

<b>NSW Coastal Panel</b>	MEETING NUMBER: 21
	LOCATION: Teleconference
	DATE: 23 JULY 2015
<b>MINUTES</b>	

**Present**

<b>Name</b>	<b>Nominating Organisation</b>
Mr Angus Gordon	Chair
Dr Carolyn Davies	Office of Environment and Heritage (Deputy Chair)
Prof Bruce Thom	Local Government NSW (LGNSW)
Ms Jane Lofthouse	Local Government NSW (LGNSW)
Mr Steve Lawson	NSW Trade and Investment (Crown Lands) – Deputy Member
Ms Jane Gibbs	Office of Environment and Heritage - Coastal Panel Secretariat
Dr Marc Daley	Office of Environment and Heritage - Coastal Panel Secretariat

**Agenda Item 1 – Welcome and Apologies**

The Chair opened the meeting and welcomed Panel members.

Apologies were received from Prof Andrew Short, Stephen Wills, Stephen Murray, and Allan Young. Comments were received by email Prof Short for consideration in relation to Agenda Items 4 and 5.

**Agenda Item 2 – Declaration of Interests**

No declarations of interest were received.

**Agenda Item 3 – Confirmation of Previous Panel Minutes**

The minutes from Coastal Panel meetings 19 and 20 have been circulated out of session and were approved by the Panel through email correspondence.

The Secretariat advised the Panel had received GIPA (Government Information Public Access) request from King & Wood Mallesons on the behalf of residents residing in Byron Bay. The request was for: (1) Minutes of meetings, whether signed or unsigned, of the NSW Coastal Panel for the period 2 August 2014 to the present; (2) Communications from the NSW Coastal Panel or any of its members to Byron Shire Council, Ms Jan Barham or Tamara Smith since 1 September 2014; and (3) Communications from the NSW Coastal Panel or any of its members to the Minister for the Environment and Minister Heritage since 1 September 2014, in relation to Byron Shire Council or any part of the Shire.

**Agenda Item 4 – Proposed Coalcliff Beach Erosion Works (Wollongong City Council)**

The Panel expressed its concern with Wollongong Council's submitted REF. The Panel deemed it inadequate to allow for a proper assessment to be undertaken, and what would appear to be Council's disregard for the process under Part 5 of the *State Environmental Planning Policy 2007 (Infrastructure)* and the Coastal Panel's role in this process.

The Panel also expressed its concern with a number of aspects of the project, including: the lack of a clear description of the project and a satisfactory engineering design and detailed description of the design parameters. In particular, the Panel noted the selection of armour materials appeared to have been chosen with little consideration of engineering standards;

the lack of clear design parameters detailing the crest height, scour and overtopping; or the lack of consideration of any end effects that might arise if a wall was to be built. The Panel also noted the positioning of the wall was not clear in the provided material. Specifically, where the wall begins and ends and the distance between the wall and the surf club. The Panel also identified that the erosion scarp appeared to be filled/reclaimed land and there is no indication given how erosive this land may be.

The Panel raised the issue that, as outlined in Wollongong Council 2012 Draft Coastal Zone Management Plan, the long term option for the Surf Club is for the relocation of this structure outside the hazard zone at the end of the asset life. As such, the Panel failed to see how the proposed works aligned with this long-term strategy and was concerned about the wall's potential to impact on future decisions regards the relocation of the Surf Club.

The Secretariat relayed further correspondence that they had received from Marina Porteous (Wollongong Council) following the document being circulated to the Panel, with Ms Porteous wishing to raise the concern to the Panel, that any potential damage to either the Surf Club or surrounding Council assets as a result of any erosion, would not be covered by Council's insurance policy. The Panel was of the opinion the Council would have been aware of this and so does not impact upon the Panel's assessment, nor should it affect Council's duty to provide a sufficient REF.

The Panel noted in the supplied photos that the level of risk the erosion poses to the Surf Club building was not readily apparent and advised a more detailed study needs to be first completed before devising a management solution. The Panel suggested if the risk was found to be in a lower category, perhaps alternate solutions could be explored such as stabilisation through bank battering. The Panel also raised the issue that the REF fails to give any consideration to the greater coastal processes of the embayment and how any structure might impact on these processes. The Panel suggested it was also critical prior to any wall design that consideration also needed to be given to the influence of the creek on the embayment.

The Panel agreed if the wall was to be built with an inadequate design, this would represent a significant public safety issue increasing council's liability. Furthermore, the Panel was of the opinion if the wall was to fail it would likely further degrade the beach and in doing so has the potential to create a much more significant problem that currently exists. They also re-emphasised the position that the Panel does not support the adhoc placement of rock on beaches as interim measures for foreshore protection.

Marc Daley advised he would draft out a response that encapsulated these concerns and circulate to the Panel for comment. This would then be finalised by the Chair and sent to Wollongong Council.

#### **Agenda Item 5 – Proposed Creek and Dune Protection Works (Blackwater Creek) Mollymook Beach**

The Panel noted the REF and detailed design received from Shoalhaven Council was in strong contrast to that received from Wollongong, allowing for a proper assessment to be undertaken.

As the works were being based on the construction of a rock revetment and geotextile sand container, the Panel raised some concerns about the integration between these two types of works and the need for careful consideration about how these works are to be interfaced. The key concerns included, the potential for the angular rock in the wall to cut into the geotextile containers, or potential movement of the geobags compromising the structural integrity of the wall. The Panel also noted the difference between the design life of the revetment wall (40

years) and the geotextile containers (15 years) and recommended a plan would be needed to manage this disparity.

The Panel raised a concern with the wall design regarding the specified toe of the wall, noting that the design report appears to have misquoted the scour level in reference to Nielsen *et al*, 1992. In particular, the design report indicated the scour on an open coast beach was 0m AHD, when in fact the (Nielsen) reference states that this is -1AHD. The Panel suggested that this error is possibly due to the confusion between AHD and ISLW datums, which may have a potential to cause a problem with the stability of the wall if undermined. However, as the design also incorporates a self-launching toe, this conservatively counters this issue by surcharging the toe area so it can accommodate settlement. The Chair advised he had already raised this to the attention of the consultant. In regards to the founding level of the wall toe the Panel also pointed out an inconsistency that exists between the REF and design report, with the REF outlining the toe to be founded at -2.0m AHD, whereas the design report outlined the toe to be founded at 0m AHD.

The Panel discussed the limitations of its powers to comment on the proposed activities under the infrastructure SEPP. The Panel noted it could only comment on those aspects defined under the SEPP and therefore was unable to provide recommendations directly in relation to the dredging or nourishment actions of the proposal. The Panel expresses its concern that this was an inconsistency between the NSW Coastal Protection Act and Infrastructure SEPP, in which sand works are considered as protection works in relation to the Act, but under the SEPP are exempt from consideration by the Panel.

The Panel noted that although not being able to comment directly on dredging activities, the Panel was concerned that the sand used in nourishment (and also potentially used to fill the geotextile sand containers) could have sediment budget implications for the greater compartment. The Panel agreed it was necessary to comment on this aspect of the project, due to its potential to impact upon the overall sediment budget and processes of the system and would provide appropriate recommendations to Council to consider these impacts.

The Panel also noted the works had been designed around rock specifications for Basalt as outlined in the design report. The Panel recognised that it was crucial that these materials were used in relation to the submitted wall design. Consequently, if any of the materials were to differ from those specified, the Panel agreed this would require a reassessment of the wall design in order to ensure its structural integrity.

#### **Agenda Item 6 – Other Matters Considered Out of Session**

In June the Panel received an application from Doug Sneddon Planning Pty Ltd for a 12 month extension on the deferred commencement conditions for the proposed beachfront revetment wall at No.8 Berrima Crescent, Umina Beach (CP 13-001). This matter was considered via email correspondence and the Panel agreed to grant this extension for the 12 month period, to July 18 2016.

#### **Agenda Item 7 – Other Business**

No other business items were raised.

#### **Agenda Item 8 – Date for Next Meeting**

No date was set down to the next meeting. The next meeting would be held as required. The meeting closed at 12:15 pm.