

NSW Coastal Panel	MEETING NUMBER: 15
	LOCATION: Sydney
	DATE: 25 NOVEMBER 2013
MINUTES	

Present

Name	Nominating Organisation
Mr Angus Gordon	Chair
Mr Derek Rutherford	Office of Environment and Heritage (OEH) – OEH Representative & Deputy Chair (Outgoing)
Dr Carolyn Davies	Office of Environment and Heritage (OEH) – OEH Representative & Deputy Chair (Incoming)
Prof Bruce Thom	Local Government NSW (LGNSW)
Prof Andy Short	Local Government NSW (LGNSW)
Ms Jane Lofthouse	Local Government NSW (LGNSW)
Mr Stephen Murray	Department of Planning and Infrastructure (DP&I)
Mr Stephen Wills	Department of Trade and Investment (Crown Lands)
Ms Jane Gibbs	Office of Environment and Heritage – Coastal Panel Secretariat
Dr Marc Daley	Office of Environment and Heritage – Coastal Panel Secretariat
Ms Santina Camroux	Department of Planning and Infrastructure (DP&I) - Observer

The meeting opened at 12:00pm

Agenda Item 1 – Welcome to new Chair and new Member

The outgoing Deputy Chair opened the meeting and welcomed existing along with new Panel members.

The outgoing Deputy Chair announced:

- The appointment of the new Coastal Panel Chair (Mr Angus Gordon)
- A change in the OEH representative, from himself (Derek Rutherford - outgoing Deputy Chair) to Carolyn Davies (incoming).
- The appointment of the new Department of Trade and Investment (Crown Lands) representative (Stephen Wills).

Carolyn Davies as OEH representative accepted the role of Deputy Chair.

Agenda Item 2 – Introduction and welcome from new Chair

Mr Rutherford handed over the role of Chair to Mr Angus Gordon.

The Chair welcomed all Panel members and suggested the Coastal Panel Webpage(s) need to now be updated to clarify changes in membership, positions and new members.

The Chair requested that all future agendas include a formal Agenda Item on *Declaration of Interest* and called for Panel members to state any declaration for this meeting with regards to Agenda Items 4 and 5.

Angus Gordon (Chair) stated that he had been involved in many studies on the NSW coast in the past and had operated with a number of consultants over the years. Specifically in regard to the current Agenda Items 4 and 5:

- Agenda Item 4 - Mr Gordon declared he has been employed by Cardno (New Zealand) to undertake work in New Zealand in the past. However, even though this work is based in New Zealand he is formally paid through the Cardno (Australia) office. The Chair advised he has had no dealings with Cardno (Australia) with regards to Umina and the proposed revetment wall development application (DA).
- Agenda Item 5 the Chair declared he, in the past, has had previous dealings with coastline management for the Byron Bay region, namely early process studies and in peer reviewing proposed and/or implemented works over the past 30-40 years. Similarly the Chair has also advised he is currently the Chair of the WRL industry advisory (research) committee. However, this group has no links to the WRL commercial group which has undertaken the *Design of Interim Beach Access Stabilisation Works for Belongil Byron Bay*.

Mr Gordon stated that the above indicated his past involvement. However he was of the view that having placed that on public record and hence disclosed any perception of a potential conflict of interest it was his view that he had no actual conflict of interest in the items as he had no dealings with the consultants nor applicants in regard to those items.

Professor Short (LGNSW Representative) announced with regards to Agenda Item 5, he is currently involved in a research project with WRL's research group. This again is not linked to the WRL commercial group.

The Panel accepted both members' declarations and was happy to proceed.

Agenda Item 3 – Minutes of the previous meetings

The Chair called on the circulation of minutes of the previous meetings. The secretariat advised that the minutes will be circulated out of session for approval.

Agenda Item 4 – Umina DA

The secretariat gave an update on the Umina DA and submissions received over the exhibition period between 9 October 2013 and 23 October 2013.

In relation to the issue of the land boundary raised at the previous meeting, the secretariat advised that a title search had been undertaken, and that it showed the current boundary had been drawn in 1990. No further information on the land boundary was available. The Panel agreed to seek formal recognition from Crown Lands to give assurance to the Panel that, in considering the DA, they are dealing with a legal (fixed) boundary and show the Panel is operating under *good faith*.

The Panel also outlined its concerns in relation to the engineering design of the proposed wall and its adequacy across its anticipated design life. Specifically, the Panel identified the following design issues:

- the wall is considered to be of a relatively low height and therefore potentially susceptible to overwash and possible failure,
- the wall has a relatively shallow toe and therefore is potentially susceptible to undermining,

- the wall design has only a primary and no planned secondary rock fill layer, and therefore may be potentially susceptible to a compromised structural integrity resulting from wave run-up and overwash processes, and
- the impact on the wall arising from the likelihood of movement of Ettalong Creek which could give rise to increased erosion at the toe;

Review of submissions and discussion resulted in further issues identified as requiring further information/clarification and would request, in addition to matters raised in the prior meeting, that the applicant provide further information on the following:

- Clarification on the design slope of the seawall, as the Panel noted there is a discrepancy between the information in the Statement of Environmental Effects which shows the slope of the wall is 1V:1.5H compared to the design of the wall as shown in drawing No. 89024430-C001 indicates a relatively steep wall design of 1.5V:1H;
- Information about the proposed method to address the design issues to maintain structural integrity such as deeper toe and higher crest levels, a double layer wall, wall slope and the ability to 'top up' the wall into the future if required;

The Panel also noted that some backfilling material may be required behind the proposed wall. The documentation provided by the applicant suggests that this material could be sourced from the entrance of Ettalong Creek. The Panel does not support the sourcing of backfill material from Ettalong Creek as this would result in sediment that currently forms part of the active coastal system to be removed. As such, the Panel would also seek further information on the source and composition of any backfilling material.

In addressing issues of ongoing wall maintenance and the management potential end effects the Panel suggested this could be possibly be explored through leveraging a Coastal Protection Service Charge through Gosford City Council. The Panel acknowledged this would require the applicant entering into a planning agreement with Council. The Panel agreed before this can be considered they would need to hold a discussion with Gosford City Council to this effect. The secretariat was designated to follow this up on the Panel's behalf once the Panel has heard back from the applicant regarding the Panel's request for further information.

Agenda Item 5 – Considerations for Byron Shire Council, interim works at Belongil Beach.

The assistant secretariat introduced and outlined the Agenda Item, in relation to proposed interim beach access stabilisation works at Belongil Beach. Byron Shire Council has referred this matter for consideration to the Coastal Panel in accordance with cl 129 of the *State Environmental Planning Policy (Infrastructure) 2007*. The works propose the installation of an interim rock rubble revetment to replace existing geotextile works at 3 locations (Manfred, Border and Don Streets) Belongil Beach.

The Panel reviewed this proposal and agreed to provide the following comments to Byron Shire Council for their considerations in assessing and constructing this proposal:

- The Coastal Panel is of the view that the works as proposed have the potential to exceed the proposed design life of 10 years, and therefore, although the works are described as 'interim', there could be long term impacts on the beach at Belongil. Given this situation, the Panel advises that Council should be cognisant of the potential long term impact that the proposed works could have on the beach, particularly in relation to the precedent they will create on the overall management of the coast and the potential for direct impacts on adjoining areas. As such, the Panel

advises that a contingency plan is developed that considers that the works may in fact remain in place for the longer than the proposed design life.

- The Panel has concerns about the alignment of the proposed works and the possibility that the works will create a headland situation through creation of unintended end effects on existing walls and property. The Panel's preferred approach would be that if Council intends for further works to be built in the area that Council proposes an overall alignment for any protection works, so that any works that might be proposed into the future are built in a coordinated and consistent way. Should Council determine in the future that protective works are the preferred option for managing Belongil Beach, the alignment chosen should form part of the Coastal Zone Management Plan. At this time, Council would also need to consider specifying a design standard for future works, noting the integrity of the design of the currently proposed interim works.
- The Panel is concerned about the possible impact of the proposed toe apron on the beach itself. The Panel notes that the wall design results in an apron that protrudes well onto the existing beach area (despite the proposed 'wraparound' effect of the underlay). As sand is removed from the beach through natural processes, the Panel is concerned that the beach may be compromised by large rocks which may pose threats to public safety and compromise beach amenity.
- The Coastal Panel considers that special attention should be paid to the design of access stairs over the proposed works, and based on experience of Panel members, recommends a modular design. This type of design will allow for removal of the stairs at times when rocks are exposed on the beach and public access is not safe. It also will allow for the stairs to be replaced relatively quickly and easily at times when the beach is deemed safe again. The Panel also advises against having stairs that lead directly into the water due to potential risks to public safety. Consideration should be given to development of a safety management plan whereby the stairs are removed or access denied when beach conditions are such that the stairs lead directly into the active surf zone.
- The Panel notes that the design drawings show a 'typical sand' layer at a height of +2m AHD. Due to the well known phenomenon of beach lowering that occurs as part of an erosion cycle, the Panel does not consider this to be a realistic level. The impacts of misinterpreting the level of sand would mean more frequent exposure of the rock apron in the beach area, and less frequent presence of sand in the vicinity of the proposed works. Council should be aware of this, and make an informed decision with inclusion of necessary safeguards to manage beach amenity and safety issues.
- The Panel is concerned that the design of the proposed interim works will have the effect of creating mini rip embayments and cause exacerbation of impacts of other rips through stabilising their position with resultant risks to public safety for beach users, especially swimmers and surfers. Such rip embayments could also focus storm waves on the beach and revetment immediately landward of the rip cell and cause additional and deeper scouring of the toe and may lead to greater wave setup and potential overtopping. This could be addressed through further consideration of the alignment of a wall that was situated as far landward as possible.
- The Panel also advises that Council should consider the long term maintenance issues for the interim works, including the impact on adjoining land (including Crown Land). The documentation does not provide sufficient detail of information concerning the maintenance and long term management of impacts of the proposed

works, and the Panel considers that this information should be explicitly considered by the Council prior to determining the application.

Agenda Item 6 – Verbal Update Old Bar

A verbal update was provided in relation to Greater Taree City Council's work at Old Bar. This related to the work commissioned by Council and being undertaken by Haskoning Australia, and a community information session held in Old Bar.

Agenda Item 7 – Date for next meeting

No date was set down to the next meeting. The Panel agreed that the next meeting would be held as required, and is dependent on the timing of information received from the applicant for the Umina DA (Agenda Item 4).

Agenda Item 8 - Other Business

There were no items of other Business discussed.

Meeting closed 2:00pm.