below with staff comment:
Question 1: Should councils be able to propose changes to the maps for all or some of the coastal management areas?

Comment: This proposal is supported. As circumstances change over time, such as climate change impacts, it will be necessary for updates to the boundaries of the coastal management areas. It is also important that changes to the mapping be undertaken if ground truthing identifies errors in the mapping. Councils are well positioned to inform mapping updates and often possess detail mapping of their local areas. It is noted that “All maps will be available digitally via the Department’s e-planning system.” As this will be potentially viewed at 1:1 scale, clarification is needed in terms of a reliable scale of usage.

Question 2: Should the development controls be included in the proposed Coastal Management SEPP or as a mandatory clause in council LEPs?

Comment: It is considered preferable for development controls to be included in local environmental plans. This can be regulated through the Standard Instrument to ensure consistency across the State. This approach would have the benefit of reducing the extent to which multiple areas of legislation need to be reviewed when undertaking development.

Question 3: Do the proposed development controls for mapped coastal wetlands and littoral rainforests remain appropriate for that land?

Note: It is not proposed to retain the concurrence and referral provisions for SEPP 14 and SEPP 26. Development within coastal wetlands and littoral rainforests is classed as ‘designated development’ and requires a higher order of assessment regarding potential environmental impacts (including obtaining the ‘requirements’ of an EIS from the Department of Planning & Environment). The reform package information notes that ‘Given the high level of assessment specified for development proposed within coastal wetlands and littoral rainforests, including the third party appeal rights, the concurrence and referral provisions within the current Policy are no longer considered necessary’.

It is also proposed to remove the provisions for master plans to be prepared prior to granting consent for the subdivision of land in the coastal zone.

Comment: It is agreed that there is no longer the need for concurrence provisions and master planning. Adequate controls are now provided by through LEPs and Development Control Plans (DCPs) to guide subdivision and other development in all areas, including the coast.

Question 4: Do you support the inclusion of a new 100m perimeter area around the mapped wetlands, including the application of additional development controls?

The current provisions for littoral rainforests include a 100 metre perimeter area (“buffer”) around the rainforests. However, this does not apply to coastal wetlands. A 100 metre perimeter area is proposed to be added to coastal wetlands to allow for natural fluctuations in these areas and to afford protections from the effects of any close-proximity development. Approval requirements for development in buffer areas will generally be more stringent than for other areas. It is noted that the buffers have no effect on existing residential zoned land.
Comment: The 100m perimeter area is supported. Waterbodies feeding into identified sensitive lakes / coastal wetlands should also be afforded the same protection.

Question 5: Are the proposed development controls for mapped coastal vulnerability areas appropriate for that land?

The majority of the proposed development controls reflect the development controls which currently apply under clause 5.5 of the Standard Instrument LEP and under local coastal risk planning clauses within LEPs (Refer page 17 of the Explanation of the Intended Effect: Coastal Management SEPP).

Comment: The proposed controls are supported.

Question 6: Are the proposed development controls for coastal environment areas appropriate for that land?

All of the proposed development controls reflect the development controls which currently apply under clause 5.5 of the Standard Instrument LEP (Refer page 18 of the Explanation of the Intended Effect: Coastal Management SEPP).

Comment: The proposed controls are supported.

Question 7: Is the inclusion of the catchments of the 15 sensitive lakes (listed in Schedule 1) within the coastal environment area appropriate?

It is proposed to protect the important ecological status of coastal lakes and lagoons through the inclusion of a 500 metre buffer area around coastal lakes within the coastal environment area, and by the identification of the whole catchment of highly sensitive coastal lakes as a buffer area. Saltwater Lagoon (Approximately 4 km west of Point Plomer; within Limeburners Creek Nature Reserve) is the only identified coastal lake or lagoon which has been identified for comprehensive protection.

Comment: Lake Innes / Cathie should be added to the SEPP schedule of sensitive Lakes. Being an ICOLL the lake system is sensitive to stormwater impacts and deoxygenation. Documented fish kills during last El Nino event confirmed this issue. Lake Innes also contains some of the largest areas of saltmarsh in NSW. Queenslake and Stingray Creek should also be added, being one of the largest coastal lake systems supporting seagrass and saltmarsh communities. Seagrass is highly sensitive to increases in turbidity and shoaling.

Question 8: Which is the best option for mapping the coastal use area? Is the proposed approach to mapping of the coastal use area for the Sydney metropolitan area appropriate?

Three options have been proposed for the mapping of the Coastal Use Area and are provided below:

Option 1 – generally one kilometre landward of mean high water mark. Councils may propose to increase or decrease the area. Under this option the Coastal Use Area would be land bounded at the seaward extent by the mean high water mark and extending to the landward extent of the current coastal zone, being a line generally one kilometre landward from estuaries, coastal waters and tidal waters except for the Sydney metropolitan area. The landward boundary may be increased or decreased, without limit.
Option 2 – generally 500 metre landward of mean high water mark. Councils may propose to increase, but not decrease, the area. Under this option the Coastal Use Area would be land bounded at the seaward extent by the Mean High Water Mark and extending generally 500 metres landward from estuaries, coastal waters and tidal waters except for the Sydney metropolitan area. The landward boundary may be increased, without limit, but not decreased.

Option 3 – generally one kilometre landward of mean high water mark. Councils may propose to increase the area, or decrease it to no less than 500 metres. Under this option the Coastal Use Area would be land bounded at the seaward extent by the Mean High Water Mark and extending to the landward extent of the current coastal zone, being a line generally 1km landward from estuaries, coastal waters and tidal waters. The landward boundary may be increased without limit but may not be decreased to less than 500 metres landward from estuaries, coastal waters and tidal waters.

Comment: Option 1 is supported as it provides that greatest flexibility to consider local factors relevant to the Coastal Zone.

Question 9: Should councils be able to propose variations to the Coastal Use Area maps over time to take into account local characteristics and circumstances?

Comment: Yes as noted in Question 1.

Question 10: Are the proposed development controls for mapped coastal use areas appropriate for that land?

Comment: The proposed development controls that are to apply at DA stage to the Coastal Use area, include that the development “does not exceed the scale and size of the existing buildings and the visual impact on the surrounding area”: In some instances existing low rise development may be well below the maximum permitted under the Council’s Height of Building LEP provisions. The proposed development controls should accommodate planned growth and recognise the development potential within LEPs.

The proposed development controls also include that the consent authority considers the extent to which the development “affects the cumulative impacts of the proposed development and other development on the coastal catchment.” This would be better worded as “contributes to a significant cumulative impact from development on the coastal environment”.

Question 11: Should the current exempt development and complying development provisions be retained for coastal management areas?

Comment: The current provisions are generally acceptable however there should be some flexibility with exempt and complying development in the buffer areas. For example if a subdivision has already been constructed for a dwelling house the development could be carried out for the dwelling as complying development provided the areas are identified as not having a significant impact on sensitive areas.

Question 12: Should consideration be given to applying other controls for these areas? For example, what types of exempt and complying development might be
appropriate in coastal wetlands and littoral rainforests or in the catchments of sensitive coastal lakes and lagoons:

Comment: No exempt or complying development should be allowed in sensitive areas unless it relates to the management of the sensitive area or the maintenance of works that have already been constructed within these areas.

Question 13: Should any provisions be retained to allow the use of emergency coastal protection works in emergency situations? What limitations should be put on such works being undertaken by private individuals or public authorities?

Comment: There should be no limit on the extent and type of emergency works that could be carried out by public authorities provided the works are identified in an emergency action plan. If major damage is caused to public infrastructure during a major storm event public authorities should be able to undertake emergency actions such as the placement of rock protection to stormwater outlets or roads until permanent repairs can be effected.

Coastal Management Manual

A new Coastal Management Manual is proposed consisting of the following components:

Part A - Mandatory requirements and essential elements of a CMP.
Part B - Outlines the five stage process for developing and implementing a coastal management program (CMP):

Stage 1 - Scoping study
Stage 2 - Detailed studies of vulnerabilities and opportunities
Stage 3 - Response identification and evaluation
Stage 4 - Preparing, exhibiting, finalising, certifying and adopting a CMP
Stage 5 - Implementation, monitoring, evaluating and reporting.

Part C - Coastal management toolkit. A summary of technical information and guidance on a range of topics. The toolkit section of the Manual is a link to numerous resources to assist Council with community engagement, threat and risk assessment, modelling and other matters. Some components of the toolkit are still to be provided.

In preparing a CMP Councils must develop a business plan that demonstrates viable funding mechanisms for proposed coastal management actions that are consistent with their IP&R Resourcing Strategy.

In a business plan councils should identify:

a) the full capital, operational and maintenance costs of potential coastal management actions,

b) the distribution of costs and benefits of potential management actions for stakeholders including; council, government agencies, directly and indirectly affected coastal community stakeholders and,

c) the costs of coastal management actions to be apportioned among beneficiaries, taking into account capacity to pay.

CMPs are proposed to have an emphasis on risk management including a requirement for a probabilistic coastal hazard assessment to inform decision-making. The coastal management toolkit (see Guidelines for coastal hazard and risk
assessment. NB: still to be released) will provide more information about assessing beach erosion and shoreline recession.

Comment: Probabilistic hazard assessment is a change in approach for coastal hazard assessment and therefore public consultation on this technique should be allowed prior to its implementation.

Sea Level Rise Benchmarks
The Coastal Council will review and provide advice on sea level rise issues, however no detail on the process has been made available at this stage. The draft manual and comments from OEH Information sessions indicate that a probabilistic risk based approach for broad range of parameters will considered rather than providing specific height estimates.

Comment: The probabilistic approach is generally supported however the current lack of a clear overall direction from the State Government since the abolishment of Sea Level Rise benchmarks has lead to an inconsistent and ad hoc approach to the issue. It is imperative that communities be given clear direction on future sea level rise policy.

Funding Coastal Management Programs
Section 3.9 of the manual sets out the principals of funding CMPs and notes that: ‘The costs of implementing a coastal management program should be equitably shared. Cost sharing arrangements should reflect the benefit derived from coastal management actions and minimise cross-subsidies, and additional burden on taxpayers. The mechanisms used to enable cost sharing should be efficient, transparent to the community and relatively easy to understand.’

‘Cost sharing should have regard to the beneficiaries of the action and the relative benefits enjoyed by each party. Where only private benefits are derived and the capacity to pay is limited, consideration should be given to whether greater public benefit could be derived from (Commonwealth, state or local government) investment in other activities’

A cost-benefit analysis and distributional analysis will be required as part of the CMP preparation to assist in identifying the mix of contributors and to determine equitable contributions to be included in the business case (consistent with Council’s IP&R Resourcing Strategy) for coastal management.

Detail to support councils’ consideration of funding and financing mechanisms is provided in the coastal management toolkit (see Funding and Financing). Many of these mechanisms, such as local rates, levies and charges are already familiar to the community.

Comment: The new act promotes cost sharing for areas benefitting from coastal management works however the new act still only provides for the levying of maintenance costs for coastal works. To allow for adequate funding of coastal protection works the current levying provisions should be extended to the capital cost of works.

Grants Program
The Grants Program is reportedly being reviewed, however no details of the new program are available at this stage. The NSW Government review and any resulting changes to current funding programs are not proposed to be completed until in mid-
2016, in line with the finalisation of the new legislation and other elements of the reforms.

Comment: Council’s Draft CZMP for Lake Cathie has identified that the high cost of coastal zone management works are beyond the ability of funding by local government. It is imperative that appropriate funding arrangements are available to ensure that CZMPs and the new CMP’s can be implemented. A clear Government position on its commitment to funding is required so that local decisions about management actions can be made.

Attachments

Nil
Item: 08

Subject: FLOOD EDUCATION PROGRAM

Presented by: Development and Environment Services, Matt Rogers

RECOMMENDATION

That the Sub-Committee discuss the report and provide comment on the flood education program.

Discussion

Council is proposing to undertake flood education and awareness within the coming year to improve the knowledge and experience of residents to mitigate flood hazards.

A flood awareness and education program was undertaken for the Camden Haven in 2005 and involved the construction of sculptured flood markers. Other activities undertaken included updating Section 149 Certificates so that prospective landowners have enhanced awareness of flood affectation of land.

The Hastings River Flood Risk Management Plan (FRMP) identified community flood awareness as an action to be undertaken. The FRMP identified the most “at risk” communities within the lower Hastings River valley as those around Settlement Point, North Shore, Hibbard and Fernbank Creek. Flooding of roads in these areas generally occurs before flooding of residential dwellings and there is no refuge area above the PMF level.

The following projects have been identified as potentially suitable for flood education:

1. Flood Markers
   - Replacing Settlement Point/North Shore flood level markers that have been vandalised/removed.
   - New flood markers (on street/telegraph poles) in Dunbogan/North Haven to complement existing large totem flood markers.
   - New flood markers (large totem flood markers) in prominent positions around the lower Hastings, locations include Settlement Point, Hibbard, Westport Park, CBD).
   - New depth indicator markers along Oxley Highway for flash flood “hot spots” eg. Colonel’s Creek.

2. Flood Education Brochures
   - Flood education brochures for specific high risk areas.
   - General flood information brochure providing all residents located in flood prone areas information on Council’s recently updated Floodplain Development Policy and other recently completed flood related projects and upcoming projects.
- Specific mail out to residents containing Flood Management Sector information and Community Data Sheet information to notify of specific evacuation warning times, evacuation routes and low points.

3. Flood information for new property owners in flood areas
   - Explore the possibility of the NSW SES being notified of property ownership changes if a property is subject to flooding.
   - Potential for SES to issue property owners with flood preparedness information (Home Floodsafe Toolkit) upon receipt of advice from Council.

4. Council Website updates
   - Updating of information and links to the Flood Risk Management Study and Plan, Council’s Coastal Estuaries and Floodplain Management Committee, Council’s Flood Development Policy and Flood Emergency Management Information. These links will help residents to review information on immediate flood events, their overall flood risk and will aid in keeping informed of flood mitigation proposals.
     Note: the Flood and Coastal Management sections of the website are currently in the process of being upgraded.
   - Potential to provide a portal to Council’s GIS flood information via a website link to allow residents to identify their individual property in relation to flood risk classifications and or 1 in 100 year extents. Examples are provided below:

The range of flood education projects listed above have the potential to benefit from a joint approach between Council and NSW SES. Council and local SES representatives have had preliminary discussions around conducting some of the projects in partnership with assistance being financial and/or through staff time.

Council has already successfully partnered with the SES on a number of flood education programs including:
   - The installation flood education signage on the North Shore
   - The Settlement Point/North Shore/Hibbard Flood marker project
   - Assistance in the promotion of flood preparedness survey of North Shore/Settlement Point residents by Melbourne University as part of a Bushfire and Natural Hazards CRC.

Options:

The following options are available for flood education projects:

1. Complete specific projects from the those nominated above.
2. Complete specific projects in partnership with SES (partnership could include financial aid, staff time and expertise etc).
3. LGA wide education.
4. Catchment specific education (i.e. Hastings/Maria floodplain, Wrights Creek, Camden Haven, Lake Cathie etc).

Attachments
Nil
RECOMMENDATION

That the report be noted.

Discussion

This report has been prepared to provide the Committee with an update on the progress of ministerial certification of the *Lake Cathie Coastal Zone Management Plan* (CZMP).

The CZMP was endorsed by the Sub-Committee at the meeting held on 1 November 2013 with the following consensus:

1. *That Council adopt the Lake Cathie Coastal Zone Management Plan (2013).*
2. *That landowner funding contributions to the revetment wall only be considered as a last resort option in the event that sufficient project funding is not available from the NSW State and Federal Governments and Council.*

The CZMP was subsequently adopted by Council at the ordinary Council meeting held on 20 November 2013 when Council resolved:

1. *That Council adopt the Lake Cathie Coastal Zone Management Plan (2013).*
2. *That Council seek finding for the total cost of a revetment wall construction from both the NSW and Commonwealth Governments.*

Certification of the CZMP was requested from the Minister for the Environment on 17 March 2014.

In a letter dated March 2015 the Minister requested a number of tasks to be undertaken before the CZMP would be certified. These tasks are detailed below along with comment.

- Update the information contained in the draft CZMP with the further work the Council has undertaken on the costs of a seawall option.

  *Comment: The CZMP has been updated to include the information provided in the Illaroo Road Revetment Wall design project undertaken by Aurecon Pty Ltd in 2015.*

- Include the further information obtained on the geology and geomorphology of the region, in particular in regard to the indurated sand beds.
Comment: The CZMP has been updated to include the information provided in the Lake Cathie Indurated Sand (Coffee Rock) Geotechnical Assessment project undertaken by Regional Geotechnical Solutions Pty Ltd in 2013.

- Work with the Office of Environment and Heritage (OEH) to ensure the draft CZMP includes an understanding of the Lake Cathie region in the overall coastal processes of the region and hence the impact of those larger scale processes on the Lake Cathie coastline, the potential impact of proposed options on the coastline, including the nearby impacts of options such as seawalls, and the potential for long-term sources of nourishment sands.

Comment: The CZMP has been updated to include the information provided in the Lake Cathie Hazard Study Review undertaken by Cardno Pty Ltd in 2014. This report addressed the large scale processes of the Lake Cathie coastline via Photogrammetric Analysis and Conceptual Modelling.

- Work with OEH while it undertakes a social and economic assessment for Lake Cathie CZMP similar to the study previously completed for Old Bar at Taree.

Comment: The Balmoral Group completed a Cost-Benefit Analysis of Coastal Management Options for Lake Cathie in December 2015. The report, that included a Socio-economic profile of Lake Cathie, was fully funded by OEH. The report found that:

> ‘Over a 50-year period, the options expected to yield the greatest net social benefits for the community are the two beach nourishment options. However beach nourishment options entail a significant degree of risk and uncertainty due to the availability of sand and do not guarantee that assets will be protected or that losses will be prevented. The option of building a revetment was only marginally behind beach nourishment in terms of net social benefits. The four planned retreat options yielded either a very low net benefit, or net cost to the community.’

In view of the results of the study it considered that there is no need to review Council’s preferred option of a sea wall as the main management option in the CZMP.

- Once the results of the Social and Economic Study are available, incorporate the findings into an amended draft CMZP to reflect the outcomes of the study. The Social and Economic Study should be based on the latest information available. Ensure that the CZMP also explicitly considers the periodic dredging that occurs at Lake Cathie as an existing management measure, and use this and other available management options to develop an adaptive approach.

Comment: The CZMP will be updated with information from the Cost-Benefit Analysis.

- Consider reviewing the management of stormwater to minimise the direct outflow of stormwater onto the beach.

Comment: An assessment of alternative stormwater management measures for Illaroo Road & Chepana Streets has been undertaken. This analysis demonstrated that it is technically possible to re-direct stormwater away from its current disposal points along the coast and direct the water into Lake Cathie. However the analysis demonstrated that only the works along Illaroo
Road would provide a financially viable option. It is proposed that the results of the review will be incorporated into the CZMP.

- Develop an Implementation Plan that includes short term management of the beach and recognises the need to manage the whole beach compartment, and identifies appropriate planning controls and how they will be implemented. This should include explicit triggers and management strategies that might be necessary especially at the southern end near Chepana Street.

Comment: This component of the work is being addressed in an update to the implementation schedule in the CZMP.

The revised draft CZMP is now being finalised and will forwarded OEH staff for review prior to the plan being referred to Council.

Attachments

Nil