

Responses to Statutory Agency Submissions (4)

Agency	Contact	Address, reference, e-mail/phone contact	Issues Raised for Consideration	Comments and Proposed Response
NSW DPI	Mitchell Isaacs Director Planning Policy & Assessment Advice	NSW Department of Primary Industries Level 11, 323 Castlereagh St SYDNEY NSW 2000 (02) 9934 0805 DPI reference: OUT17/9678	<p>1. Proposed water monitoring network to be improved to enable protection of watercourse and associated dependent ecosystems; associated consultation with DPI Water: see detail, particularly in relation to groundwater;</p> <p>2. Quality of groundwater resources: all existing and proposed excavated water bodies to be lined with an impervious non-toxic material (suggestion of bentonite or similar) to prevent groundwater contamination. Associated maintenance required regarding long term structural integrity;</p> <p>3. Monitoring bores/temporary uptake of groundwater (existing or proposed) require licensing under Part of the <i>Water Act 1912</i>.</p> <p>Permanent take of water requires water access licence under the <i>Water Management Act 2000</i> (unless exemption applies).</p>	<p>1. The water monitoring regime as detailed in the Martens Report (Section 6.7, page 53) was accepted by WMB BMT and the Department with the original Concept Plan. It is still considered relevant and robust to current standards.</p> <p>2. Noted.</p> <p>3. Noted and the Ground Monitoring Bores are already licensed.</p>

NSW Rural Fire Service	<p>Alan Bawden Team Leader – Development Assessment & Planning Planning & Environment Services (North)</p> <p>Attention: Paul Creenaune</p>	<p>NSW Rural Fire Service Locked Bag 17 GRANVILLE NSW 2142</p> <p>Paul Creenaune</p> <p>(02) 6691 0400</p> <p>NSW RFS reference: D17/109</p>	<p>NSW RFS does not support the proposed modification to Concept Plan Approval Condition C11 – Bushfire Assessment or Item 11 of the Statement of Commitments.</p> <p>Whilst NSW RFS does not object to the general layout of the modified concept plan, the associated Bushfire Management Plan does not comprehensively encompass the requirements of ‘Planning for Bushfire 2006’, requiring additional information for the purposes of enabling a detailed assessment of each proposed stage of subdivision. The following matters require resolution:</p> <ol style="list-style-type: none"> 1. Recommendations require proper reference to the requirements of ‘Planning for Bushfire Protection 2006’; 2. Revision of fuel management aims and APZ descriptions (IPA and OPA) consistent with the requirements of ‘Planning for Bushfire Protection 2006’ (no specific detail provided on inconsistencies); 	<p>Discussions with the NSW RFS have indicated that they will require the condition for a s100B Authorisation to be maintained. As the Concept Plan is not seeking a subdivision of land and that the Department is not going to be the consent authority for the actual subdivision of land, the RFS will require that a Bushfire Assessment under the PfBP 2006 be undertaken at the time that an application for subdivision is sought from the Council.</p> <p>Additional information being sought is noted and will be part of the development application documentation to be lodged at Council.</p>
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NSW OEH	Richard Bath Senior Team Leader Planning Attention: Steve Lewer	NSW Office of Environment & Heritage Locked Bag 1002 DANGAR NSW 2300 Steve Lewer (02) 4927 3158	Advises that the proposed modification generally addresses OEH's matters of concern. Recommendations for certain biodiversity and Aboriginal cultural heritage matters to be addressed	

		NSW OEH reference: DOC17/13881-4	<p><u>prior to any approval being provided:</u></p> <p>Biodiversity Considerations</p> <ol style="list-style-type: none"> 1. Biodiversity assessment required for additional land being incorporated into the proposed concept plan, being 5.83 ha of land in the south-west of the site associated with the commercial precinct along Myall Street. Associated consideration of biodiversity offsets required, also having regard to inclusion with point 2, below; 2. Update Biodiversity Offsets Package report consistent with accurate and relevant credit calculator and lodge with the Department for review (note point 1, above): see detailed requirements and qualifications in the submission; 3. Any proposed approval conditions relating to the securing of an offset to be drafted such that they be 	<p>Completed</p> <p>Completed</p> <p>Noted</p>
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			<p>from an established BioBanking offset site, or, if the proponent buys suitable offset land, it is secured under a BioBanking agreement; and</p> <p>4. Any proposed approval conditions to include provisions which require that all offsets are provided prior to any development occurring on the site (OEH specifies that a staged approach to the provision of offsets is unacceptable).</p> <p>Aboriginal Cultural Heritage Considerations</p> <p>1. Aboriginal Cultural Heritage assessment required for additional land being incorporated into the proposed concept plan, being 5.83 ha of land in the south-west of the site associated with the commercial precinct along Myall Street; and</p> <p>2. Aboriginal Cultural Heritage Management Plan (ACHMP) to be updated</p>	<p>No development is proposed on land that is not included with appropriate offsets. The proposal for staged construction and hence stage offsets is both logical and financially appropriate as well as approved in the existing concept approval.</p> <p>Noted and an addendum to the original report is being undertaken.</p>
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			<p>consistent with requirements associated with point 1 (directly above) and detailed in the submission. Note: Proposed existing cultural heritage condition (C12) is not supported on the basis that the ACHMP does not contain the additional 5.83 ha of land;</p> <p>Additional notes: ACHMP to be reviewed regularly (in consultation with registered community groups).</p>	<p>Noted and an addendum to the original report is being undertaken.</p>
NSW DPI	<p>Resources & Energy</p> <p>Attention: Cressida Gilmore: Manager Land Use</p>	<p>NSW Department of Primary Industries PO Box 344 Hunter Region Mail Centre NSW 2310</p> <p>Attention: Cressida Gilmore: Manager Land Use (02) 4931 6666</p> <p>DPI reference: (TRIM): OUT17/7998</p>	<p>The land use compatibility between the proposed Riverside Development and the existing Tea Gardens Quarry has been considered: No issues are raised in relation to the proposed modification of the Concept Plan.</p>	<p>Noted.</p>