

## 8.16 Coastal Erosion Emergency Action Subplan for Beaches in Warringah

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### EXECUTIVE SUMMARY

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#### Purpose

To seek Council's approval to submit the revised draft '*Coastal Erosion Emergency Action Subplan for Beaches in Warringah*' (the Subplan) to the NSW Minister for the Environment.

#### Summary

Council resolved at its meeting held 26 July 2011 to submit its draft '*Coastal Erosion Emergency Action Subplan for Beaches in Warringah*' (the Subplan) to the Minister. The Subplan was submitted on 29 July 2011, thereby meeting the Minister's required timeframe of 31 July 2011. The Minister responded to Council on 12 January 2012 requesting that a revised draft Subplan be submitted by 31 March 2012. Council staff and management met with representatives of the NSW Office of Environment and Heritage (OEH) regarding the required changes to the Subplan and these changes have now been made. The revised draft Subplan is now ready to be submitted to the Minister for the Environment for certification under the Coastal Protection Act.

A summary of the key changes to the draft Subplan since the previous version considered by Council in July 2011 is provided below. The changes are largely a result of comments received from OEH:

- The draft Subplan was made more concise. Material removed from the draft Subplan was incorporated in the accompanying comprehensive *Coastal Erosion Emergency Action Subplan for Beaches in Warringah, Reference Document*.
- A number of additional Figures were included in the draft Subplan to depict where Emergency Coastal Protection Works (as defined under the Coastal Protection Act) could be carried out and the location of 20m from the seaward face of development (which is the trigger that allows the potential deployment of Emergency Coastal Protection Works).
- Council actions in the draft Subplan were delineated into "Before", "During" and "After" the storm categories.
- The draft Subplan makes explicit that, at this time, Council will not construct works to protect public assets in the event of a coastal erosion emergency (this reflects the current legislative status and mirrors the approach taken by Pittwater Council). Council cannot legally implement protective works at this time because of the amount of additional information required to support such works (e.g. environmental assessments, cost/benefit analysis, technical designs). Once such information is available Council may decide to vary the draft Subplan accordingly.

#### Financial Impact

There are no direct financial impacts of submitting the revised draft Subplan to the Minister.

#### Policy Impact

The Subplan has been developed in accordance with recent State Government Guidelines, and will form an important part of the Coastal Zone Management Plan for Collaroy-Narrabeen Beach.

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### RECOMMENDATION OF DEPUTY GENERAL MANAGER ENVIRONMENT

- A. That Council approve the revised draft *Coastal Erosion Emergency Action Subplan for Beaches in Warringah* to be submitted to the NSW Minister for the Environment.
  - B. That Council approve the use of *Coastal Erosion Emergency Action Subplan for Beaches in Warringah, Reference Document* for coastline management planning.
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## REPORT

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### Background

In May 2010, Council engaged a consulting engineering firm (Worley Parsons) to prepare a Coastal Erosion Emergency Action Plan for Warringah's Beaches. Warringah Council was the first Council in NSW to commence the preparation of such a plan following the NSW Government's announcement in Oct 2009 of reforms to the management of coastal erosion in NSW. During the preparation of the Plan, on 31 January 2011, the NSW Minister for Climate Change and the Environment (and Minister administering the *Coastal Protection Act 1979*) issued the following directive:

"Under the provisions of section 55B of the *Coastal Protection Act 1979* (the Act), I direct Warringah Council to submit a draft emergency action subplan, as defined in the Act, in accordance with the requirements under Part 4A of the Act for the coastline that is a beach from the Narrabeen Lagoon entrance south to the headland at north end of Beach Road, known as Collaroy-Narrabeen Beach, to the Minister administering the Act by 31 July 2011".

After a period of consultation, Council resolved at its meeting held 26 July 2011 to submit its draft '*Coastal Erosion Emergency Action Subplan for Beaches in Warringah*' (the Subplan) to the Minister, The Subplan was submitted on 29 July 2011, thereby meeting the Minister's required timeframe of 31 July 2011. The Office of Environment and Heritage (OEH) document "Coastal Zone Management Guide Note, Emergency Action Subplans", which provides guidance on what should be included in an Emergency Action Subplan, was released on 31 July 2011.

The Minister responded to Council on 12 January 2012 requesting that a revised draft Subplan be submitted by 31 March 2012. Council staff and management met with representatives of the NSW Office of Environment and Heritage (OEH) regarding the required changes to the Subplan and these changes have now been made. The revised draft Subplan is now ready to be submitted to the Minister for the Environment for certification under the Coastal Protection Act.

### Key Changes

A summary of the key changes to the draft Subplan and "*Coastal Erosion Emergency Action Subplan for Beaches in Warringah, Reference Document*" reports since the previous versions considered by Council in July 2011, is provided below:

1. The Office of Environment and Heritage (OEH) document "Coastal Zone Management Guide Note, Emergency Action Subplans", which provides guidance on what should be included in an Emergency Action Subplan, was released the same day that Council submitted its draft Subplan to the Minister. Accordingly, there were some edits to the reports to reflect this document.
2. The accompanying comprehensive report entitled "Management of Coastal Erosion Emergencies at Beaches in Warringah" was renamed "Coastal Erosion Emergency Action Subplan for Beaches in Warringah – Reference Document".
3. Based on comments from OEH, the draft Subplan document was made more concise. Material removed from the draft Subplan (eg. an evaluation of emergency protection measures) was incorporated in the comprehensive Reference Document.
4. Based on comments from OEH, a number of additional Figures were included in the draft Subplan to depict where "Part 4c sand/sandbags ECPW" could be carried out and the location of 20m from the seaward face of development (which is the trigger that allows the potential deployment of "Part 4c sand/sandbags ECPW").
5. Based on comments from OEH, the Council actions in the draft Subplan were delineated into "Before", "During" and "After" the storm sections.

6. The draft Subplan now makes explicit that, at this time, Council will not construct works to protect public assets in the event of a coastal erosion emergency (this reflects the current legislative status and mirrors the approach taken by Pittwater Council). Council cannot legally implement protective works at this time because of the amount of additional information required to support such works (e.g. environmental assessments, cost/benefit analysis, technical designs). Once such information is available Council may decide to vary the draft Subplan accordingly. The wording in the draft Subplan has been amended to reflect this:

*“At this point in time, Council is not authorised to and would therefore not install works to protect public assets in the study area, as environmental assessments of any potential works have not been undertaken.”*

However, the draft Subplan notes that it is Council’s intention to investigate the feasibility and appropriateness of undertaking such works in the future. This would include the following tasks:

- further detailed assessment of the level of risk to the asset;
- completion of a cost/benefit assessment of the value of protection of the asset, to determine whether protection would be justified;
- assessment of insurance implications; and,
- if protection was found to be justified for a particular asset, an environmental assessment (Review of Environmental Factors) for these works would be completed.

The public assets at highest risk in the study area that would warrant the highest priority for completion of the above assessments comprise (from south to north):

- old Freshwater SLSC building (if it was decided that the building would not be sacrificial as intended when the new Freshwater SLSC was constructed);
- South Curl Curl SLSC (if existing engineered protective works were to fail);
- Dee Why SLSC;

Other public assets that may be assessed in the longer term are:

- Long Reef Fishing Club hut (Fishermans Beach);
- Warringah Surf Rescue building (Fishermans Beach);
- car park north of Florence Avenue at Fishermans Beach;
- road reserves at Ramsay Street, Stuart Street and Wetherill Street at Collaroy-Narrabeen Beach (if existing protective works fail), noting that works at these locations may be exempt development and hence may require less rigorous environmental assessment and,
- stormwater outlets at all beaches in the study area (again noting that works at these locations may be exempt development, although it may not be appropriate or practical to attempt to protect such assets in an emergency).

If the environmental assessment process indicated that particular works would have an acceptably low environmental impact, the tasks that would need to be undertaken would include:

- completion of designs and methods of works for the intended protective actions, based on the specific materials to be employed, cost, minimal environmental impact and practical construction methods including consideration of any existing protective works, site access issues, etc.;
- developing a priority ranking of the order in which assets may be protected based on the relative cost/benefit of protection, to guide actions when multiple assets may be at risk at a particular time and resources may not be available to protect all of these assets.

- pre-purchasing and stockpiling relevant resources (materials and plant and equipment) for use in emergencies; and,
- identifying appropriate personnel that would place any emergency works (internal and/or external) and ensuring appropriate training or understanding of requirements for these personnel in advance of an emergency.

The length and complexity of the process outlined above makes it impractical for Council to install protective works at this point in time. That is, if an emergency were to occur tomorrow, Council would not be able to install protective works because it could not satisfy the legislative steps required. Once such information is collected, and the process completed, Council may elect to modify the draft Subplan to permit the installation of works to protect public assets.

### **Consultation**

Extensive consultation was undertaken during the preparation of the draft Subplan with community and Government stakeholders. Two public forums were held (in August 2010 and June 2011), and a public exhibition was held during 25 May to 27 June 2011. A total of 18 written submissions were received in response to the public exhibition and June 2011 public forum.

A presentation on the contents of the Draft Plan was also made to the Warringah Coastal Community Committee (WCCC) on 22 February 2011. Due to time constraints a presentation was not made to the Environmental Sustainability Strategic Reference Group.

### **Timing**

In accordance with a Ministerial Direction issued 12 January 2012, the revised draft Subplan is to be submitted to the Minister for the Environment by 31 March 2012.

### **Policy Impact**

The Subplan has been developed in accordance with recent State Government Guidelines, and will form an important part of the Coastal Zone Management Plan for Collaroy-Narrabeen Beach.

### **Financial Impact**

There are no direct financial impacts of submitting the revised draft Subplan to the Minister.

**Group Manager Natural Environment**

**Attachment Booklet** - Revised draft Coastal Erosion Emergency Action Plan for Beaches in Warringah

**Attachment CD** - Coastal Erosion Emergency Action Plan for Beaches in Warringah

