

A Lesson in Managing Political Will, Community Pressure and State Government Constraints at a Local Government Level - Toogoom Seawall Project

S. Lawson†, S. Hunt‡, J. Bunt† and M. Waddell†

†City Assets
Hervey Bay City Council
Hervey Bay
4560, Australia
stephaniel@herveybay.qld.gov.au

‡ Engineering Services
Gold Coast City Council, Gold Coast
9729, Australia
shunt@goldcoast.qld.gov.au



ABSTRACT

LAWSON, S., HUNT, S., BUNT, J. and WADDELL, M., 2007. A lesson in managing political will, community pressure and State Government constraints at a local government level - Toogoom Seawall Project. *Journal of Coastal Research*, SI 50 (Proceedings of the 9th International Coastal Symposium), 29 – 32. Gold Coast, Australia, ISSN 0749.0208

Hervey Bay City Council is a medium sized local government authority with management responsibility over 60km of coastline. At a small coastal village to the north of the main urban area in Hervey Bay, Australia, persistent coastal erosion and poor planning decisions over the past 50 years has left private property at immediate risk of loss. Hervey Bay City Council identified the need to undertake coastal protection works at this location and initiated a project to better understand the physical processes shaping the coastline and to prepare various options to address the conflict between the eroding beach and the developed shoreline. This paper examines the challenges faced by local government in selecting and implementing shoreline protection strategies in Queensland, whilst attempting to manage the diverse pressures from the community, Elected Officials and State Government Agencies. It recommends improved integration and consultation between State Government Agencies and with Local Government to ensure improved delivery and streamlined timelines for coastal protection works for Local Government.

ADDITIONAL INDEX WORDS: *Legislation, Seawall, Management*

INTRODUCTION

Hervey Bay City Council, a medium sized local government with a staff of approximately 300, is located approximately 300km north of Brisbane, Australia. Hervey Bay has a population of approximately 52,000 and in 2005 was reported to be the fastest growing local government area, with an annual growth rate of 5.7% in 2004 and a prediction to rise by 2.9% annually between 2005 and 2026 (Australian Bureau of Statistics, 2006). The city has an ageing population with the average age of residents being 44.3 years. This is significantly above the State average of 35.5 years. In recent years there has been an influx of residents from Victoria and New South Wales. These residents are demanding effective erosion protection for property and infrastructure, but the low socio economic status of the residents has meant that funding these erosion control structures has been a challenge. The local government area has over 60km of coastline that is partially sheltered from wave action by the presence of Fraser Island. Hervey Bay is a low wave energy environment with a prevailing wave pattern from the South-East. Hervey Bay has a large tidal range (4m), with wide intertidal flats backed by small dunes (typically 3.5m AHD). The dominant sediment transport processes include tidal currents, northerly winds and cyclonic conditions (CARDNO LAWSON TRELOAR, 2006). A lack of sediment entering the local littoral system has been identified in the Hervey Bay Beaches Report (EPA 1989) as the main cause of coastal erosion within Hervey Bay. Hervey Bay relies heavily on tourism and its beaches are an important natural asset which consequently gain

much media, community and political attention at a local government level.

Toogoom, a small coastal village located approximately 20km west of the main urban area of Hervey Bay (Figure 1), is locally renowned for its safe swimming areas and excellent fishing. Small houses and holiday shacks were built along the beachfront from the 1950s and this development pattern continued through until the late 1980's. This development was positioned with the

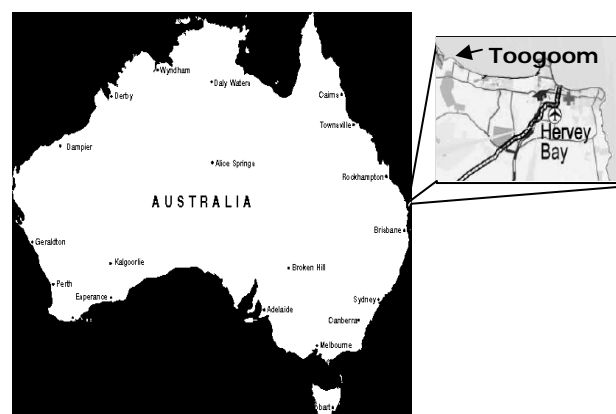


Figure 1. Location map for Toogoom (Queensland, Australia)

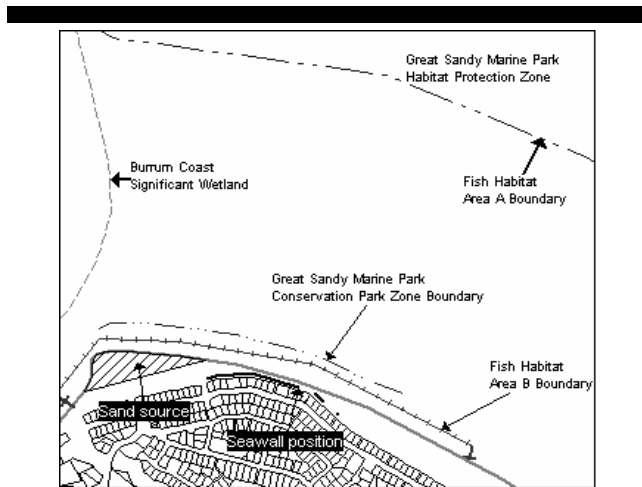


Figure 2. Environmental zonings by State Government Agencies that have imposed constraints upon seawall and beach nourishment design at Toogoom.

Figure 2. Environmental zonings by State Government Agencies that have imposed constraints upon seawall and beach nourishment design at Toogoom.

property boundaries placed approximately 55m from the erosion scarp. Currently the erosion scarp is within 10m of the property boundary at some locations.

PROJECT HISTORY AND LEGISLATIVE REQUIREMENTS

In 2002 Hervey Bay City Council engaged a coastal engineering consulting firm to develop a 'Coastal Protection Strategy'. The purpose of this strategy was to identify specific beach sites which were in need of erosion protection, to investigate options to address erosion and to provide protection for those sites and to make recommendations thereon. The beachfront at Toogoom (Figure 1) was identified as a high priority area for such works, eroding at a rate of 1.5 m/year, and the recommended protection option was for a 500m seawall to be built to protect 18 private properties along this stretch of coastline. The economic values of these properties are estimated to be between \$500,000 - \$850,000.

In 2004 another private coastal engineering consulting firm was engaged by Hervey Bay City Council to undertake the detailed design of a seawall to protect this section of beachfront. After extensive community consultation, a geotextile container seawall with associated beach nourishment was selected as the preferred option. The community felt more comfortable with the aesthetic appeal of geotextile and beach nourishment, rather than the traditional use of a rock revetment. The results of this community consultation were then agreed by the elected members of Hervey Bay City Council in August, 2004.

In the initial stages of the project it was identified that the seawall was located within the bounds of the Beelbi Creek Fish Habitat Area and was zoned Habitat Management Area A (Figure 2). To allow the continuation of the project the area of Fish Habitat in front of Kingfisher Parade was reclassified to Habitat Management Area B on the 24th February, 2004. This was successfully negotiated through representation by the elected members of Hervey Bay City Council in consultation with the Queensland Department of Primary Industries and Fisheries.

The initial design of the seawall had an alignment along the edge of the erosion scarp, with the sand to be used for beach

nourishment to be taken from the tidal flats directly offshore. However, after consultation with the Queensland Environmental Protection Agency (EPA) and the Queensland Department of Primary Industries and Fisheries (DPI&F) in December, 2004, issues arose in relation to alignment of the seawall on the scarp and to the proposed sand source: The EPA was concerned that aligning the wall on the erosion scarp would restrict coastal processes and impact negatively on the local littoral drift and sediment budget; DPI&F were concerned that dredging from the tidal flats for beach nourishment was to be carried out within the Beelbi Creek Fish Habitat Area, an environmentally sensitive area in which dredging works are not permitted.

After extensive negotiation with both Stage Agencies it was agreed that the seawall could be aligned 10m from the private property boundary and the sand source for the proposed nourishment changed to a sand lobe located adjacent to the mouth of Beelbi Creek (Figure 2). These changes satisfied the local community who were passionate about saving the remaining mature trees and dune vegetation that was located between their property and the ocean.

After negotiation with the Queensland State Government Agencies, HBCC was advised that the legislative requirements related to this project would be met and a decision was made to formally apply for permits under the relevant legislation to proceed with the project. In October, 2005 HBCC advertised for a contractor to tender for the construction of this project and in November, 2005 a permit application was made to the EPA for Tidal Works and Environmentally Relevant Activities. Following this permit application the tendering process continued and in December, 2005 Council selected a contractor to construct the geotextile seawall and carry out beach nourishment works.

In March, 2006 the EPA advised HBCC that their permit application was deemed invalid due to lack of another accompanying permit that was administered by DPI&F (i.e. a Resource Allocation Authority). Therefore, further consultation with DPI&F was undertaken in order to ensure all requirements would be met, to access the identified sand source to undertake beach nourishment. During this consultation, DPI&F raised concerns about the extent of area required to undertake beach nourishment and the potential impacts that dredging in this area could have on the Beelbi Creek Fish Habitat Area and requested justification for the proposed beach width. A compromise was agreed, whereby the nourishment would only extend 15m offshore from the crest of the seawall and when the nourished beach retreated to within 10m of this point, further nourishment would be permitted. On the 16th March, 2006 the Resource Allocation Authority was obtained from DPI&F.

In March, 2006 HBCC submitted the final permit application to the EPA for Tidal Works approvals and to undertake Environmentally Relevant Activities for "dredging" and "extraction", and to DPI&F to approve Disturbance of Fish Habitat Area and Marine Plants. In May, 2006 Council received a response from the EPA under the Queensland Integrated Planning Act (1997), requesting further information relating to water quality monitoring, seagrass monitoring, fauna and flora surveys, acid sulfate soils and artificial corridor plan.

HBCC were also informally advised by the Queensland Department of Natural Resources, Mines and Water (DNRM&W) that the seawall and sand source site had been classified as a Regional Ecosystem (to protect remnant vegetation) on the 9th December, 2005. Therefore, a permit (to clear vegetation) would also be required from DNRM&W. HBCC made an application for such a permit for vegetation clearing on the 25th May, 2006. Following a request for further information from DNRM&W for HBCC to address ecological impact, HBCC claimed exemption

for clearing vegetation on a "road reserve". DNRM&W subsequently granted Council an exemption to carry out the clearing.

In August, 2006 the HBCC Councillors expressed concern over the alignment of the seawall and the sand source for beach nourishment. A resolution was passed by Council to:

1. confirm the alignment of the seawall as far seaward from the property boundary as possible
2. confirm sand may be taken from the spit for construction and to replenish the wall
3. confirm the maximum price for the construction of the Toogoom Seawall, and
4. confirm construction could begin prior to November, 2006

The HBCC Councillors stated that the seawall project would only progress should this resolution be achievable.

On the 31st August, 2006 the new Great Sandy Marine Park came into effect. The final zoning boundaries of the marine park had been revised significantly from the draft plan following public consultation. However, the revised zoning boundaries of the marine park meant that where the Toogoom Seawall was to be built would now be zoned Conservation Park. Under this zoning plan, beach nourishment is not an allowable activity and excavation below HAT (which would need to be carried out in order to build the wall) is also a non allowable activity.

As a result of the HBCC Council resolution and the new marine park a meeting was held between Hervey Bay City Council, Queensland Parks and Wildlife Service, the Queensland Environmental Protection Agency and the Queensland Department of Primary Industries and Fisheries on the 27th September, 2006. This meeting was to discuss the concerns the Councillors had with the alignment and sand source and the implications of the new marine park on the progress of the project. As a direct result of the meeting it was decided that the project would no longer be feasible without political intervention due to the additional restrictions placed on the project by the new marine park.

THE WAY FORWARD

On a technical level, the project is presently on hold but on a political level discussions firstly with local Members of Parliament, are now underway. However, with the uncertainty in the outcome of these discussions, there is a range of emotions and opinions possessed by all stakeholders: the Councillors are at present angry and frustrated that the new marine park has halted a project that has been several years in planning and discussion with State Government Agencies; Coastal Council officers are frustrated that the process has taken so long, that there have been so many hurdles that have had to be overcome and that these hurdles have been introduced faster than they have been able to be addressed; a change in senior HBCC staff has questioned whether Council should be funding projects to protect private property and whether instead, it should let private property owners provide their own property protection; the community has changed quite dramatically since the project started and the feeling is more that they don't care too much about the trees anymore as long as the wall is built.

The future direction of this project is now completely dependent on a political will and compromise to achieve the desired social, economical and environmental outcomes for coastal protection at Toogoom. While stakeholders strive to reach a compromise solution, erosion is continuing at an average rate of 1.5m/yr, the erosion scarp is at present a distance of 10m from the private property boundaries and the vegetated foreshore strip that is so

valued by residents, continues to be a casualty of the erosion. This approach to resolve the issues of individual councils is typical of the way that this conflict has historically been approached. However, the various coastal councils within Queensland have recently opted to present a united approach to resolving coastal issues and a Queensland Coastal Councils Group will shortly be formed.

GOVERNMENTAL ROLES AND THE NEED FOR CHANGE

This paper describes a typical coastal management project that involves skills across the disciplines of coastal engineering, community consultation, project management and natural resource management. Such projects are not unique, and have been successfully implemented throughout other Local Government areas within Queensland.

This paper presents a unique view of a medium sized Local Government Authority attempting to mediate between the desires of a local community concerned for the safety of their private properties, the expectations of local politics and the desires of State Government Agencies.

Following the project history described above, the project management elements of this project that were undertaken by HBCC were of a standard nature that could be expected from a similar sized regional Local Government Authority. Issues that delayed and frustrated this project are not attributed to poor project management but rather to a dynamic legislative environment, where the Local Authority was constantly required to update and amend project goals in order to comply with the changing and conflicting requirements of the State.

It must be recognised that the discipline of coastal management in Australia at a local government level is more than simply natural resource management or pure coastal engineering. Coastal Managers across Queensland in particular are struggling to deal with the increased pressures from community expectations combined with a growing population and this is particularly evident within Hervey Bay, with this cited case at Toogoom as a primary example. Pressure is also felt through the delegation of responsibility from State Government to Local Government. This delegation often leaves Local Governments in regional areas across Queensland with greater responsibility but without any provision of additional resources or capacity to assist in a greater level of management.

The project at Toogoom described here, also highlights the challenging aspects of the current legislative framework. This project was not permitted to progress due to restrictions placed upon HBCC by various levels of bureaucracy. HBCC was not supported in attempting to provide a management outcome for a section of coastline that is considered to be in keeping with community expectations, sound coastal engineering principles and environmental values.

One of the main barriers to achieving this outcome was conflicting advice and policy requirements from the various State Government agencies. MIDDLE (2004) identifies key barriers to achieving successful governance of the coastal zone within Australia. One such barrier is a lack of integration. The Toogoom Seawall project highlights a clear lack of integration between the various levels of government within Queensland. This lack of integration is evident between the various State Government agencies (poor horizontal and in some cases internal integration), and also between Local Government and the State (poor vertical integration).

MIDDLE (2004) states that the early involvement of all relevant agencies is a key to overcoming the barrier of poor integration. While the authors supported this idea, the Toogoom seawall

project did have early involvement of the key State Agencies within Queensland. At an officer level, there was tremendous support from the State Agencies. This involvement however, did not overcome the integration barrier.

MIDDLE (2004) further identifies options for addressing this barrier of poor integration. These include having a 'policy champion' to drive the policy process; the establishment of formal partnerships using Memoranda of Understanding to identify responsibilities and resource commitments; an independent policy making body to review or become the decision making authority; and removing one level of government.

These options present interesting ways to address potential legislative and policy issues but they are difficult to implement, especially on a State wide basis.

A policy champion would need to be aware of specific issues that are of importance to all relevant stakeholders that are affected by policy. These issues include those at a Local Government level, not just those at a State Government level. These issues would also impact on an independent policy-making body. Good representation of key stakeholders is essential for this option to succeed.

Formal partnerships are also useful but to be successful at a State wide level, there would have to be agreement from all key stakeholders (including Local Governments) impacted by the individual policy.

It is not considered likely that a level of Government will be removed within Australia.

This process of examining ways to improve integration with Local Government partners in coastal management has led to a number of Local Government authorities in Queensland meeting together to discuss possible ways to address common issues in coastal management. This banding together of Councils under the name of the Queensland Coastal Councils Group has provided an informal way to address poor integration and to ultimately help individual Councils progress projects such as the Toogoom seawall.

SUMMARY

The Toogoom seawall project was a typical coastal management project that sought to deal with coastal erosion issues, and community concern. The attempts by Hervey Bay City Council to progress this project were halted though, through changing legislation and the conflicting nature of objectives of various Queensland State Government agencies.

These issues of legislative change and conflicting views between various agencies are common to other Local Government Authorities within Queensland.

A banding together of Councils under the Queensland Coastal Councils Group has sought to achieve greater integration between State Government and Local Government and could be a mechanism for the improved management of coastal resources within Queensland.

LITERATURE CITED

- AUSTRALIAN BUREAU OF STATISTICS, 2006. 2004-05 Population Growth. Cat. No. 3218.0. QDLGP Population Projections 2006. PIFU.
- BEACH PROTECTION AUTHORITY, 1989. Hervey Bay Beaches. ISBN 0 7242.3459 4.
- CARDNO LAWSON & TRELOAR, 2006. Torquay and Urangan Beach Erosion Control Strategy Investigation of Potential Coastal Process Issues Draft Report. Prepared for Hervey Bay City Council.
- MIDDLE, G., 2004. Institutional arrangements, incentives and governance - Unlocking the barriers to successful coastal policy making. A theme report from the Coast to Coast 2002 National Conference, Gold Coast, November 2002. Cooperative Research Centre for Coastal Zone, Estuary and Waterway Management. 27p.