

# **SUBMISSION OBJECTING TO STUARTS POINT SEWERAGE SCHEME**

Application No. SSD-56884966

Submitted to: NSW Department of Planning, Housing and Infrastructure

## **1. POSITION STATEMENT**

This submission is submitted to formally OBJECT to the proposed Stuarts Point Sewerage Scheme (SSD-56884966). While the submitter acknowledges the longstanding sewerage issues affecting Stuarts Point, Grassy Head, and Fisherman's Reach, this objection is based on the following critical concerns:

- The proposal is premature given that urgent stormwater drainage infrastructure has not been addressed.
- Significant environmental impacts to sensitive coastal ecosystems.
- Substantial financial burden on residents without demonstrated necessity for the current scale.
- Infrastructure prioritisation that favours expansion over essential flood mitigation.

## **2. INFRASTRUCTURE PRIORITISATION: DRAINAGE MUST COME FIRST**

### **2.1 Current Flooding Crisis**

Stuarts Point and surrounding areas are in a low-lying coastal community that experiences severe and recurrent flooding during heavy rainfall events. The town's lack of adequate stormwater infrastructure, particularly kerb and gutter systems, has resulted in:

- Repeated property inundation causing thousands of dollars in damage to residents.
- Contamination of groundwater due to septic tank overflow during flood events is minor.
- Business disruption and loss of income for local tourism and retail operators.
- Health hazards from inadequate stormwater diversion has lead to the biohazardous sewage exposure during flooding.
- Evacuation requirements placing strain on emergency services.

According to residents documented in The Macleay Argus (December 2022), flooding and groundwater contamination remain the immediate crisis. One local business owner stated that repeated floods cause unrecoverable financial losses, while residents describe conditions as 'living in a third world country' when the town floods.

The NSW Government allocated \$300,000 in January 2023 for flood studies and a monitoring bore, acknowledging the severity of the flooding problem. However, no substantive drainage improvements have been implemented despite years of community advocacy.

### **2.2 The Drainage Infrastructure Gap**

Stuarts Point & surrounding villages lack fundamental stormwater infrastructure that would be standard in any comparable township:

- No comprehensive kerb and gutter system to direct surface water away from properties.
- Inadequate stormwater drainage channels and culverts.
- Insufficient pump stations for low-lying areas.
- No flood mitigation planning integrated with this development proposal.

Research consistently demonstrates that effective drainage systems are foundational to flood mitigation. Studies show that well-structured drainage infrastructure in compact developments significantly reduces flood losses compared to areas without proper drainage. Without

addressing the primary cause of flooding—inadequate stormwater conveyance—the proposed sewerage scheme may actually worsen conditions by increasing impervious surfaces without corresponding drainage capacity.

A local plumber, Brett Hughes, highlighted in 2021 that improving drainage through kerb and guttering would be the most effective solution to prevent groundwater contamination, noting that only a few properties would require pumping stations if proper surface water management were in place.

## 2.3 Logic of Infrastructure Sequencing

It is fundamentally illogical to proceed with a \$48 million sewerage scheme before addressing basic drainage infrastructure. The rationale for this prioritisation is:

- **Foundation First:** Drainage is the foundation of any functional community infrastructure. Installing sewerage infrastructure in a flood-prone area without first mitigating flooding is counterproductive and risks damage to the very assets being installed.
- **Cost Efficiency:** Installing drainage infrastructure after sewerage mains would require excavation of recently completed work, dramatically increasing costs and disruption. Proper sequencing would see drainage installed first, followed by sewerage infrastructure within established drainage corridors.
- **Risk Mitigation:** The proposed pressure sewer system, which requires pumps at each property, will be vulnerable to flooding if drainage infrastructure is not in place. Collection wells that are not properly sealed will overflow during floods, replicating the very contamination problem the scheme purports to solve.
- **Community Priority:** The immediate threat to life, property, and health comes from flooding, not from septic systems during normal conditions. While septic issues are significant during flood events, addressing the flood events themselves would substantially reduce all associated risks.

## 3. ENVIRONMENTAL IMPACT CONCERNS

### 3.1 Sensitive Coastal Ecosystems

The proposed development is located within environmentally sensitive coastal areas that require the highest level of protection. The Commonwealth has determined this project to be a 'controlled action' under the Environment Protection and Biodiversity Conservation Act 1999, specifically under Sections 18 and 18A concerning listed threatened species and communities.

The environmental risks associated with this proposal include:

- **Dunal Discharge System:** The proposal includes discharge of treated effluent through a dunal system on the eastern side of Macleay Arm. Dune systems are fragile coastal landforms that play critical roles in coastal protection, groundwater filtration, and habitat provision. Introduction of treated effluent, even at tertiary level, presents risks of nutrient loading, altered salinity, and ecological disruption.
- **Horizontal Directional Drilling:** The proposal includes approximately 450 metres of pipeline installation beneath Macleay Arm using horizontal directional drilling. This construction method poses risks of sediment disturbance, benthic habitat damage, and inadvertent drilling fluid release into sensitive estuarine waters.
- **Emergency Overflow to Macleay Arm:** The inclusion of an emergency overflow pipeline that would discharge directly to Macleay Arm is of significant concern. While intended for emergencies only, the existence of this outlet presents ongoing risk of

estuarine contamination during system failures, extreme weather events, or maintenance issues.

- **Construction Impact:** Installation of 21.1 kilometres of low-pressure sewer network via trenching and horizontal directional drilling will cause extensive temporary disturbance to vegetation, soil structure, and local wildlife. The long-term effects of this scale of excavation in a low-lying, flood-prone area have not been adequately assessed.

### 3.2 Threatened Species and Communities

The Commonwealth's determination that this project affects listed threatened species and communities under the EPBC Act is extremely significant, this designation indicates the presence of:

- Threatened or endangered flora communities that may be impacted by construction or altered hydrology
- Threatened fauna species that rely on the coastal and estuarine habitats in the project area
- Critical habitat areas that may be degraded by the project footprint or operational impacts

The EIS must address long term management, transparent, comprehensive assessment of all threatened species and ecological communities affected, with independent peer review by qualified ecologists.

### 3.3 Alternative Lower-Impact Solutions

This proposal has not adequately explored or presented lower-impact alternatives that could address sewerage issues while minimising environmental disturbance:

- **Improved On-Site Systems:** With proper drainage infrastructure in place to prevent flooding, many existing septic systems could be upgraded to modern, compliant on-site treatment systems. This would avoid the extensive construction impacts of reticulated sewerage while still addressing contamination concerns.
- **Staged Implementation:** Rather than a comprehensive scheme across all three communities simultaneously, a staged approach could target the most problematic areas first, allowing environmental impacts to be monitored and mitigated before expanding.
- **Alternative Discharge Locations:** The choice of dunal discharge and Macleay Arm overflow appears driven by convenience and cost rather than environmental best practice. Alternative discharge methods and locations with lower ecological sensitivity should be rigorously evaluated.

## 4. FINANCIAL BURDEN ON RESIDENTS

### 4.1 Direct Costs to Property Owners

The proposed sewerage scheme will impose substantial and ongoing financial costs on every property owner in the affected communities. Based on comparable pressure sewer schemes in NSW, residents will face:

- **Annual Sewerage Charges:** Once connected, property owners will pay annual sewerage access charges. Based on current NSW regional water authority pricing, residential properties can expect annual charges onto pf existing rates, up to \$1600, significantly higher than current septic inspection fees of approximately \$120 per year.

- **Pressure Sewer Pump Electricity:** Because this is a pressure sewer system requiring pumps at each property, homeowners will pay ongoing electricity costs for pumping operations, estimated at \$70-\$150 per year in comparable schemes.
- **Pump Maintenance and Replacement:** The pressure sewer pumps installed at each property will require periodic maintenance and eventual replacement. Property owners will bear these costs, which can be several hundred to over a thousand dollars per incident.

## 4.2 Total Annual Cost Impact

Combining all ongoing costs, the typical residential property owner in Stuarts Point, Grassy Head, or Fishermans Reach will see their wastewater management costs increase significantly.

For retirees on fixed incomes and low-income families who make up a significant portion of the Stuarts Point community, this represents a substantial and potentially unaffordable burden. As noted by local residents, many in the community are already 'doing it tough' and retirees on the pension struggle with current costs.

Council has provided some any hardship provisions, financial assistance programs, or payment plans to help vulnerable residents, however these costs will impact more than just a few eligible personnel, how will everyone manage these dramatic cost increases?

## 4.3 Opportunity Cost and Alternative Investments

The \$48 million investment in sewerage infrastructure represents a substantial opportunity cost for the Kempsey Shire community. Alternative uses of these funds could deliver greater overall community benefit:

- **Comprehensive Drainage Infrastructure:** A fraction of the \$48 million could fund comprehensive kerb and gutter installation, stormwater channels, and pump stations that would address the immediate flooding crisis affecting the entire community.
- **Road Upgrades:** Stuarts Point and surrounding areas have aging road infrastructure in need of repair and upgrading. Investment in roads would benefit all residents and visitors, not just those connected to sewerage.
- **Community Facilities:** Investment in parks, recreational facilities, emergency services infrastructure, and community centres would provide lasting value to residents and enhance the township's appeal.
- **On-Site System Upgrades:** A subsidy program to help residents upgrade to modern, flood-resistant on-site treatment systems would cost a fraction of reticulated sewerage while achieving similar environmental outcomes.

# 5. QUESTIONING THE NEED FOR EXPANSION

## 5.1 Development-Driven Rather Than Need-Driven

While Council insists that sewerage contamination is the key driver for this project, evidence suggests development facilitation is a primary, if unstated, motivation:

- **Timing and Scale:** The project has grown from an estimated \$37 million to \$48 million, with the increased cost triggering State Significant Development requirements. This scale far exceeds what would be necessary to address existing properties' sewerage needs.
- **Acknowledged Growth Opportunity:** In 2021, Director Robert Fish acknowledged that while addressing septic issues is the key driver, the sewerage scheme 'will provide

opportunity for growth in the area, and there is land surrounding Stuarts Point already zoned for potential residential subdivision.'

- **Infrastructure Before Population:** Standard practice is to build infrastructure to meet demonstrated demand, not to build infrastructure in anticipation of development that may or may not occur. This approach places financial risk on current residents to subsidise future growth.

The community deserves transparency about Council's true objectives. If this project is intended to facilitate residential expansion, that should be stated explicitly in the EIS, along with full assessment of the social and environmental impacts of population growth in these sensitive coastal communities.

## 5.2 Social Impact of Expansion

Stuarts Point, Grassy Head, and Fishermans Reach are characterised as small, peaceful communities with strong community spirit. Residents have chosen these locations for their quiet, natural coastal character. Infrastructure-enabled expansion would fundamentally alter these communities:

- **Loss of Character:** Suburban-style subdivisions would destroy the rural and village character that defines these communities and attracts residents and visitors.
- **Infrastructure Strain:** Population growth would place additional strain on already inadequate road, drainage, emergency services, and community facilities. The sewerage scheme addresses only one infrastructure component while ignoring the broader requirements of population growth.
- **Environmental Degradation:** More housing means more clearing of native vegetation, more impervious surfaces, more stormwater runoff, more pressure on coastal ecosystems, and more demand on natural resources.
- **Affordability Impact:** Development pressure tends to drive up property values and cost of living, potentially displacing long-term residents and retirees on fixed incomes who can no longer afford to remain in the community.

## 5.3 Right-Sizing the Solution

If sewerage infrastructure is truly necessary, Council should pursue a right-sized solution that:

- Services only existing developed properties, not vacant land zoned for future subdivision.
- Focuses on the most problematic properties rather than blanket coverage.
- Uses treatment and disposal methods with minimal environmental footprint.
- Can be expanded in future only if demonstrated need arises and with separate environmental assessment.
- Is implemented only after drainage infrastructure is in place to address the underlying flooding issues.

## 6. CONCLUSION AND RECOMMENDATIONS

The Stuarts Point Sewerage Scheme, as currently proposed, represents poor planning, misaligned priorities, and excessive financial and environmental costs. While the community's sewerage challenges are real and deserve attention, this multi million proposal is not the appropriate solution.

### 6.1 Summary of Objections

- **Infrastructure Sequencing:** Installing sewerage infrastructure before addressing critical drainage deficiencies is illogical, inefficient, and likely to worsen flooding impacts and system failures.

- **Environmental Impact:** The proposal threatens sensitive coastal ecosystems, threatened species, and estuarine water quality through dunal discharge, emergency overflow provisions, and extensive construction disturbance.
- **Financial Burden:** Residents will face a significant increase in annual wastewater management costs with limited hardship (or none dependent on eligibility) for provisions for vulnerable households.
- **Scale and Need:** The project appears oversized for current needs and designed to facilitate future development rather than address existing problems, with inadequate assessment of social impacts.
- **Community Priority:** Repeated flooding represents the most urgent threat to health, safety, and property. Drainage infrastructure must be the first priority.

## 6.2 Recommended Actions

The submitter respectfully requests that the Minister for Planning and Public Spaces:

- **Refuse the Current Application:** The current proposal should be refused on the grounds of inadequate consideration of alternatives, excessive environmental impact, unjustified financial burden on residents, and failure to address the more urgent infrastructure priority of drainage.
- **Require Drainage First:** Direct Kempsey Shire Council to prioritise comprehensive stormwater drainage infrastructure (kerb and gutter, stormwater channels, pump stations) before any sewerage scheme is reconsidered.
- **Right-Size Any Future Proposal:** Any future sewerage proposal should be scaled to serve only existing developed properties, with separate assessment required for expansion to facilitate future development.
- **Explore Lower-Impact Alternatives:** Require rigorous assessment of on-site system upgrades, staged implementation approaches, and alternative discharge methods that minimise environmental impact.
- **Provide Financial Impact Assessment:** Require transparent disclosure of all costs to residents and development of hardship provisions and financial assistance for vulnerable households.

## 6.3 Final Statement

The residents of Stuarts Point, Grassy Head, and Fishermans Reach have waited years—even decades—for essential infrastructure. They have endured repeated flooding, property damage, business losses, health hazards, and ongoing uncertainty. They deserve better than a proposal that prioritises expansion over their immediate needs, that imposes crushing financial burdens on already struggling households, and that threatens the very environmental values that make these coastal communities special.

This submission calls for rational infrastructure planning that puts safety first, respects the environment, considers affordability, and serves the existing community before facilitating speculative growth. The current proposal fails on all these counts and should be refused.

The submitter respectfully requests that this objection be given full consideration in the Minister's determination of this application.

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**END OF SUBMISSION**