
From: Rod McKelvey
Sent: 13/12/2021 12:00:44 PM
To: Council Northernbeaches Mailbox
Subject: Submission DA2021/1612-1 Clarke Street Narrabeen.
Attachments: 2021-12-13_Collaroy Seawall.pdf;

Thx
Rod

Rod McKelvey
10 Ellem Close
Ararawarra, NSW 2456
Australia

13-12-2021

By email:

Council@northernbeaches.nsw.gov.au

Re: DA2021/1612-1Clarke Street Narrabeen.

As a former resident of the Northern Beaches, and one who has taken great interest in coastal planning issues, I write my objection in the strongest terms to the building of the 7 metre-high, vertical concrete seawall along Collaroy/Narrabeen Beach.

The monstrosity contravenes the NSW Coastal Act and the Coastal SEPP yet the State Government has done nothing, to address the situation, why?

The design approved is outdated, it won't work and it contravenes current coastal protection practices. A more modern example of beach and infrastructure protection can be viewed at KingsCliff Beach where a large protect has recently been undertaken without being such an in-your-face solution whilst providing a more natural vegetated dunal system that over time will not destroy the communities beach. The science is very clear – vertical seawalls kill beaches.

I am also intrigued why the wall is being constructed on the property's original boundary line when clearly there has been ongoing erosion over a long period (I remember the problem from back in the early 70s) The Common law doctrine of erosion and accretion (Ambulatory boundaries) should have come into play, and the land which now can be inundated at any time during spring tides or storm events should've returned to the crown.

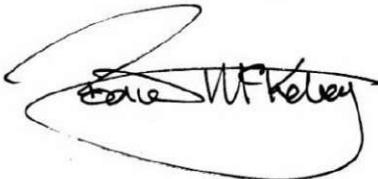
This development favours private property over public amenity – and had the Northern Beaches Council properly informed the public of its plans, as required, I believe it would not have gone ahead in its current form. The arrogance of one of the effected property owners in talking about erecting a fence and I presume restricting beach access did nothing to help.

Ambulatory boundaries are natural boundaries formed by a permanent body of tidal or non-tidal water. They are distinct from artificial boundaries defined by survey, which have been described as 'imaginary' lines. 'Ambulatory' means 'capable of walking' and the term, first used judicially in *Verrall v Nott* (1939) 39 SR (NSW) 89, refers to the gradual movement necessary for the doctrine to apply.

*(Reference: JACorkill Ambulatory Boundaries in NSW-real lines in the Sand. pdf document. 515 KB
sydneycoastalcouncils.com.au)*

I hope this design doesn't grow any further up the beach and doesn't become the standard treatment for our beautiful coastline across NSW threatened by erosion and sea level rise.

Thanks for the opportunity to have my say.



Rod W McKelvey MAICD
Honorary Life member WSLSC