

6 January 2020

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Our Ref: 2019/716971

Dear Mr Salama

Thank you for your enquiry. A wide range of information relating to coastal erosion at Collaroy-Narrabeen Beach and Council's actions to address this issue can be found on our website: <https://www.northernbeaches.nsw.gov.au/environment/coast-and-waterways/coastal-erosion>

Please find answers below to your specific questions.

Why has Council not applied the provisions of the Coastal Protection Act to the Coastal protection works at 1184 Pittwater Rd as is required under the Act? Specifically why have bonds not been required or maintenance provisions imposed on that consent as is specifically required under the Act?

Council applied the provisions of the *Coastal Protection Act* in its assessment of the proposed works at this property. Following the June 2016 East Coast Low, Council sought independent advice on the necessary conditions of consent for all future coastal protection works and has been applying this advice consistently.

How much did the Collaroy Carpark Coastal Protection works cost? Was the carpark damaged by the 2016 storms and if so to what extent?

Information about all of Council's capital works projects can be found in the Delivery Program 2018-2021 at www.northernbeaches.nsw.gov.au/sites/default/files/delivery-program-2018-2021.pdf. Page 45 identifies funds allocated to capital projects for coastal protection works at Collaroy- Narrabeen beach as \$1.6 million for the 2018/19 financial year and \$5.9 million for 2019/20.

The car park works were necessary as Council has a responsibility to protect public assets. As a result of these works public access will be significantly improved and the area will be safer during future storms.

How much has Council spent on legal fees defending Land & Environment Court appeals related to seawalls since the 2016 storm? Please include direct and indirect costs.

Legal advice and relevant communications regarding legal proceedings are confidential and are subject to legal professional privilege and client legal privilege.

Will Northern Beaches Council implement "planned retreat" or a similar policy at Collaroy now or in the future?

The *Coastal Zone Management Plan for Collaroy-Narrabeen Beach and Fisherman's Beach* and *Northern Beaches Coastal Erosion Policy* outline the proposed management actions for Collaroy-Narrabeen Beach. Planned retreat is not a proposed management action at Collaroy-Narrabeen Beach in either of these documents.

Why has Council implemented Time Limited Consents on approvals for Coastal protection works at Collaroy? Why has Council selectively excluded this condition from certain approvals?

The conditions of consent being applied to all approvals post the June 2016 storm event are consistent and based on the best available knowledge and advice provided to Council.

'Time Limited Consent' or the condition of consent that requires the performance and impact of the approved seawall to be assessed at the end of its design life is required to satisfy the requirements of the *NSW Coastal Management Act 2016*. This condition is being applied consistently and in accordance with Council's understanding of its obligations.

In financial year 2018 what percentage of Total Council revenues found its way back to the community by way of community projects?

Council's Annual Report 2017/18 and Annual Financial Statements 2017/18 can be found at <https://www.northernbeaches.nsw.gov.au/council/publications/annual-report>. These documents provide information on Council's income and expenditure. Page 14 of the Annual Financial Statements shows the total income from continuing operations was \$391.1 million. It also shows total expenses from continuing operations was \$312.6 million which was applied to deliver operational services and projects to the community.

In addition, \$78.75 million was invested in upgrading existing assets and providing new assets to meet the needs of the community. Details of what was delivered is contained in the Annual Report.

In 2006 Warringah Council accepted liability for having subdivided residential Lots too close to the high tide mark and adopted the construction of a seawall, entirely at its own cost, as a management strategy. Why has council now left this construction to private property owners? What liability does Council carry from this historic subdivision too close to the water mark?

The statement "*In 2006 Warringah Council accepted liability for having subdivided residential Lots too close to the high tide mark and adopted the construction of a seawall, entirely at its own cost, as a management strategy*" is not correct. Northern Beaches Council (including the former Warringah Council) has never proposed to construct a seawall that protects private property entirely at its own cost.

The responsibility of residents to protect their properties is clearly stated in *Northern Beaches Coastal Erosion Policy*, 2016. The policy states:

Property owners (including government) are responsible for protecting their property from the impacts of coastal processes, and are responsible for ensuring

their property does not adversely impact on adjoining properties or coastal processes.

Why has Council approved Coastal Protection Works on Crown Land at 1114 Pittwater Rd Collaroy, given the Lot extends Eastward to nearly the high tide mark and the protection works could easily have been contained within private boundaries? How is this in the public interest? How does this benefit public beach amenity?

The proposed works as submitted and approved were assessed on their merits and deemed to be in accordance with the *Coastal Zone Management Plan for Collaroy Narrabeen Beach and Fishermans Beach*, the *Northern Beaches Coastal Erosion Policy* and the *Collaroy – Narrabeen Beach Coastal Protection Works Design Specifications*.

Will council shift or attempt to have beachfront residents contribute to sand nourishment costs at Collaroy Narrabeen now or in the future? Is Council attempting to shift sand nourishment costs to the Crown or residents? Will council introduce a levy for sand nourishment or maintenance of beach amenity?

Council's position of beach nourishment in the future is stated in the *Northern Beaches Coastal Erosion Policy*. This policy states:

Sea level rise may result in a progressive loss of beach width over coming decades. Council will work with the State Government and other coastal councils in NSW to facilitate the importation of sufficient quantities of sand to enable beach width and surf quality to be maintained.

Did Council impose any conditions on Collaroy Services Club for the coastal protection works recently constructed by them? If not-why?

The works to be undertaken by the Collaroy Beach Services Club were to renew existing coastal protection works that were damaged during the June 2016 Storm. These works were completed under an Emergency Order issued by Council that contained the appropriate conditions for completion of the order.

Does Council have a relationship with Horton Coastal engineering and did the relationship precede the June 2016 storms? Does Council consider this a conflict of interest? Did Council communicate with Horton Coastal engineering regarding specific applications for Coastal protection works between June 2016 and December 2016? If so-please provide a copy of such communication.

Northern Beaches Council engages and liaises with a range of consultants on matters related to coastal management. All interactions with Northern Beaches Council and external consultants are transparent and in accordance with necessary legislation and regulation.

Council has not engaged Horton Coastal Engineering in relation to any coastal protection matters at Collaroy-Narrabeen Beach. All interactions with Horton Coastal Engineering on matters related to Collaroy-Narrabeen Beach have been as a result of Horton Coastal Engineering representing residents requiring coastal protection works.

How many seawalls have been constructed by private residents since the June 2016 storms to protect the numerous properties on the Collaroy Beachfront?

To date Council has approved five development applications submitted after the storm event in 2016. These applications represent 22 of the 49 properties requiring coastal protection along Collaroy-Narrabeen Beach. The responsibility for construction of these works sits with the owners of the properties with approved applications, however these have not yet been constructed.