

2016 SUBMISSIONS

| Submission type | Summary detail | Times Raised | How has the issue been addressed? |
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| General: affecting substantial or various parts of the plan | | | |
| | Oppose adoption of flawed plan <ul style="list-style-type: none"> - Derived from outdated engineering plans - Incorrect assumptions - Bruun Rule not applicable to JB, excessively conservative - BR weakness does not consider longshore currents, two dimensional - Should undertake Equilibrium Beach Profile - CBPG set up land-based survey monitoring regime, vegetation has moved seaward since 1952 - Does not reflect well on Council - Council has not acted in good faith, will not be afforded protection under s733 LG Act - Cannot be submitted to NSW Government | 8 | We have extensively revised the draft Coastal Zone Management Plan that was previously exhibited. Expert consultants (Advisian) reviewed the coastal hazards section in 2016 and 2018. We have determined new hazard lines and applied new SLR measures. We have considered land survey monitoring information. |
| | Access to key documents restricted <ul style="list-style-type: none"> - CBPG required to apply for WP report | 2 | Council is required to follow appropriate legal processes when releasing specialist reports. |
| | Independent Coastal Engineer should review document <ul style="list-style-type: none"> - Should report to Council working committee, stakeholder representation | 2 | We engaged independent coastal engineers to review the technical sections of the plan. The revised Coastal Zone Management Plan will be reported to the elected Council for final adoption, before referral to the Minister. |
| | Staff have inadequate understanding of engineering principles <ul style="list-style-type: none"> - Locked into flawed process | 3 | Staff have used highly qualified and credible consultants to provide |

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| | <ul style="list-style-type: none"> - Did not read CBFGB submission - Symptomatic of culture where community views not worth considering - Briefing consultants to use outdated methodology - Plan is more ideology than policy | | <p>expert advice on the complex technical sections of the plan. The methodology used has been contemporary and consistent with best practice.</p> <p>All submissions have been read, considered and summarised in this appendix.</p> |
| | <p>Development controls (DCP118) based on risk management</p> <ul style="list-style-type: none"> - Should consider ZSA as alternative approach - Residents should accept more responsibility - No details in plan on cost of planned retreat - Beach monitoring should be used as performance measure | 1 | <p>Appropriate development controls now form part of the single Shoalhaven Development Control Plan 2014. The approach taken is consistent with best practice and NSW Government guidelines.</p> |
| | <p>Inadequate consultation period</p> <ul style="list-style-type: none"> - Only 10 days to respond - Little effort made to explain complex issues - Lack of timely process should not override resident rights - Community must be fully informed of costs and consequences | 4 | <p>The draft plan will now be subject to a third formal public exhibition of 21 days. Residents have also been consulted widely through the Our Coast Our Lifestyle.</p> |
| | <p>More considered and extensive consultation</p> <ul style="list-style-type: none"> - Needs to involve wide range of coastal community members - Not just affected beach front residents - Recent Council workshops were effective - Length and complexity of document not conducive to comprehension - Structure related to key coastal sites, promotes narrow interest specific to individuals, narrow community attitude - Terminology incorrect, should be engagement not involvement | 3 | <p>As detailed above. The revised document has been completely revised in part, to make it simpler and more accessible to the public. We have rationalised much of the technical terminology and made more extensive use of appendices and links which has shortened the main document.</p> |

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| | <p>Hazard lines must be updated to reflect accurate SLR</p> <ul style="list-style-type: none"> - Do not appreciate impact on property values, leading to financial loss - SLR in Shoalhaven over last 150 years in balance or moving seaward (CB example) - Need to take pragmatic approach to SLR (as endorsed by Minister Stokes) | 3 | The hazard lines have been revised. They are now based on different SLR thresholds which Council adopted after consideration of a comprehensive expert report and detailed public submissions. |
| | <p>Support SLR parameters</p> <ul style="list-style-type: none"> - Existing state government measures should be retained - Most widely accepted by expert advice - Support IPCC projections - Decision to ignore SCRSR Planning Framework recommendations not based on expert advice - Climate change should be recognised as coastal hazard - Council has existing policy should be maintained | 3 | As above. |
| | <p>Maintaining and protecting natural environment not prioritised</p> <ul style="list-style-type: none"> - Objectives inconsistent with relevant legislation - Amenity is prioritised over maintaining natural vegetation - Mitigating coastal erosion given priority over vegetation protection - Plan aligned with uniformed opinion and private interests - Erosion mitigation adopts engineering approaches, ignores maintaining vegetation - Methods including dredging and reef removal cause degradation problems - Both scoping and evaluation must include science | 2 | <p>The revised plan includes additional objectives that are consistent with the legislation and include protecting the natural environment.</p> <p>We have attempted to strike a reasonable balance between appropriate levels of vegetation protection, the expectations of individual landowners and the recreational needs of users of our natural assets.</p> |
| | <p>Protection of ecological values</p> <ul style="list-style-type: none"> - Protection of high ecological values should not be balanced against conflicting uses | 2 | The plan provides for appropriate levels of protection for vegetation of high ecological value, |

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| | <ul style="list-style-type: none"> - No commitment to maintain values into the future | | consistent with Council's legal obligations and responsibilities. |
| | <p>Protection of Coastal Biodiversity</p> <ul style="list-style-type: none"> - Plan lacks reference to concept of habitat - Shoalhaven Birdlife requires more recognition - Recreational uses should include birdwatching - Birdlife Shoalhaven should be recognised in engagement program | 2 | The revised plan provides for protection of coastal biodiversity and greater recognition of native fauna. |
| | <p>Inconsistent with ESD principles</p> <ul style="list-style-type: none"> - Application of ESD principles, especially precautionary principle fundamental to determining priorities and management action - No reference to principles | 1 | The revised plan is consistent with ESD principles. |
| | <p>Coastal erosion prioritised over inundation and flooding</p> <ul style="list-style-type: none"> - Coastal inundation and flooding should be given greater prominence - Flood studies should be referenced - No evidence to support comments in Royal H report 2014 | 1 | Coastal erosion may appear to be given priority; however, this is a reflection of the severity and potential impact related to this form of coastal hazard. We have clearly referenced the flood studies and management plans in the plan. We have provided for significant levels of mitigation consistent with community expectations and resource limitations. |
| | <p>Dogs should be recognised as management issue</p> <ul style="list-style-type: none"> - Plan does not manage source of problem | 1 | The plan provides for management of dogs in coastal areas. Council commits significant ranger resources to enforcement action in accordance with adopted policies. |
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| Location Specific: relating to one geographic location | | | |
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| Culburra Beach and Lake Wollumboola | Support proposals in plan applying to CB/LW <ul style="list-style-type: none"> - many actions already in progress | 1 | Noted. |
| Collingwood Beach | Why did vegetation on CB overtake Coastal Zone Management Plan? <ul style="list-style-type: none"> - Staff dismissive, greater priority should have been given to plan - CB residents unfairly burdened with inaccurate hazard lines | 2 | Priorities regarding particular locations are influenced by community representations and potential environmental damage. Council attempts to provide a balanced policy position that considers the interests of all residents in a professional, fair and equitable manner. |
| | Inadequate contact with affected landowners. <ul style="list-style-type: none"> - Sand dunes are larger and more extensive than when property purchased | 1 | See comment on community consultation above. |
| | Proposed CB Management Plan contrary to sound planning <ul style="list-style-type: none"> - Governance to appease a minority of law breakers - Contradicts Tree Management Policy and Foreshores Reserve Policy - Contrary to relevant legislation - should be 'authorised location' under Act - Should give priority to dune stability and biodiversity protection | 1 | The proposed CB Management Plan is currently being reconsidered by Council. |
| Hyams Beach | Plan does not include HB in local strategies <ul style="list-style-type: none"> - Problems with sewerage line in recognised hazard area - Uncontrolled stormwater outlets onto iconic beaches, erosion | 1 | The revised Coastal Zone Management Plan includes Local Action Plans that provide for specific works in high priority locations. Budgetary limitations ultimately determine the extent to which these works can meet community expectations. |

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| Sussex Inlet and St Georges Basin | <p>Lack of inclusion of hazard issues in plan</p> <ul style="list-style-type: none"> - Erosion not exclusively confined to beach alignment, also affect estuaries, lakes, riparian areas - Flooding of basin has significant impacts, not quantified - Data on flooding outdated - Cost of intervention to open basin not included - Storm surge damage of Stingray Bay not mentioned - More resources required | 1 | <p>The revised Coastal Zone Management Plan provides hazard lines in locations of most critical risk for costal erosion and inundation. Flood studies and management plans provide a separate management approach for flood affected areas. Ultimately, budget limitations determine the extent to which community expectations can be met.</p> |

2018 Submissions

| Location | Summary of Submission | Comment |
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| Shoalhaven Heads (2 submissions from the same person) | <ul style="list-style-type: none"> <i>Guidelines refer to continuing and undiminished access to beaches, yet CZMP only refers to removal of sand for safety, should include management of sand in front of Surf Club to maintain access to beach</i> <i>Should provide for higher viewing platforms to ensure people with disabilities can view & access beach</i> <i>Maintain public access to beach</i> | <p>Managing sand in front of Surf Club is included in the Plan as action LA1.5. Text added to LA1.5 to include beach access.</p> <p>LA1.8 identifies maintaining public beach access and viewing platforms in this location.</p> <p>Council has an adopted Disability Inclusion Action Plan; the objectives of this plan can be considered as part of any future upgrades to viewing platforms as opportunities arise at appropriate locations.</p> <p>Maintaining adequate public access to beaches is a key component of the CZMP.</p> |
| Crookhaven Heads (1) | <ul style="list-style-type: none"> <i>CZMP consistently refers to Crookhaven Heads as Greenwell Point</i> | Plan amended where required. |
| Lake Wollumboola (1) | <ul style="list-style-type: none"> <i>Recommend reconsideration of "vision" to give greater recognition to Aboriginal material and spiritual values</i> <i>Priority should be given to coastal flooding and inundation, as well as coastal erosion</i> <i>CZMP underestimates impact of climate change, relies on Council decision to accept non-expert SLR projections – lower projections than Eurobodalla and Kiama</i> <i>Environmental monitoring should include mapping to assess conditions over time – should involve Aboriginal community</i> <i>CZMP does not outline measures to protect shorebird habitat, threatened species under extreme threat from SLR, increased storm intensity, human visitation – access to beaches should at times, be denied and better signs to protect habitat</i> <i>Science Citizens welcome, should be co-ordinated by Council Environmental staff</i> <i>Bushcare program should be better funded</i> | <p>Coastal inundation is included in the coastal hazard mapping and considered in the Plan as a risk. Council has a comprehensive flood program to undertake flood studies and plans. These are incorporated into Council's Shoalhaven Local Environmental Plan (SLEP) and Shoalhaven Development Control Plan (SDCP) as (s10.7 EP&A Act).</p> <p>Council's SLR policy includes a review provision at least every 7 years and policies are reviewed or reaffirmed after election of each new Council. Section 2 of CZMP includes provision to review SLR projections as per policy review requirements and includes other triggers.</p> <p>Amend CZMP to include greater recognition of Aboriginal cultural heritage.</p> |

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| Currarong (1) | <ul style="list-style-type: none"> • <i>Concerns regarding proposal to build very costly and possibly futile groyne</i> • <i>Potentially unintended damaging consequences</i> • <i>Sand to nourish depleted easterly sections already moving</i> • <i>Plastic fibre used for groyne will enter sea and be ingested by fish and birds</i> • <i>Groyne opposed at public meeting in October 2016</i> • <i>No guarantee the groyne will have desired effect</i> • <i>Expert recommending groyne, employed by company that will build groyne – lack of independence – conflict of interest</i> • <i>Long term users of caravan park not properly consulted</i> • <i>Proposed access road in front of park will create alternative boat ramp</i> • <i>Need for groyne motivated by 10 property owners in Warrain Crescent; many of whom destroyed trees and shrubs on dunes opposite</i> • <i>Rates will rise; should have been harsher of destruction of trees</i> • <i>Groyne will not solve problems of rising sea levels due to climate change</i> | <p>Construction of trial geotextile groyne at Warrain beach subject to:</p> <ul style="list-style-type: none"> • review of environmental factors (REF) which must consider potential environmental impacts and suitable avoidance and mitigation measures as well as maintenance and monitoring of the structure and Aboriginal cultural heritage; • Council obtaining necessary licences and approvals; • community consultation; and • further consideration by Council. <p>The groyne is a trial and can be removed.</p> |
| <p>Jervis Bay & Vincentia (12) 3 supporting 1 submission, 2 copies of 1 submission</p> | <ul style="list-style-type: none"> • <i>CZMP is inadequate because it uses unrealistic SLR estimates & ignores the threat of coastal inundation</i> • <i>Vincentia Information Session missed opportunity because too many topics discussed</i> • <i>CZMP appears to be based on “old” information; should not confuse public with different ages of information, should encourage public participation</i> • <i>Executive Summary says estuaries not included but diagram on page 8 indicates strategies feed into EMPs</i> • <i>Large variation in age of supporting documentation</i> • <i>Huskisson Beach Management Plan still in draft form, needs to be endorsed to give public confidence</i> • <i>Coastal flooding & imminent inundation not included in plan; extraordinary omission, ESC estimates Narooma has approx. 1000 coastal properties at risk</i> • <i>Not credible to suggest St. Georges Basin, Coonemia Creek, Burrill Lake will not be affected</i> | <p>CZMP uses Council's adopted sea level rise projections/policy.</p> <p>Council's SLR policy includes a review provision at least every 7 years and policies are reviewed or reaffirmed after election of each new Council. Section 2 of CZMP includes provision to review SLR projections as per policy review requirements and includes other triggers.</p> <p>Coastal inundation is included in the coastal hazard mapping and considered in the Plan as a risk. Council has a comprehensive flood program to undertake flood studies and plans and update these. These studies are incorporated into Council's SLEP and DCP.</p> <p>The diagram on page 8 tries to illustrate that CZMP is one part of Council's integrated</p> |

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| | <ul style="list-style-type: none"> • <i>Not fair to residents to pretend there is no risk – not adequately responding to climate change</i> • <i>CZMP fails to take opportunity to install demonstration site; demonstrate Bush Plan, resilient dune and iconic views – trial should be for 2 years, not 5</i> • <i>Council should engage better with local community who have expertise and knowledge</i> • <i>Challenge the CZMP to achieve/address 16 matters including:</i> <ul style="list-style-type: none"> ○ <i>Upgrade storm water design & install infrastructure within 2 years</i> ○ <i>Create a draft DCP to immediately implement changes proposed in CZMP</i> ○ <i>Maintain & upgrade beach accessways</i> ○ <i>Vegetation Plans in accordance with Coastal Zone Management Manual (P68)</i> ○ <i>Special staff position should be contracted out (ex-employees of SCC eligible)</i> ○ <i>Natural Resource Committee members cannot hold positions for longer than 2 terms</i> ○ <i>Local “Defend the Coast Groups” should be set up to execute Vegetation Plans, membership subject to veto from adjoining residents</i> ○ <i>EMP for Moona Moona Creek; return sand to restore Collingwood Beach</i> ○ <i>Description of Jervis Bay should be replaced with individual beaches</i> ○ <i>CBPG should be regarded as “Special Group” providing expert opinion & monitoring advice</i> ○ <i>Lifesaving facilities provided for Collingwood Beach</i> ○ <i>Views between Bayswater & Berry Streets should be retained</i> ○ <i>Remove all pittosporum</i> ○ <i>Bush Regeneration Plans should exclude Collingwood Beach</i> • <i>Hazard lines at the end of Ilfracombe Ave. are inconsistent with dune heights</i> • <i>Collingwood Beach should be recognised as an accreting beach</i> • <i>CZMP fundamentally flawed for the following reasons:</i> | <p>approach to managing the coastal landscape, not the only part.</p> <p>The coastal hazard assessment, risk assessment and emergency action sub plans were all updated as part of the update and revision of the CZMP.</p> <p>The Plan clearly identifies risk factors and private and public assets at risk along the open coast.</p> <p>Flood studies and plans identify properties at risk of inundation in estuaries.</p> <p>These risk based studies and plans inform Council’s SLEP and SDCP as well as planning certificates (s10.7 EP&A Act).</p> <p>Council sought to include estuaries as part of the CZMP, however State Government advised it would not certify estuary management plans as part of the CZMP as these were not prepared as CZMP’s.</p> <p>Council has successfully obtained funding to transition to a Coastal Management Program, over the next 3 years, that will include 2 estuaries.</p> <p>Council could adopt a rolling program to progressively update its estuary management plans, similar to its flood study/plan program.</p> <p>Work is undertaken as part of the coastal maintenance program to maintain and upgrade beach accessways.</p> <p>Council continually engages and seeks input from the community as part of its coast and estuary programs. Council is committed to</p> |
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| | <ul style="list-style-type: none"> ○ CZMP has been prepared under the Coastal Management Act 1979 which was repealed on 3 April 2016 as such has no legal standing. ○ Community consultation period has been limited to 12 days, time that a complete set of documents has been available, for review on the SCC website, totally inadequate period of time for a comprehensive review. ○ The Bruun Rule that has been used to predict shoreline erosion and recession - does not address several key criteria required for a robust analysis and is not best practice. ○ The software (SWAN modelling) used to determine inundation maps has been confirmed by the software developer as not being suitable for embayments (like Collingwood Beach) ○ Calculating coastal hazard lines and inundation lines utilising methods and parameters that are no longer accepted as best practice has resulted in an assessment that is fundamentally flawed and therefore invalid ○ By not utilising best practice techniques arguably SCC has not acted in good faith and will not be afforded protection under section 733 of the Local Government Act 1993 which provides an exemption from liability ○ The risk assessment included in CZMP (Advisian) does not consider private housing, includes subjective assessments that are illogical in some instances and is convoluted ○ The appropriate level of participation (that is collaboration) documented in the NSW Government A Guide for Engaging Communities in Environmental Planning and the Decision Making, and the International Association for Public Participation Australasia, has not been fulfilled ○ The placement of coastal hazard and inundation lines across water front properties has caused the owners of those properties anguish and financial loss ○ The fact that SCC has not been able to manage the process of producing a Draft CZMP in a timely manner cannot be used as an excuse to trump the rights of residents ○ SCC cannot submit the CZMP to the Minister, which it knows to be flawed, as the reputation of the Shoalhaven will be tarnished further with yet another rejection. | <p>engaging with the community on these matters and</p> <p>The CZMP recognises the need to maintain adequate public access to beach as a priority throughout the document.</p> <p>Coastal Management Act recognises CZMP's. Council is adhering to the legislative process to seek certification of the CZMP. Once certified the CZMP will be considered a CMP for the purposes of the Act.</p> <p>The coastal hazard mapping takes into account current conditions such as existing dune heights as well as coastal inundation from historical and recent storm events.</p> <p>Public exhibition period was 21 days in accordance with Guidelines. Council was not legally required to re-exhibit Plan again as it has previously been exhibited. The updates and revisions have been made in response to previous submissions and Council resolutions.</p> <p>Coastal hazard mapping and use of Bruun Rule in line with current coastal engineering practices and other Council's within the region have used the same methodology to map coastal hazards and prepare their CZMPs. Council has also complied with the Guidelines for preparing a CZMP and therefore, has acted in good faith in accordance with s733 of the Local Government Act.</p> <p>The risk assessment complies with engineering and risk assessment best practice, as well as CZMP Guidelines.</p> |
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| | | <p>Issues with methodology previously raised and addressed when Council adopted the updated coastal hazard mapping in 2016.</p> <p>During the past several years, community engagement has contributed to the development of this CZMP.</p> <p>The coastal hazard mapping, strategies planning provisions and development controls have been in place for many years.</p> |
| Bendalong / Manyana (1) | <ul style="list-style-type: none"> • <i>Unhappy that estuaries & ICOLLs are excluded – significant number of properties at risk</i> • <i>Lake Conjola needs sand removed, should be used to replenish surrounding beaches – impacts need to be assessed</i> • <i>Properties along Berringer Lake as well as Lake Conjola need to be assessed</i> • <i>Boat Harbour Master Plan as well as regeneration of reserve (adjoining caravan park) should be implemented within 2 years.</i> | <p>Council sought to include estuaries as part of the CZMP, however State Government advised it would not certify estuary management plans as part of the CZMP as these were not prepared as CZMP's.</p> <p>Council has successfully obtained funding to transition to a Coastal Management Program, over the next 3 years, that will include 2 estuaries. A working group from Council's Natural Resources & Floodplain Committee has recommended this include St Georges Basin and Lake Conjola.</p> <p>Management of ICOLL entrances as part of Council's flood mitigation program is included in the CZMP.</p> <p>Council would need to allocate budget to implement the Boat Harbour Master Plan.</p> |
| Lake Conjola (2) 2 copies of same submission Supports CZMP however disappointed | <ul style="list-style-type: none"> • <i>Extremely disappointed that estuaries are excluded from CZMP, no adequate explanation, especially given decades long underfunding of management works to mitigate increased frequency of low level flood events</i> • <i>LAP 4 puts forward Boat Harbour Master Plan & Stormwater Upgrade Plan – should be implemented immediately 0-2 years -1.7mill. budget required</i> • <i>LAP 5 proposes to manage dune heights at Narrawallee Beach by beach scrapping & nourishment, if sand can be sourced – Lake Conjola entrance should be the source</i> | <p>Comments as above</p> |

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| estuaries not included | <ul style="list-style-type: none"> • Council should provide funding to update plan to include estuaries, ICOLLS & entrance management policies, thereby making works on these waterbodies eligible for funding | |
| Mollymook Beach (4): | <ul style="list-style-type: none"> • Vegetation should be pruned adjacent to parking at Mitchell Pde Reserve • Tree Planting required south of Black Water Creek • North end of beach requires some attention – “caravan” used to store surf club equipment, should extend toilet block with room for equipment – drain should be unplugged • If affected residents (Mollymook Beach) are required to pay special levy to fund coastal works - should have a say in how it is spent – all ratepayers should pay any levy – unjust to impose additional levies - should be allocated to a special reserve (Coastal Infrastructure Management Reserve) to address coastal storms/events • Historical accessways to beach should be preserved; visitors to beach, not residents are stepping outside defined walkways • No further planting of shrubs/trees at back of properties fronting beach - bushfire threat, insurance impact • Beachfront owners not directly informed – not all full-time residents – cannot attend public meetings – do not read local newspapers | <p>The road, sewer and water infrastructure are at risk, at Mitchell Pde. Therefore, vegetation is important in maintaining dune resilience. Views of the ocean are adequate in this location.</p> <p>The findings from Our Coast Our Lifestyle community engagement program identified that in general ratepayers did not want to pay for the protection of private property.</p> |
| Bawley Point / Kioloa (1) | <ul style="list-style-type: none"> • Shoalhaven Coastal Zone Map doesn't show Bawley Point/Kioloa • Coastal risk issues with a number of locations including: <ul style="list-style-type: none"> ○ Gannet Beach – southern end, access tracks heavily undermined ○ Malibu Drive, south & west of dunes could be long term risk ○ Historic gantry destroyed by large waves ○ Kioloa Beach – southern end near boat ramp & Marine Rescue building eroded ○ Vegetation subject to vandalism to improve views | <p>City wide strategies generally address these issues.</p> <p>City wide strategy to update beach risk assessment to determine if any additional beaches require coastal hazard mapping.</p> |