


THE AUSTRALIAN

Ready for a fight on the beaches

By **DEBORAH CORNWALL**, JOURNALIST

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The surfing hamlet of Blueys Beach on the mid-north coast of NSW seems an unlikely battleground for the future of the state's beaches and waterways.

But a decision by the NSW MidCoast Council declaring dozens of beachfront homes at Blueys and nearby Boomerang Beach at “immediate and intolerable risk” of being washed into the sea has so incensed residents they've launched a landmark legal action.

“We have had our beachfront houses declared virtually worthless at the stroke of a pen based on one deeply flawed report, which was simply wrong,” local resident Bob Felton told *The Australian*.

“Their own reports show our beaches and sand dunes have actually been growing in the past 50 years, not eroding. But the council, the Minister for Environment and her experts on the NSW Coastal Panel have all refused to admit a terrible mistake has been made. It's bizarre.”

The Blueys and Boomerang Residents Group is suing the MidCoast Council and NSW Environment Minister Gabrielle Upton in a direct challenge to the right of councils to impose zoning restrictions without a legitimate basis. It says it will also bring into the spotlight NSW's “disastrous” approach to coastal protection and management of the state's harbours and beaches.

Pat Aiken from the NSW Coastal Alliance says up to 60,000 homes in NSW are

potentially affected by the state's coastal protection laws where the land is deemed to be in an environmental hazard area due to everything from rising sea levels and storm surges to coastal erosion.

Mr Aiken said while it was unclear whether homeowners whose property had been zoned in a hazard area were entitled to compensation, in 2016 the NSW Coastal Panel gave written advice that there was a legal precedent that land affected by environmental hazards could revert to the crown without any compensation.

Former Boomerang Beach resident Marc Harbutt said his mother, Beverley, 81, had been so traumatised by the rezoning dispute over her beachfront property — the family home for 40 years — that she sold the property in 2012 for \$1.65 million, less than half its previous value. He said it wasn't just the coastal protection laws that had worked against residents. The local councils and "bureaucratic zealots" driving the policy approach, he said, seemed to view beachfront residents as "Mosman mafia silvertails who deserved to be punished".

A series of expert reports commissioned by residents over the past five years as part of their fightback campaign have all found there had been no shoreline or dune erosion at Blueys and Boomerang beaches in 50 years. In fact, sand deposits had increased by 600,000sq m.

Ironically though, it's been the failure of NSW coastal protection authorities to act when there has been major beach erosion that concerns coastal engineers such as Angus Jackson, founder of consultancy firm International Coastal Management. Mr Jackson has spent the past three decades heading up engineering projects in Queensland to save tourist icons such as the Gold Coast from disappearing altogether. In stark contrast, he said "very little has been done across the NSW coastline to adapt to issues such as sea level rise".

In 2016, an image of a backyard swimming pool slipping into the sea at Collaroy, on Sydney's northern beaches, was beamed around the world.

Ms Upton, the NSW Coastal Panel and the MidCoast Council all declined to comment, citing the pending decision from the Land and Environment Court.

Ten-year-old Andie Schuster said she hated to think her “nan and pop’s” home on Boomerang Beach could be taken away from them. “I love coming up here and surfing and hanging out with my nan and pop. I really like the house because it’s right on the beach and they really spoil me with it.”

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51 COMMENTS



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Roy

7 MINUTES AGO

I think the home owners should ignore the dopey council. Local government what and absolute waste. It's just a breeding ground for would be politicians.

LIKE REPLY

**Ginny**

8 MINUTES AGO

Ratepayers in the Forster area are tired of paying for beachfront owners' risk. There is one hamlet on an isthmus south of Hawk's Nest where our rates pay for endless truckloads of sand shifted to "shore up" houses that should never have been built.

[LIKE](#) [REPLY](#)**Peter**

12 MINUTES AGO

I object to giving owners of property tax payer funded compensation. It was not the taxpayers fault that they bought in an area of erosion. Talk about entitled....phew

[LIKE](#) [REPLY](#)**graham**

4 MINUTES AGO

@Peter

Inner City Coffee Sucking Greens are not entitled to run the whole country....

[LIKE](#) [REPLY](#)**Stan**

22 MINUTES AGO

If the owners' believe there's no threat to worry about, as they do, then what's the problem? Simply ignore the bureaucratic nonsense paperwork and keep living there in your wonderful ocean-front homes, nothing has changed from before.

Oh, it's the money, stupid me!

2 [LIKE](#) [REPLY](#)**Charles**

37 MINUTES AGO

This is the problem when you get public servants making decisions when they have no track record in risk assessment of those decisions. If there isn't any accountability for the unintended consequences of dumb decisions, then public servants will continue to make them.

Let them own their mistakes, that will stop them doing dumb things straight away.

3 [LIKE](#) [REPLY](#)**David**

5 MINUTES AGO

@Charles Your assertion that in some way this determination is a consequence of being a public servant is almost as absurd as the owners who are launching legal action! Perhaps there is an erosion risk and maybe they have called on suitably qualified engineers to advise them and they are merely doing their jobs by telling people there is a risk. After all the public is the first to blame somebody if they weren't kept informed.

LIKE REPLY

**Elizabeth**

38 MINUTES AGO

keep fighting or we have all lost it
a win in court will help us all from all the left wing brigade

3 LIKE REPLY

**Erzsebet**

47 MINUTES AGO

Green religionists now sacrificing your homes to appease their UN and communist gods, but, hey, you keep supporting and voting for this nonsense.

4 LIKE REPLY

**Steve**

47 MINUTES AGO

Res A one day Res \$zero the next. The only thing certain about this is that no councillor making this decision has a house on the beach.

6 LIKE REPLY

**John**

48 MINUTES AGO

The fact that no councils anywhere seem to be accountable to anyone or any body is an even wider problem.

At the very least there needs to be an ombudsman with teeth to get the councils back into line.

5 LIKE REPLY

**Stuart**

53 MINUTES AGO

If within 500m of the high tide level then look outm buyer beware. Common sense only, nothing to do with climate. A quick peek at Google Earth will show the historical beach strand lines.

5 LIKE REPLY

**Ben**

57 MINUTES AGO

Good luck to the homeowners at Bluey's and Boomerang. Residents in the newly formed Mid Coast Council area would be far better served if their council focused on an issue on the Mid Coast that really does present an "intolerable risk" to many homeowners, bushfires. Large areas of council controlled land adjacent to residential property is left alone and completely unmanaged.

7 LIKE REPLY

**graham**

1 HOUR AGO

At Maitland the bureaucrats re-zoned land over the Belmore Bridge as subject to a 100 year flood, they are built below the levee bank, they had a hell of a fight, but got it

overturned.

Oh, and it was the site of the best, most expensive homes in the district, not a case off jealous little Green bureaucrats?????

5     LIKE REPLY

1 HOUR AGO



John

Time the people fought back

Good luck !!

11     LIKE REPLY

1 HOUR AGO



MikeE

And still no one tables any empirical evidence that man made CO2 contributes to dangerous global warming - no one. All the UNIPCC, CSIRO and others have are poor performing computer models and such models as everyone knows are not evidence.

And to quote the UNIPCC 3rd Assessment Report, Working Group 1, The Science Basis, 14.2.2.2 :

"In climate research and modelling, we should recognise that we are dealing with a coupled non-linear chaotic system, and therefore that the long-term prediction of future climate states is not possible."

Yes, the UNIPCC forgot to put this bit in the Summary for Policy Makers. Do zealots, greens, councils, the state government, the federal government or the UN care about that - not on your life. Their quest to control by exaggerated climate alarm is unrelenting. Only citizens in democracies like ours can fight back. And I say fight back while you can.

MikeE

18     LIKE REPLY

2 HOURS AGO



Kevin

The local councils and "bureaucratic zealots" driving the policy approach, he said, seemed to view beachfront residents as "Mosman mafia silvertails who deserved to be punished". And there you have it... "bureaucratic zealots" these are the very types who destroying this country.

aka doc molloy

34     LIKE REPLY

55 MINUTES AGO



Erzsebet

I, then, do not understand why PM Turnbull and Labor leader reportedly wish to

grant the bureaucracy more power via the NEG.

3    LIKE REPLY



Charles

2 HOURS AGO

Blind Freddy can see there is no erosion at Blueys & Boomerang. A great example of OTT PC planning

18     LIKE REPLY



Gerard

2 HOURS AGO

more climate nonsense

36     LIKE REPLY



Andrew

2 HOURS AGO

Think of it this way... how can coastal councils protect them selves against liability claims for providing building approvals decades or over a hundred years ago, when sea surges associated with increasing wild storms will threaten the lowest level worst located coastal residences? They have no option, unless owners provide an indemnity to them. This issue is not going away until the so call green zealots are shown to be correct. And they will.

4     LIKE REPLY



Thomas

1 HOUR AGO

[@Andrew](#) well put. Totally agree. It should be 'buyers beware'. If you so choose to, assess the risk yourself. Don't ask the council not to raise the alert. Raising the alert does not mean it will happen. Not raising the alert makes the council liable in the future.

LIKE REPLY



John

1 HOUR AGO

[@Andrew](#)

Your beloved Green Zealots are not right with this one, obviously

5     LIKE REPLY



Beverley

1 HOUR AGO

[@Andrew](#) Have you ever been to Blueys & Boomerangs beaches to see if they will be affected?

3    LIKE REPLY



John

43 MINUTES AGO

[@Andrew](#) "...when sea surges associated with increasing wild storm..."

Where's your evidence?

By the way, your problem is easily solved - via a perpetual contract with the council the owner of beach-front property accepts full liability for the consequences of coastal erosion and other damage caused by the ocean. Let the owner cover himself via insurance.

3    LIKE REPLY



simon

2 HOURS AGO

Local Councils across this Nation constantly exceed their purpose, being nothing more than keeping streets and avenues clean, mowing parks and filling in pot holes. They have proven often they are incapable of anything more.

39     LIKE REPLY



Gill

1 HOUR AGO

[@simon](#) and they increase our taxes(rates) willy billy for their own salaries and perks.

10     LIKE REPLY



Beverley

1 HOUR AGO

[@simon](#) Don't forget their overseas trips to 'educate' themselves to be better Councillors, they are good at that.

3    LIKE REPLY



Nick

3 HOURS AGO

How many coastal residents vote in cuddly Green Councils to "care for our pristine environment"? Why should those same voters now be surprised they've elected zealots with a blind commitment to ideology? These councillors are committed believers & they MUST deliver actions to demonstrate the depth of their belief.

28     LIKE REPLY



graham

1 HOUR AGO

[@Nick](#)

Yep, Windsor Council now dominated by Greens are ant- everything, development, approvals for minor matters delayed for months, and against the new bridge over the Hawkesbury at Windsor, which is a public safety issue with semis turning onto a narrow blind bridge.

3    LIKE REPLY



John

41 MINUTES AGO

[@Nick](#) It's not the short-term elected councillors that bother me so much as the

permanent staff that seem to do whatever they like.

3    LIKE REPLY



Alan

3 HOURS AGO

Minister Upton is beholden to her Department which is teeming with green zealots. She has no backbone and I doubt has ever visited this area. I say to the Premier, clean this department out and by firstly sacking the Minister.

26     LIKE REPLY



Rick

3 HOURS AGO

More damage inflicted by the Liberal Party going Green.

26     LIKE REPLY



Terry

3 HOURS AGO

What has erosion at Collaroy got to do with Bluey's Beach.

26     LIKE REPLY



BarryF

2 HOURS AGO

Yes I wondered that too Terry. The dramatic damage photos are from a different location to the article. That was the only way they could get the visual impact to build up the story. Many people will go away thinking that Blueys Beach was severely eroded and it seems from the story the opposite is true.

9     LIKE REPLY



Jeff

1 HOUR AGO

[@Terry](#) I'm surprised they didn't also throw in a photo of some ominous-looking smoke stacks with black-tinted "stuff" billowing.

12     LIKE REPLY



Beverley

1 HOUR AGO

[@Terry](#) Associating Collaroy with Blueys & Boomerang is called journalistic licence.

1  LIKE REPLY



John

40 MINUTES AGO

[@Terry](#) That was in case no-one knew or could imagine what coastal erosion looks like.

1  LIKE REPLY

Neil

3 HOURS AGO

Nobody was worried when the Greenies started regulating what farmers could and



couldn't do with their land, land that some families had managed sustainably for hundreds of years, now we are supposed to be concerned that the value of multi million dollar seaside properties is being threatened. Did you not think that the Green councils would get to them eventually?

46 LIKE REPLY



Alan

55 MINUTES AGO

@Neil that Native Vegetation legislation is a crock which is damaging farmers' ability to drought proof their properties. Farmers have a vested interest in maintains the viability and quality of their environment . Their livelihood depends on it. "(Maintaining)"

3 LIKE REPLY



John

3 HOURS AGO

... that booga-booga catastrophic climate change, it's gonna take all in it's path.

19 LIKE REPLY



Monty

3 HOURS AGO

What sea level rise?

35 LIKE REPLY



J

3 HOURS AGO

@Monty It's caused by global warming from the little ice age that's starting.

4 LIKE REPLY



Patricia

3 HOURS AGO

@ Monty @J But isnt the mini ice age more in Victoria?

Patricia ;).the other one 😊

8 LIKE REPLY



PR

2 HOURS AGO

The Australian continent is the fastest moving continent on Earth. It is moving north, and it is going up.

As a result, Australian east coast sea levels are falling.

Go look it up. Real world data, not modeling!

6 LIKE REPLY



MikeE

1 HOUR AGO

@PR Im interested to find data that has Australia rising and thus sea level falling

to aid in formally combatting all this climate nonsense - can you direct us more accurately as to where to find it other than "go look it up"?

1  LIKE REPLY



Inta

1 HOUR AGO

@PR Every web site that I looked at said that Australia was in fact tilted down in the north and was therefore, SINKING as it moves north. Please advise your source to the contrary / Colin

1  LIKE REPLY



Arvid

5 HOURS AGO

If it was rising seal levels (tosh) the convict built pools would be permanently underwater (they are not) and it would not just be beaches. Sand moves with Storm, wind, de and re-vegetation and mining. May be conservative government but you have to wonder about bureaucracy. Difficult situation, developers of such land should sell it with a sinking fund. Cost of living in paradise. Sometimes there are storms and NOTHING between your home and the ocean.

17     LIKE REPLY



John

1 HOUR AGO

@Arvid

There is no need to wonder about the bureaucracy and their political leanings. They are ALL left lurching Climate Zealots, Diversity and SJW champions. When they run the country as they currently do, you get our current circumstance.

4     LIKE REPLY



Bradley

7 HOURS AGO

There is a simple rule, "never ever build on the foredune".

However, the Govt sold them the land way back in the day, so perhaps compensation if repossessed is due, the cost of defence against the sea in some places though is never ending and quite expensive.

1  LIKE REPLY



Arvid

6 HOURS AGO

@Bradley Lots of surf clubs get washed into the sea every time there is a storm. Been sitting there for decades with no dunes.. Some steps get exposed and a recovered within a month.

14     LIKE REPLY

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