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30th October 2021

Re: Response to your Port of Newcastle (PoN) letter dated 20th October 2021 as response to Stockton Community Group Inc (SCG) letter of 1st September 2021.

Dear Jennifer,

Thank you for your response to the SCG letter dated the 1st of September 2021 in which we expressed our concern about the lack of community consultation regarding the upcoming PoN application for a maintenance dredging permit. This letter also highlighted the PoN's failure to address community concerns in respect to coastal erosion resulting from PoN activities and infrastructure over an extended period. Whilst we appreciated your email response, including the attached letter, slides, minutes, photographs, and maps, we would like to express our disappointment with the response. During the 16th of September 2021 meeting the SCG representatives went to great lengths to request an authentic process of consultation in the hope that this may impact the application for a permit. At this stage we do not regard the response as representative of a satisfactory consultation and engagement process and provide the points below to demonstrate our continued concerns. We think that a revised application should reflect appropriate changes as a response to clearly stated ongoing community concerns.

The PoN is in the process of submitting its maintenance dredging permit renewal (scheduled for October 2021). However, as part of community consultation and engagement, the SCG has not received a copy of the application and is not aware of its detailed content. The PoN, according to the minutes of our online discussion in September 2021, has been preparing its permit application since January 2021, but only engaged with the SCG in mid-September. Furthermore, PoN only responded to our concerns in mid-October, providing a relatively short time for any community input and response. Despite earlier requests in 2021 to be included in the PoN TACC to review developments and provide feedback, PoN have refused SCG representation on this technical committee despite other community representatives (not representing Stockton) being present. Hence, we believe PoN has not effectively engaged in community consultation and has used the online discussion and letter response to our concerns as ticking the community consultation box in their application, without translating this into practice.

Thus, we now provide further justification for our position and reiterate the concerns from our community on this important issue in the following comments in the hope that an authentic community engagement process may occur.



- 1) **SCG requested that all sand from Newcastle Harbour Area E be placed at Stockton in future.** While PoN responded to this request - "Maintenance dredging of Area E during the life of the Renewal will continue to involve placement of suitable dredged material off Stockton Beach" they gave no guarantee that this outcome would occur, and their response could be interpreted otherwise. PoN also gave no guarantee on the volume or minimum quantity of sand delivered, leaving an option of no sand delivery as a possibility.
- 2) **PoN have not provided quantitative information on their dredging activities suitable for evaluation of suitable sand placement at Stockton.** SCG requested that larger quantities be placed at Stockton now, until beach replenishment programs under development by CN and NSW Government have begun. SCG requested information regarding the volumes of sand placed at Stockton in 2020-2021 as observational data indicated these volumes have been greatly reduced (potentially increasing beach erosion) to within the range 10-15,000 m³ in this time interval. While PoN agreed that volumes have been reduced, they provided no quantitative data. In 2009, PoN submitted that they had increased the placement of sand at Stockton Beach to 109,000 m³ due to supply problems in the previous two years. SCG believes that it is entirely appropriate to place a similar quantity of sand at Stockton in 2022, to compensate for the smaller delivery in 2020-21 and to reduce the erosion impact in the short term.
- 3) **There are indications that the dredging activity at the entrance to the port of Newcastle is contributing to and may be a direct cause of beach erosion at Stockton.** Analyses of bathymetric data (e.g., Bluecoast, 2020, the Plughole of Anditi/UN, 2020) suggests that the dredged channel seaward of the harbour entrance is now too deep, and the sides are too steep to allow sand to escape. The channel is too deep to allow sand in it to be transported landward by waves. Sand moving from shallower depths on the southern side is trapped by the channel and cannot continue north to nourish Stockton Beach. Sand in shallower depths on the Stockton side may be entrained by waves and flood tidal currents and transported into the deep channel. Any sand that encroaches into this channel on the northern side is lost from the Stockton compartment and is removed by the David Allan. Observations in recent years indicate that lost sand is not always returned to Stockton by dredge placement. PoN have no recent technical research or modelling that provides an adequate understanding of sand movements at the harbour entrance and their impact on coastal erosion. PoN do not provide public records of sand movement or dredge quantities to properly evaluate sand movements at the harbour entrance (Bluecoast, 2020). PoN do not provide any public records of sand transport around their dump site off Stockton Beach, and whether the dumped sand is actually moving onshore and reducing beach erosion. More research on sand movement around the port entrance should be undertaken by PoN before submission or approval of any new dredging permits that could result in further beach erosion at Stockton.
- 4) **SCG requested that sand from Areas A-D be included in the placement of sand at Stockton as part of maintenance dredging.** PoN seems to interpret this mainly as a request related to capital dredging, but it is not. PoN provided a photo to suggest that much of the sand is muddy and unsuitable, but we believe this is incorrect. There is suitable sand in Areas A-D that could be used



at Stockton. Previous technical reports (for example Worley Parsons, (2017) indicate that Area D has 65% sand, Area A 56% sand and even Area F has 32% sand. The large sediment mound in the permitted dump site off Nobbys is composed of sand (based on previous reports by Worley Parsons, 2012; NSW Department of Regional NSW, 2021) suggesting that a large proportion of the material previously dredged from Newcastle Harbour and lost to sea dumping has been sand, because the mud component is remobilised after dumping and transported further offshore. Historical stratigraphic analyses (Tourle Street bridge, Stockton Bridge, T4 EIS) indicate that most of Newcastle Harbour is underlain by marine sand suitable for use at Stockton (e.g., under Stockton, the north arm, Kooragang, south arm and many channel areas), covered with a thin veneer of silt and clay. The response of PoN lacks quantitative data (for example, the basis of ruling out Areas A-D, the basis of the 8% cutoff employed to determine placement suitability). It is not sufficient for the dredge master to make a qualitative judgement of sand content and then dump the sand component at sea. PoN need to undertake a thorough technical analysis of sand content in Newcastle Harbour to demonstrate its suitability for use at Stockton, and that it is not being wasted at sea before approval of their permit. PoN also need to undertake technical analysis of alternate dump sites for sandy material with a higher mud content in deeper water off Stockton, instead of using the current dump site off Nobbys where the sand is lost. These alternate dump sites off Stockton are environmentally feasible because tidal and flood waters containing substantial mud content from the Hunter estuary naturally flow across the alternate dump sites off Stockton on a daily and annual basis. PoN needs to seek necessary approvals as a condition of its permit application for placement of suitable dredge maintenance material off Stockton from all areas in Newcastle Harbour under NSW legislation and Review of Environmental Factors.

- 5) **SCG requested a commitment from PoN that any future upgrade or replacement of the David Allan dredge be suitable for use in sand replenishment at Stockton**, including the ability to place sand in shallow water by rainbowing, to bottom dump in shallow water adjacent to the beach, and to access deeper water sand deposits beyond the range of the David Allan. Without shallow water placement adjacent to the beach the sand may be lost by further storm erosion. The response indicated that “PoN has some planning replacement of the David Allan dredge” but no specifics were provided. Again, this is an insufficient community response, given that the PoN are requesting a 10-year permit renewal and the David Allan dredge will be replaced within that interval without providing any commitment to the type and capability of the replacement or its suitability for shallow water placement. The permit application should not be granted for any longer period than the David Allan is in service, and a commitment provided to deliver a replacement with beach replenishment capability.
- 6) **SCG requested a commitment from PoN to provide continuing sand placement at Stockton Beach and to increase its placement volumes, particularly in the short term until any CN/NSW government beach nourishment commences.** PoN has suggested an average sand volume of 25,000 m³ be supplied to Stockton Beach over the next 10 years of its permit application. This is less than the average of 34,000 m³ provided over the past 10 years and the average of 43,000 m³/yr between 1960 and 2018. More importantly, the volume of 25,000 m³/yr is only 17% of the annual



volume of sand lost each year at Stockton to coastal erosion caused by PoN infrastructure and channel dredging. PoN maintain that they cannot supply any more sand annually, despite having done so over the past 60 years. However, again no data have been provided to substantiate this claim of insufficient resource. Specifically (see point number 2 above) PoN have previously provided up to 109,000 m³ in a single year. Since much less has been provided in 2020/21 it seems feasible to provide more in 2022, and to provide the basis for the technical assessment that insufficient volume is available.

- 7) **SCG requested that PoN consult and collaborate with City of Newcastle Council (CN) on their 2021 Coastal Management Program (CMP) to identify how PoN could constructively contribute to remediation of the coastal erosion problem and help provide future solutions.** PoN responded by quoting elements of a different 2020 CMP that only dealt with the short-term solutions to beach erosion, while the 2021 CMP will cover a wider range of long-term management issues. SCG requests that PoN, as critical players in the coastal zone, demonstrate how they will actively engage with CN in good faith to progress coastal management over the term of their dredging permit renewal. Unless there is a firm commitment here, there is the potential for PoN to not engage in CMP planning once its permit has been approved. Thus, it is recommended that the current community engagement plan and maintenance dredging application include a section detailing the future interaction with the CN CMP planning process, particularly the 2021 CMP as maintenance dredging already appears in CN flyers.

- 8) **PoN, in a more general sense, is ignoring the impact of its maintenance dredging activities on the surrounding environment, which is not in the spirit of the Commonwealth legislation governing sea dumping.** Over a 10-year period, PoN proposes to place around 250,000 m³ of sand at Stockton, while in the same period Stockton will experience a loss of 1,460,000 m³ of sand, likely causing catastrophic loss of property and amenity. It is widely recognised (e.g., CN consultant reports such as Umwelt 2002, Worley Parsons 2012 and Bluecoast 2020) that Newcastle Harbour infrastructure and dredging are the primary cause of coastal erosion at Stockton. It seems unacceptable that dredging and port operations can continue being permitted as before, while ignoring an environmental crisis that is unfolding next door, and for which port activities are technically responsible. It also seems unacceptable in the modern context for PoN to ignore its corporate responsibility to its neighbors and stakeholders while retaining a social license to operate. Recent developments in the corporate world (for example the Rio Tinto experience at Juukan Gorge) show that even if corporate actions are technically approved, they still do not meet community expectations and responsibility. PoN, their shareholders and foreign owners, are collectively proposing to apply for a renewed dredging permit that effectively continues the environmental damage to the nearby coast without any consideration of mitigation or remediation. The local community considers this unacceptable in 2021 and considers the current application for a permit to be unsustainable.

In summary, SCG considers that PoN has not engaged sufficiently regarding community concerns in a satisfactory consultation process. PoN is applying for a maintenance dredging permit for another 10



years that effectively maintains the status quo of the past 60 years. This application lacks acknowledgment of the coastal erosion that is occurring as a result of the status quo—that is being preserved yet again by the PoN. The application is left wanting with inadequate regard for: the contribution of PoN to the ongoing environmental impact on Stockton beach and the community; a practical response to the resulting coastal erosion problem. Much of the permit application, and response to community concerns, are qualitative statements without quantitative support (for example detailed above in items numbered 2,3 and 5 above).

The PoN application for a maintenance dredging license should demonstrate a genuine concern for the issues raised by the SCG. To demonstrate genuine concern the application must contain more detailed technical research and analysis of sediment volumes, sediment composition, and alternate dump sites before it is submitted or approved. The application should also contain a firm commitment to provide all available sand from maintenance dredging to be placed only at Stockton. Furthermore, it should: commit to a replacement dredge with shallow water placement capabilities; commit to providing a much higher volume of sand in 2022 to compensate for reduced delivery in 2020/21; appoint a member of the SCG to its TACC committee; and constructively collaborate with CN's 2021 CMP to negotiate acceptable solutions to future dredging and beach nourishment/management solutions.

We sincerely request a detailed examination of the issues we have raised above in the spirit of genuine consultation and engagement and very much look forward to your response.

Kind regards,

Dr Jennifer Allen
President SCG Inc.

Assoc. Prof. Ron Boyd
Dredging Representative SCG Inc.