

SUBJECT: CCL 12/05/20 - PUBLIC EXHIBITION OF THE DRAFT STOCKTON COASTAL MANAGEMENT PROGRAM

REPORT BY: INFRASTRUCTURE AND PROPERTY
CONTACT: DIRECTOR INFRASTRUCTURE AND PROPERTY /
MANAGER ASSETS AND PROJECTS

PURPOSE

To place the draft Stockton Coastal Management Program (Stockton CMP) on public exhibition as required under the *Coastal Management Act 2016* (CM Act) and *Local Government Act 1993* (Act).

RECOMMENDATION

That Council:

- 1 Resolves to place the draft Stockton Coastal Management Program as at **Attachment A** on public exhibition for at least 28 days prior to final consideration by Council.

KEY ISSUES

- 2 All Coastal Councils are required under the CM Act to have a Coastal Management Program, to outline the long-term strategy for managing the coastal zone, by 31 December 2021.
- 3 City of Newcastle (CN) had commenced the preparation of a Coastal Management Program for the Newcastle LGA and had completed the Newcastle Coastal Management Program Scoping Study 2019 (**Attachment B**) which outlined the coastal zone area, the actions, and it's proposed delivery by 30 December 2020.
- 4 On 17 February 2020, following successive severe erosion events at Stockton, CN received a direction from the Minister for Local Government under Section 13 of the CM Act, to submit the Stockton CMP by 30 June 2020 (**Attachment C**).
- 5 In order to meet the Minister's direction, and to have sufficient time to finalise the Stockton CMP and collate submissions, CN will need to commence public exhibition on 13 May 2020 concluding on the 10 June 2020. The final Stockton CMP will be referred to Council for consideration on 24 June 2020 prior to submission to the Minister.
- 6 Offshore sand extraction for beach nourishment purposes is currently not permissible as there is no regulation gazette under the *Offshore Minerals Act 1994* that will allow for an entity to apply for a mining license off the NSW coast.
- 7 On 18 March 2020 the NSW Deputy Premier announced the establishment of a Deputy Premier Taskforce to provide a long term solution for coastal erosion of

the eastern boundary of Stockton. This included investigating all options for sand nourishment sources, including marine based, and to overcome inter-governmental department issues that would otherwise cause unacceptable cost and time implications for restoring beach amenity at Stockton.

FINANCIAL IMPACT

- 8 The public exhibition of the draft Stockton CMP has minimal financial impact. Costs associated with the exhibition are funded in the 2019/20 Operational Budget.
- 9 Certification of the Stockton CMP by the NSW Government will enable CN to seek funding for the coastal management actions under the State Government's Coastal and Estuary Grants Program administered by the Department of Primary Industry and Environment with an approved budget of \$83.6 million from 2016–17 to 2020–21.
- 10 The coastal management actions will be delivered over multiple financial years. Certification of the Stockton CMP will allow the implementation of adopted actions, commencing in the 2020/21 financial year.

COMMUNITY STRATEGIC PLAN ALIGNMENT

- 11 The draft Stockton CMP aligns with the following Newcastle 2030 Community Strategic Plan directions:

Protected Environment

2.2a Provide and advocate for protection and rehabilitation of natural areas.

2.3a Ensure decisions and policy response to climate change remains current and reflects community needs.

Vibrant, Safe and Active Public Places

3.1a Provide quality parkland and recreation facilities that are diverse, accessible and responsive to changing needs.

Liveable Built Environment

5.1b Ensure our suburbs are preserved, enhanced and promoted, while also creating opportunities for growth.

IMPLEMENTATION PLAN/IMPLICATIONS

- 12 Coastal management actions that require funding will be identified in CN's Delivery Program and Operational Plans, allowing CN to undertake the actions as funding/resources allow, with applications also lodged for applicable state and federal grant programs.

RISK ASSESSMENT AND MITIGATION

- 13 Public exhibition of the draft Stockton CMP is a legislative requirement. It is critical to its certification and the subsequent implementation of coastal management actions.
- 14 Based on the comprehensive current and historical technical data analysis, hazard assessment investigations highlight the immediate and future risks posed for the draft Stockton CMP area as a result of shoreline recession, storm erosion and projected climate change. The results indicate a very high to extreme risk range for the Stockton coastal zone, noting that immediate action is required. The management actions outlined in the draft Stockton CMP aim to minimize this risk.

RELATED PREVIOUS DECISIONS

- 15 On 24 July 2018, Council adopted the *Newcastle Coastal Zone Management Plan 2018* (NCZMP), which outlined an action for the development of a Coastal Management Program for the Newcastle coastal zone.
- 16 On 25 June 2019, Council supported the Lord Mayoral Minute *Offshore Sand Extraction For Beach Nourishment at Stockton Beach*. Council resolved to write to the Minister for Local Government, the Deputy Premier, the Minister for Planning and Public Spaces, and the Minister for Agriculture, seeking the NSW Government's policy position regarding offshore sand extraction for the purposes of beach replenishment and nourishment.
- 17 On 24 September 2019, Council noted the ongoing coastal erosion at Stockton Beach, and resolved to invite the NSW Premier, Deputy Premier, the Minister for Local Government, and the Minister for Energy and Environment, to inspect the impact of coastal erosion on Stockton. Council also resolved to advocate to the Commonwealth Government to intervene and provide support to address coastal erosion.
- 18 On 25 February 2020, following the Natural Disaster declaration and significant erosion, Council reiterated the need for the NSW Government to consider legislative or regulatory change to allow access to offshore marine sediment for beach nourishment at Stockton.

CONSULTATION

- 19 CN initiated the Stockton Community Liaison Group in February 2018. Membership includes representatives from the community, Worimi Local Aboriginal Land Council, Stockton Surf Life Saving Club, Stockton Community Action Group, Northside Boardriders Club and CN Officers. The Lord Mayor, Ward 1 Councillors, and key government agencies are also invited to attend meetings.
- 20 Consultation has been undertaken with the Department Planning Industry and Environment, to ensure the draft Stockton CMP is able to meet the legislative requirements of the CM Act and Part A of the Coastal Management Manual to enable certification. A summary of how the Stockton CMP meets these

requirements is at **Attachment D**. CN has also been consulting with all other identified stakeholders including:

- i) Family and Community Services,
- ii) Defence Housing Australia,
- iii) Hunter Water Corporation,
- iv) Crown Lands,
- v) Worimi Local Aboriginal Land Council,
- vi) Port of Newcastle,
- vii) Port Authority of NSW,
- viii) Geosurvey of NSW,
- ix) NSW Department of Agriculture, Water and the Environment,
- x) NSW Department of Primary Industries – Fisheries,
- xi) Transport for New South Wales,
- xii) National Parks and Wildlife Service, and
- xiii) Port Stephens Council.

21 The Newcastle Coastal Planning Working Group (NCPWG) was formed in 2019 to provide strategic guidance to the preparation of the Newcastle Coastal Management Program. The NCPWG comprises members from key government and community stakeholders.

22 Community consultation has been undertaken over a number of years in relation to the management of the coastal zone in Stockton:

- i) A community workshop was held in 2008 during the preparation of the Stockton Coastline Management Study,
- ii) Community workshops were held in October 2016 during the preparation of the NCZMP,
- iii) Public exhibition of the NCZMP was undertaken in November 2016,
- iv) A community workshop was held on 14 June 2018 and public exhibition for the NCZMP – Part A Stockton was undertaken from 6 to 28 June 2018, and

- v) 'Town Hall' meetings were held in March 2018 and April 2019 in Stockton to provide information to the community on the CM Act, delivery of the NZCMP and Coastal Management Programs.

BACKGROUND

- 23 The CM Act commenced 3 April 2018. Under the CM Act transition arrangements allowed Councils to have Coastal Zone Management Plans certified under the *Coastal Protection Act 1979*. The NCZMP was certified by the Minister for the Environment on 24 August 2018, however, under the provisions of the CM Act the NCZMP will cease as a certified plan on 31 December 2021.
- 24 The NCZMP outlined the short (one to two years) to medium (one to five years) term management actions for the open coastline of the Newcastle LGA, from Glenrock Lagoon in the south to the Local Government boundary on Stockton Bight in the north, and included an action for CN to complete a Coastal Management Program for the LGA's coastal zone.
- 25 The Stockton coastal zone has been the subject of a number of studies to assess coastal processes, and the objectives of the draft Stockton CMP are supported by the most recent studies and investigations which include:
 - i) The Newcastle Coastal Zone Hazards Study (BMT WBM, 2014(a));
 - ii) Newcastle Coastal Zone Management Study (BMT WBM, 2014(b));
 - iii) Stage 2 CMP Sediment Transport Study and Probabilistic Hazard Assessment (Bluecoast, 2020) as at **Attachment E**;
 - iv) Cost Benefit Analysis for Stockton Beach CMP (Bluecoast & Rhelm, 2020) as at **Attachment F**;
 - v) Options Evaluation (Royal Haskoning DHV, 2020) as at **Attachment G**; and
 - vi) Potential Nourishment Sources (Royal Haskoning DHV, 2020) as at **Attachment H**.
- 26 Due to the shortened timeframe imposed under the Minister's direction, the draft Stockton CMP is focused on the area of Stockton Beach from the Northern Breakwater of the Hunter River in the south, to Meredith Street in the northern section of Stockton.
- 27 The work delivered in the draft Stockton CMP; the northern section of Stockton Beach to the LGA boundary that is excluded; and the remaining area of the LGA coastal zone as identified in the scoping study will be delivered in a combined Newcastle Coastal Management Program in mid-2021.
- 28 The draft Stockton CMP reflects an adaptive management approach to the Stockton CMP area. Management actions are defined by comprehensive

knowledge and analysis to reflect what is feasible, viable and acceptable for CN and the community. The overarching strategy of the Stockton CMP is aimed to establish a pathway for the delivery of mass sand nourishment to the Stockton area, whilst simultaneously planning and delivering on the urgent protection of critical public assets in the short-term. Mass nourishment is designed to both return amenity to the Stockton coastal zone, whilst also establishing a sand protection buffer between the ocean and public assets, reducing the need to build a buried terminal line of defense.

- 29 The establishment of the Deputy Premier's Taskforce is a key initiative in securing the cohort of State Government agencies and coastal experts that will be required to cover the investigation, approvals and delivery of the required marine-based mass sand nourishment for Stockton. The delivery of the Taskforce does not fall within the scope of the draft Stockton CMP but will be critical in delivering a long-term viable mass nourishment solution for Stockton Beach.

OPTIONS

Option 1

- 30 The recommendation as at Paragraph 1. This is the recommended option.

Option 2

- 31 Council resolves not to place the draft Stockton CMP on public exhibition. This is not the recommended option.

REFERENCES

ATTACHMENTS

- Attachment A:** Draft Stockton Coastal Management Program.
- Attachment B:** Newcastle Coastal Management Program Scoping Study 2019 - Stockton CMP Supporting Document B.
- Attachment C:** Correspondence - Minister's Direction 17 February 2020 - Stockton CMP Supporting Document A.
- Attachment D:** Summary of Coastal Management Program Mandatory Requirements and Objectives of the Coastal Management Act, Coastal Management SEPP and Coastal Management Manual - Stockton CMP Supporting Document H
- Attachment E:** Stage 2 Coastal Management Program Sediment Transport Study and Probabilistic Hazard Assessment (Bluecoast, 2020) - Stockton CMP Supporting Document C.
- Attachment F:** Cost Benefit Analysis for Stockton Beach, Coastal Management Program (Bluecoast & Rhelm 2020) - Draft Stockton CMP Supporting Document F.
- Attachment G:** Options Evaluation (Royal Haskoning DHV, 2020) - Stockton CMP Supporting Document D.

Attachment H: Potential Nourishment Sources (Royal Haskoning DHV, 2020) - Stockton CMP Supporting Document E.

Distributed under separate cover