

<b>NSW Coastal Panel</b>	MEETING NUMBER: 40
	LOCATION: Goulburn Street/ Teleconference
	DATE: 5 OCTOBER 2017
<b>MINUTES</b>	

## **Present**

<b>Name</b>	<b>Nominating Organisation</b>
<b>Coastal Panel members</b>	
Prof Bruce Thom (BT)	Chair
Derek Rutherford (DR)	Office of Environment and Heritage (Deputy Chair)
A/Prof Ron Cox (RC)	Local Government NSW (LGNSW)
Prof Andrew Short (AS)	Local Government NSW (LGNSW)
Ms Jane Lofthouse (JL)	Local Government NSW (LGNSW)
Mr Stephen Murray (SM)	Department of Planning and Environment
Mr Brendan Logan	Department of Industry – Crown Lands & Forestry (Observer)
<b>Secretariat</b>	
Dr Marc Daley (MD)	Office of Environment and Heritage - Coastal Panel Secretariat
Mr Phil Watson (PW)	Office of Environment and Heritage - Coastal Panel Secretariat
Ms Jane Gibbs (JG)	Office of Environment and Heritage - Coastal Panel Secretariat

## **Agenda Item 1 – Welcome and Apologies**

The Chair opened the meeting at 1:30pm and welcomed Panel members.

Apologies were received from Stephen Wills (nominee of Crown Lands & Forestry)

## **Agenda Item 2 – Declaration of Interests**

Nil

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

The Secretariat advised minutes from the previous meeting 39 will be considered out of session for adoption at the next meeting.

## **Agenda Item 4 – Matters Arising from Previous Meetings**

Nil

## **Agenda Item 5 – Determination of Arrawarra DA**

In discussing the merits of the application the following issues were raised:

- Over the life of the works the proposed revetment would pose or would be likely to pose a threat to public safety;
- The DA does not contain sufficient information to demonstrate how the proposed legally binding arrangement for the ongoing maintenance of the proposed revetment wall may be extended to the restoration of adjacent land that may be eroded as a result of the proposed revetment wall, such as the land occupied by saltmarsh vegetation, littoral rainforest and/or Aboriginal cultural heritage on the northern shore of Arrawarra Creek;

- That the proposed revetment wall is inconsistent with the objective of the Solitary Islands Marine Park Habitat Protection Zone, and a number of DPI – Fisheries policies, resulting in DPI – Fisheries being unable to issue General Terms of Approval;
- That the proposal's likely impacts on marine and estuarine ecosystems have not been adequately addressed, particularly as reclamation works are proposed, and may result in a significant change to habitat, species diversity and abundance;
- That the proposal is inconsistent with the objectives of the E2 Environmental Conservation zone which seek to protect, manage and restore areas of high ecological or cultural values and prevent development that could have an adverse effect on those values; and
- That the potential impacts of the proposed revetment wall have not been fully addressed and remedied and therefore considered that the subject site is not suitable for the proposed development and, as a result, the granting of consent is not in the public interest.

**Outcome:** Based on the Panel's discussions, consideration of all the information provided by the applicant and the Assessment Report, the Panel were of the opinion to refuse development consent. The Chair instructed JG to prepare a draft notice of determination that captured the above information for review and consideration by the Panel and which would form the basis of the Panel's determination.

#### **Agenda Item 6 – Update on (other) Development Applications**

The Secretariat provided an update on the status of Development Applications currently before the Panel.

#### **Agenda Item 7 – Forward Program for Upcoming CZMPs**

The Secretariat provided an update on submitted open coast and estuary CZMPs requiring the Panel's consideration at future meetings.

#### **Agenda Item 8 – Other Business**

The Chair updated the Panel that under the provisions of the *Coastal Management Act 2016*, when the Act commences the Coastal Panel will be abolished and an interim Transitional Coastal Panel appointed. The Transitional Coastal Panel will constitute the members of the Coastal Panel immediately before its abolition and continue to operate for 12 months. These provisions are provided in Schedule 3 of the *Coastal Management Act 2016*.

#### **Agenda Item 9 – Date for Next Meeting**

The next meeting would be held in the week beginning 30<sup>th</sup> October 2017.

The meeting was closed at 2:30pm.