

Attachment 4
Agency Responses to Request for Key Issues
- For Information Only



Your reference : MP 08_0039
Our reference : DOC08/20403 FIL06/919-02 Part 3A
Contact : Sian Harris, 49 086804

12 MAY 2008

KUW
14/5/08

TO

Jane

- 9 MAY 2008

Haraga

15/5/08

Department of Planning
Director, Coastal Assessments
GPO Box 39
SYDNEY NSW 2001

Attention: Heather Warton

URBAN ASSESSMENTS
RECEIVED

12 MAY 2008

Dear Ms Warton

Part 3A – KEY ISSUES AND ASSESSMENT REQUIREMENTS – Pitt Street Taree, Waterfront Precinct Concept Plan

I refer to your letter dated 5 May 2008 seeking comment from the Department of Environment and Climate Change (DECC) regarding the Director-General's Environmental Assessment Requirements (DG EAR's) for the above proposal.

The proponent should ensure that the Environment Assessment (EA) is sufficiently comprehensive and detailed to allow DECC to determine the extent of impacts of the proposal. In summary, DECC's key environmental aspects of this proposal are:

- impacts on threatened species and Aboriginal cultural heritage;
- impacts on water quality (during construction and operation) of the proposed marina, including stormwater management systems, surface water controls, management of any slipway, hardstands, and vessels, management of sewerage waste from vessels, fuel and chemical storage and management, and spill management;
- potential environmental impacts from any extractive or dredging activity associated with the construction of the proposed marina;
- impacts on air quality, including dust generation during construction activities and any boat maintenance and repairs;
- noise impacts (during construction and operation);
- waste management, including the collection, storage and disposal of liquid (including sewerage) and solid waste; and
- greenhouse gas emissions

The Department of Environment and Conservation NSW is now known as
the Department of Environment and Climate Change NSW

PO Box 488G, Newcastle NSW 2300
117 Bull Street, Newcastle West, NSW 2302
Tel: (02) 4908 6800 Fax: (02) 4908 6810
ABN 30 841 387 271
www.environment.nsw.gov.au

Department of Environment and Conservation

Other environment protection or conservation issues that need to be addressed in the EA are provided in Attachment A.

Based on the information provided to DECC, the proponent may be required to apply for an environment protection licence for the marina and extractive activities. General information on environment protection requirements can be obtained from the DECC's Environment Line on 131 555 during office hours or can be found at the DECC web-site at:

<http://www.environment.nsw.gov.au/licensing/>

The proponent should be aware that any commitments made in the EA may be formalised by way of conditions within an environmental protection licence should development consent be granted. For this reason pollution control measures should not be proposed if they are impractical, unrealistic or beyond the financial viability of the development.

The DECC requests that four (4) copies of the EA be provided for assessment to the Regional Manager Hunter, PO Box 488G, Newcastle 2300.

If you have any questions regarding this matter, please contact Sian Harris or myself on 02 4908 6800.

Yours sincerely



BILL GEORGE
A/Head Regional Operations Unit
North East Branch
Climate Change and Environment Protection

**DECC'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS
PROPOSED WATERFRONT PRECINCT CONCEPT PLAN, PITT STREET, TAREE**

GENERAL INFORMATION

The Environmental Assessment report (EA) should identify the environmental objectives for the proposal. These environmental objectives will guide decisions on environmental controls and management throughout the life of the development. The EA should fully detail the existing environment including a description of water, air, noise, waste, Aboriginal cultural heritage and flora and fauna characteristics.

1. THE PROPOSAL

The objectives of the proposal should be clearly stated and refer to the:

- the size and type of the proposal; operation;
- the anticipated level of performance in meeting required environmental standards and cleaner production principles;
- the staging and timing of the proposal; and
- the proposal's relationship to any other industry or facility.

2. THE PREMISES

The EA should fully identify all of the processes and activities intended for the site and during the life of the project, including details of:

- the location of the proposed facility and details of the surrounding environment;
- the proposed layout of the site;
- appropriate land use zoning;
- ownership details of any residence and/or land likely to be affected by the proposed facility;
- maps/diagrams showing the location of residences and properties likely to be affected and other industrial developments, conservation areas, wetlands, etc in the locality that may be affected by the facility;
- all equipment proposed for use at the site;
- chemicals, including fuel, used on the site and proposed methods for the transportation, storage, use and emergency management;
- waste generation, storage and disposal;
- a plan showing the distribution of any threatened flora or fauna species and the vegetation communities on the subject site, and the extent of vegetation proposed to be cleared should be provided; and
- methods to mitigate any expected environmental impacts of the development.

3. AIR QUALITY

The EA should include a detailed air quality impact assessment. The assessment should identify and describe in detail all possible sources of air pollution and activities/processes with the potential to cause air pollutants including odours and fugitive dust emissions beyond the boundary of the development site. This should cover potential air impacts from the construction and operational phases, and vessel maintenance and repairs. The assessment should include cumulative impacts associated with existing developments and any developments having been granted development consent but which have not commenced.

The EA should demonstrate that the facility will operate within DECC's objectives which are to minimise adverse effects on the amenity of local residents and sensitive land uses and to limit the effects of emissions on local, regional and inter-regional air quality.

The EA should detail the measures proposed to mitigate the impacts and quantify the extent to which the mitigation measures are likely to be effective in achieving the relevant environmental outcomes.

The assessment should be prepared in accordance with the DECC's *Approved Methods & Guidance for the Modelling & Assessment of Air Pollutants in NSW*. This publication is available from DECC's website at <http://www.environment.nsw.gov.au/air/faqamsampling.htm>. The assessment should describe the methodology used and any assumptions made to predict the impacts. Air pollutant emission rates, ambient air quality data and meteorological data used in the assessment should be clearly stated and justified.

4. NOISE IMPACTS

Noise Assessment – Construction and General Operations of Marina Facility

The EA should include a comprehensive noise assessment of the existing environment, potential impacts and proposed noise amelioration measures for the marina complex. The *NSW Industrial Noise Policy* (DEC, 2000) provides a guide to the methodology and assessment criteria preferred by DEC to determine noise planning levels.

The evaluation should take into account the construction and operational phases of the development over the 'operating' hours proposed and take into account adverse weather conditions including temperature inversions.

Sound power levels measured or estimated for all plant and equipment should be clearly stated and justified.

The EA should include an assessment of cumulative noise impacts, having regard to existing developments and developments which have received development consent in the area but which have not commenced.

Road Transport

Road transport to and from the premises has the potential to increase disturbance at residential properties along private or public routes. To assess the extent of the impact from road transport, the noise assessment should identify the transport route(s) to be used, the hours of operation and quantify the noise impacts. The DECC publication *Environmental Criteria for Road Traffic Noise* (DEC, 1999) describes the methods generally applied by DECC to determine noise planning levels for road traffic noise in locations of varying sensitivity.

The methodology, data and assumptions used to assess the impact of road haulage on residential properties should be fully documented and justified. Where disturbance due to road transport is likely to exceed the recommended criteria, the EA should describe the measures proposed to mitigate the impacts and the extent to which the measures are likely to be effective in achieving the relevant criteria.

5. WATER QUALITY

The EA should provide sufficient information to demonstrate that the proposed development can be operated while complying with the POEO Act, in particular, the protection of water quality during construction and operation of the proposed facilities.

The methodology, data and assumptions used to design any pollution control works and assess the potential impact of the proposal on water quality (ground and surface waters), should be fully documented and justified.

The EA should characterise the quality of surface and discharge water from the site and detail appropriate water quality management practices for the site. DEC has adopted the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC, 2000) as a guide for the assessment of environmental impacts on aquatic ecosystems.

The EA should include a water management plan and site water balance incorporating the following principles.

- Maximum on-site reuse of wastewater together with the use of control and storage works to avoid any discharge of pollutants from the premises. This should include correct installation and sizing of the wastewater collection, treatment and recycling systems;
- Prevention of wet weather overflows of contaminated stormwater by collection and reuse or treatment of contaminated first flush stormwater;
- Segregation of contaminated water from non-contaminated water to minimise the volume of polluted water to be dealt with;
- Spillage controls and bunding;
- Sealing and effectively bunding material storage areas and active areas of the plant to prevent soil and groundwater contamination;
- Effective management of stormwater to segregate surface water runoff from undisturbed areas and disturbed areas;
- Maintenance of sediment and erosion control structures; and
- Sealing, kerbing and guttering of trafficable areas.

Marina

The EA should provide sufficient information to demonstrate that the marina would not impact on water quality during construction and operation. Consideration should also be given to the following reference documents:

1. Environmental Action for Marinas, Boatsheds and Slipways
<http://www.environment.nsw.gov.au/sustainbus/marinas.htm>
2. Boating Industry Association Code of Practice.
<http://www.bia.org.au/environment/background.html>
3. Australian Std: Guidelines for design of marinas AS3962-2001.
http://www.epa.sa.gov.au/pdfs/water_marinas.pdf
4. SA EPA Stormwater Management for Marinas, Boat Sheds and Slipways.
http://www.epa.sa.gov.au/pdfs/cop_vessel.pdf
5. Pollution Solutions – Marina Operators and Boat Maintainers – Brisbane City Council.
6. ANZEC, 2000 Code of Practice for Antifouling, Code of Practice for In-water Hull Cleaning and Maintenance.

Bunding, Fuel Transfer Lines and Bowsers

The EA should identify any fuel or chemical storage areas to be established on the site and describe the measures proposed to minimise the potential for leakage or the migration of pollutants into the soil/waters or from the site.

Spill prevention should also be discussed in detail in relation to the installation, management and maintenance of fuel lines and bowsers.

Protocols for fuel dispensing, including fuel nozzle and fuel pump safeguards, use of drip trays, and the development and implementation of a fuel spill avoidance plan, should be discussed in detail.

6. DANGEROUS GOODS AND CHEMICAL TRANSPORT, STORAGE AND HANDLING

The EA should outline all details regarding the transport, handling, storage and use of dangerous goods, chemicals and products, including fuel, both on site and with ancillary activities.

7. WASTE MANAGEMENT

The EA should detail the types and quantity of waste likely to be produced and the measures to be used to store, treat and dispose of this material.

The EA should identify any wastes that will be stored, separated or processed on the site and identify the procedures to be adopted to manage these wastes.

Information on waste management can be obtained by contacting the DECC's Pollution Line on 131555 or down loaded from the DECC's web site at:

<http://www.environment.nsw.gov.au/waste/envguidlms/index.htm>.

Managing Sewerage Waste

The proponent does not discuss options for sewerage waste collection and disposal. The EA should identify strategies for the management of sewerage waste from vessels and other sections of the facility including:

- Pump-out facilities and holding tanks;
- Connections to sewerage systems operated by MidCoast Water or options for waste water treatment, including an examination of re-use options;
- Spill management and containment; and
- Management of privately owned vessels at marina.

8. MONITORING PROGRAMS

The EA should include detailed programs for the management of noise, air quality, water quality and waste during the construction phase and on-going operation of the facility to ensure that the development achieves a satisfactory level of environmental performance.

9. CONTAMINATED LAND

The EA should determine whether contaminated soils are likely to be disturbed during the proposed works. If contaminated soils are likely to be disturbed, the EA should detail the measures to be adopted to protect human health and the environment, and if necessary remediate or dispose of the contaminated material. The following EPA guidelines may be helpful in assessing any actions required in respect of the proposed works:

- Contaminated Sites - Guidelines for Consultants Reporting on Contaminated Sites (EPA 1997);
- Contaminated Sites - Guidelines for the NSW Site Auditor Scheme (EPA 1998); and

- Contaminated Sites - Sampling Design Guidelines (EPA 1995).

10. THREATENED SPECIES

The EA must detail the existing environment including discussion on flora and fauna characteristics. The following requirements should be addressed at a level of investigation appropriate to the site's current condition.

Your attention is also drawn to the Commonwealth legislation, the *Environment Protection and Biodiversity Conservation Act 1999*. If any species requiring consideration under this legislation may be affected by the proposal, approval for the works may also be required from the Commonwealth Department of Environment.

Flora

A comprehensive description of the vegetation of the subject site should be prepared. This will include an assessment of the condition of the plant communities present, including the designation of conservation significance at a local, regional and State level, and an assessment of the likely occurrence of any threatened species, populations and / or ecological communities listed under Schedules 1 or 2 of the *Threatened Species Conservation Act 1995* and any Rare or Threatened Australian Plant (ROTAP) species.

A plan showing the distribution of any threatened or ROTAP species and the vegetation communities on the subject site, and the extent of vegetation proposed to be cleared should be provided. This plan should be at the same scale as the plan of the area subject to development, and preferably showing the footprint of the proposed development superimposed on the vegetation, in order to assist in the assessment of impacts on existing vegetation.

Where the assessment concludes that threatened species, populations or their habitats, or endangered ecological communities exist on or are in close proximity to the subject site, the effect of the proposed development should be determined by an assessment pursuant to Section 5A of the *Environmental Planning and Assessment Act 1979*. An assessment of the impact of the development on the plant communities and / or ROTAP species should also be provided.

A description of the measures proposed to mitigate and / or ameliorate the impact of the development on the plant communities, threatened and ROTAP species.

Fauna

A fauna survey to identify the distribution and abundance of fauna species known or likely to use the subject site should be undertaken. This should include a description of available fauna habitats and an assessment of the conservation status of each of the faunal components at a local, regional and State level.

A plan showing the results of the above survey should be provided. The plan should be at the same scale as (or as an overlay to) the plan of the development footprint and overall site, to assist in the assessment of potential impacts of the proposal on fauna.

An assessment of the potential impact of the development on fauna should be provided.

An assessment of the occurrence or likely occurrence of threatened species or populations, or their habitats, on the subject land should be provided. Where the assessment concludes that threatened species or populations, or their habitats, exist on or in close proximity to the subject site, the effect of the proposal should be determined in accordance with an assessment pursuant to Section 5A of the *Environmental Planning and Assessment Act 1979*.

A description of the measures proposed to mitigate and/or ameliorate the impact of the development on fauna should be provided.

Surveys and Assessments

The DECC can provide records of flora and fauna held in:

The Wildlife Atlas <http://wildlifeatlas.nationalparks.nsw.gov.au/wildlifeatlas/watlas.jsp>

- Rare or Threatened Australian Plants (ROTAP) database.
- Threatened Species, Populations & Ecological Communities of NSW Catchments
www.threatenedspecies.environment.nsw.gov.au

It should be noted that these databases are not comprehensive, should only be used as a guide and do not negate the need for specific site investigations.

To address likely impacts on threatened species (including their habitat), populations and ecological communities, the proponent will need to engage a suitably qualified environmental consultant to conduct an appropriate flora and fauna survey and provide an assessment report. This report will need to evaluate and mitigate any adverse impacts on such species, populations and communities on the subject site and within the immediate vicinity. Surveys and assessments should not be confined to the immediate development footprint, but also include any areas where ancillary works may be undertaken, for example, any upgrade in site access roads or other supporting infrastructure.

Surveys are required to be undertaken during optimal climatic and seasonal conditions for all potentially occurring flora and fauna species and need to consider issues such as migratory species movements, the availability of shelter, breeding, pollination patterns and prerequisites, and also the relative availability of food resources and habitat.

Surveys should be undertaken in accordance with '*Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities*' (DEC – November 2004), available at:
http://www3.environment.nsw.gov.au/pdfs/tbsa_guidelines_draft.pdf

Dates and times, site locations, survey design and methodology, analysis techniques and weather conditions at the time of the assessments and surveys must be provided. The limitations of surveys should be identified and the results interpreted accordingly.

Conclusions drawn in surveys and assessments should be substantiated by evidence resulting from those surveys and assessments. The document being supported by the surveys and assessments should reflect the conclusions and clearly state where recommendations of the survey and assessments have been incorporated in the proposal.

11. ABORIGINAL AND CULTURAL HERITAGE

To address and document any potential impacts on Aboriginal cultural heritage the DECC will require the proponent to engage a suitably qualified Aboriginal cultural heritage consultant to assess the occurrence of Aboriginal objects or sites on the proposed development site.

If Aboriginal objects or sites are likely to be found on the proposed development site then the proponent should undertake surveys to determine the cultural heritage values of the site, and report how those values may be impacted by the development and provide appropriate avoidance, mitigation or compensatory measures. The EA needs to clearly demonstrate that effective community consultation with Aboriginal communities has been undertaken in determining and assessing the impacts, developing mitigation options and finalisation recommendations.

The presence or absence of Aboriginal objects should be identified and the significance of the area to the local Aboriginal community must be determined. Accordingly a search of the Aboriginal Heritage Information Management System (AHIMS) should be conducted as a first step. Search results can be obtained upon written application to the Registrar, Cultural Heritage Division, on telephone (02) 9585 6513. Further information on AHIMS can be found at:

<http://www.environment.nsw.gov.au/licences/AboriginalHeritageInformationManagementSystem.htm>

In carrying out the assessment the proponent may wish to refer to the following guidelines:

- Interim Community Consultation Requirements for Applicants, available at:
- http://www3.environment.nsw.gov.au/PDFs/interim_consultation_guidelines.pdf
- Aboriginal Cultural Heritage Standards and Guidelines Kit, available at:
http://www3.environment.nsw.gov.au/PDFs/aboriginal_heritage_guidelines_kit_final.pdf

12. GREENHOUSE EMISSIONS

DECC requires the following in relation to greenhouse emissions:

1. A comprehensive assessment of and report on the project's predicted greenhouse gas emissions (tCO₂e), including emissions on:
 - (a) a tonnes per unit of production basis;
 - (b) a total annual emissions basis; and
 - (c) a total project lifetime basis.
2. The emissions associated with the project should include direct emissions, indirect emissions (eg those associated with electricity use) and any significant upstream and/or downstream emissions associated with the project.
3. The emissions should be estimated using an appropriate methodology (eg AGO's Factors and Methods Workbook 2006)
4. Annual emissions should be compared against:
 - (a) 'best practice' emissions for the activity; and
 - (b) total annual NSW emissions, so the impact of the proposal on NSW emission reduction targets can be evaluated.
5. The proponent should evaluate and report on the feasibility of measures to reduce emissions

13. DECC LICENSING REQUIREMENTS – PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

The proposal may require the DECC to issue Environment Protection Licences under the provisions of the POEO Act 1997, in particular, Marina and Boat Repairs and Extractive Activities.

General information on licence requirements can be obtained from the DECC's Environment Line on 131 555 during office hours, or can be found at the DECC web site at:

<http://www.environment.nsw.gov.au/licensing/>

May 2008

100

The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. It is shown that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

In the second part of the paper, the author discusses the problem of the structure of the nucleus. It is shown that the structure of the nucleus is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

The third part of the paper is devoted to a discussion of the problem of the structure of the molecule. It is shown that the structure of the molecule is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

In the fourth part of the paper, the author discusses the problem of the structure of the crystal. It is shown that the structure of the crystal is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

The fifth part of the paper is devoted to a discussion of the problem of the structure of the liquid. It is shown that the structure of the liquid is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

In the sixth part of the paper, the author discusses the problem of the structure of the gas. It is shown that the structure of the gas is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

The seventh part of the paper is devoted to a discussion of the problem of the structure of the plasma. It is shown that the structure of the plasma is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

In the eighth part of the paper, the author discusses the problem of the structure of the solid. It is shown that the structure of the solid is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

The ninth part of the paper is devoted to a discussion of the problem of the structure of the liquid crystal. It is shown that the structure of the liquid crystal is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.





Department of Lands

Ms Jane Flanagan
Dept of Planning
GPO Box 39
SYDNEY NSW 2001

98 Victoria Street Taree 2430
email: terrence.hemmingway@lands.nsw.gov.au
www.lands.nsw.gov.au
Phone: 02 65913513

20 May 2008

Dear Ms Flanagan

Re: Key Issues – Pitt Street Taree Waterfront Precinct - Major Project 08_0039

I refer to your letter of 5 May 2008 concerning the above. The Department of Lands is charged with the responsibility of managing and administering Crown lands and Crown roads situated within the State. There are several parcels of Crown land within the concept footprint, as well as the tidal beds of the Manning River and the un-named tidal creek that flows through lot 2 DP 555702. Departmental records also indicate that Nelson Street, Pitt Street, Lyndhurst Street, Bligh Street and Queens Place hold status as Crown public roads. The sections of Crown reserve within the project area are shown by red edge in the attached diagram. The concept forwarded has been reviewed and there are several issues deemed worthy of comment from the Department's perspective.

1. The Department has been liaising with Council over the waterfront plans and the possible inclusion and use of the Crown lands described above, however, as at the date of this letter, no formal arrangements exist. Therefore it is important that the status of the Crown (public) lands and roads is clearly delineated and marked in any concepts and plans and that any use(s) proposed are consistent with such status.
2. No use or structure should be planned to utilise the Crown reserve areas or occupy the streambeds without the consent of the Department. In terms of the tidal streambeds, the Department would require a survey of the Mean High Water Mark (MHWM) to ensure that possible encroachments are avoided.
3. Tenures under the Crown Lands Act 1989 may be required for structures, works (including dredging, storm water, drainage, retaining walls, boardwalks etc) proposed over the Crown reserves, lands below MHWM, and the tidal creek bed. There will need to be a "body corporate" or similar development corporation to hold land by way of such tenure(s).
4. As general policy, the Department requests that public access be maintained to the foreshore and the Crown public reserves. The Department also favours continuity of public access along the Manning River foreshore with public access being available through the developed lands to the foreshore.
5. Proposed residential and commercial areas should not encroach onto or otherwise plan to utilise the Crown land areas without prior approvals from this Office. The Crown reserves cannot be used to satisfy Section 94 contributions or credits without the consent of the Department.

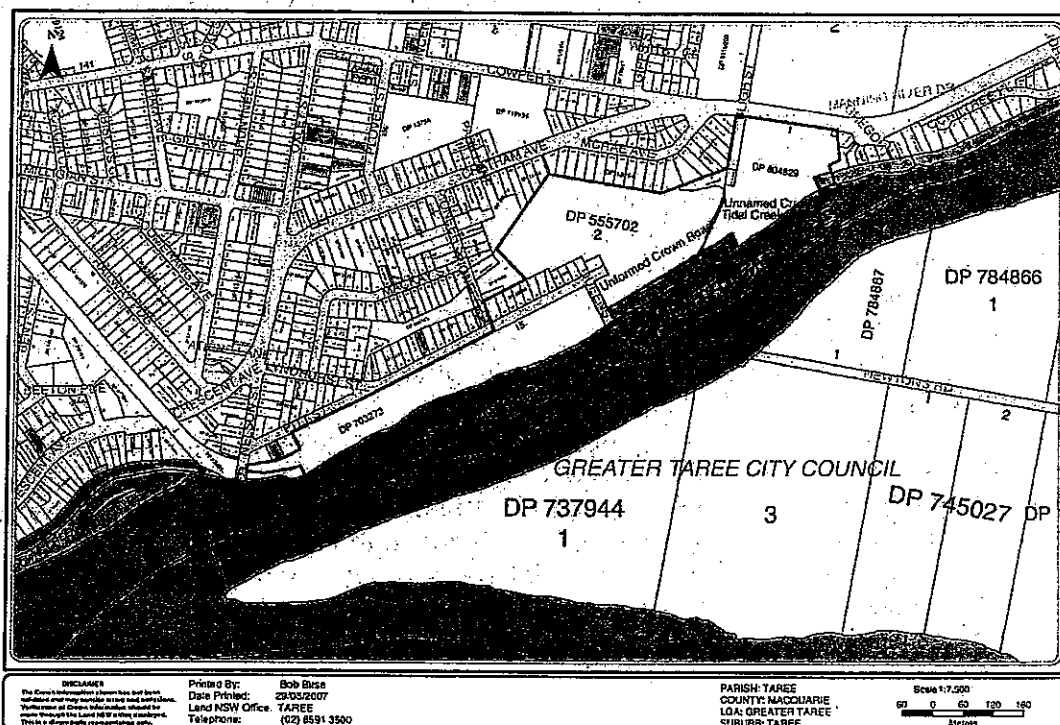
6. Council should take action to have the formed Crown roads included within the concept footprint transferred to Council control terms of Section 151 of the Roads Act, 1993. The future of any unformed Crown roads (including "Queens Place") will need to be negotiated with the Department.
7. The Department requests that the Environmental Assessment considers possible effects on the surrounding environs during the construction and occupations stages. Run off and sediments from the development have the potential to impact on the adjacent Crown lands and the waterways. A Stormwater Quality Management Strategy should be prepared, that outlines receiving water quality targets that accord with current standards and Department of Primary Industries (Fisheries) requirements. Similarly, foreshore native vegetation should be retained where possible, and no vegetation is to be removed from Crown land or land below MHWL without the Department's consent.

Thank you for the opportunity to comment. If further information is required please contact the Department's Taree Office on phone number 65913513.

Yours faithfully

T Hemmingway

T Hemmingway
For Regional Manager
North Coast





ABN 33 274 464 218

Our Ref: 176364
Your Ref: MPO 08_0039

NSW Department of Planning
GPO Box 39
Sydney NSW 2001

Attention: Jane Flanagan

**RE: MP 08_0039 Request for Key Issues & Assessment Requirements
Pitt Street Taree, Waterfront Concept Plan.**

In reference to your letter dated 5 May 2008, MidCoast Water would like to provide the following comments regarding the preparation of a concept masterplan for the subject site.

Parts of the subject site are currently provided with reticulated water & sewer services.

The subject site has been allocated an additional 50 Equivalent Tenements (ET) for future growth in MidCoast Water's current Sewerage Servicing Strategy for the Taree Sewerage Scheme (October 2003). The scale of the proposed development greatly exceeds this allocation.

MidCoast Water will require preparation of water and sewerage servicing strategies for the proposed development. The preparation of these strategies will require further detailed consultation with MidCoast Water. Significant constraints exist in the current water and sewer services within the locality relative to the scale of the proposal. Servicing of the proposed development cannot be confirmed without further detail regarding the proposed development mix, positions and scale. There are also issues to be resolved in servicing of flood prone lands.

Integrated Water Cycle Management

- MidCoast Water requires the preparation of an Integrated Water Cycle Management plan for the proposed development. IWCM considers all water as a resource and applies diverse sources of water to appropriate uses. Considerations often included in an IWCM plan are the use of recycled water, harvesting rainwater or stormwater and the inclusion of demand management measures.

Forster Office:

16 Breese Parade
Locked Bag 4000
Forster NSW 2428

Telephone: (02) 6591 7543

Fax: (02) 6591 7555

28 MAY 2008

19th May 2008

TO Jane
30/05/08
PH

Noted
JF. 30/5

Water Supply

- A water servicing strategy will need to be prepared as part of the masterplan for the site. The strategy will need to identify the demands of the proposed development and include any local augmentations required to service these demands in accordance with MidCoast Water standards.
- All water supply infrastructure to service the development will need to be constructed to MidCoast Water's Codes and be provided at the developer's cost.

Sewerage

- A sewerage servicing strategy will need to be prepared as a part of the masterplan for the site. This strategy will need to demonstrate that the proposed development can be provided with sewerage services in accordance with MidCoast water specifications. The strategy must include any local augmentations required to service the development.
- All sewerage infrastructure to service the development will need to be constructed to MidCoast Water's Codes and be provided at the developer's cost.

Please contact me on (02) 6591 7543 for further information.

Yours faithfully



DAVID MCKELLAR
Development Engineer

File No: 6/2007R
08/9212
RP

Enquiries: Richard Pamplin

re HW
2215108.
Jf. 23/5/08



Administration Centre 2 Pulteney Street
PO Box 482, Taree NSW 2430
DX 7020, Taree

16 May 2008

22 MAY 2008

Heather Warton
Director, Coastal Assessments
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Heather

**RE: LODGEMENT OF PART 3A PROJECT APPLICATION FOR PITT STREET
WATERFRONT PRECINCT**

Council appreciates the opportunity to comment on the Part 3A project application for the Pitt Street, Waterfront Project in Taree. This project is very significant in scale and has the potential to achieve a number of substantial outcomes for our Local Government Area through its construction. Council also appreciates the two opportunities provided by you to discuss this project in person in regard to the rezoning and Masterplanning processes being undertaken by Council.

As you are aware, it was decided that a Part 3A Project Application (to be lodged by the landowners) should be run concurrently, but not tied, to the rezoning of this precinct to enable a mixed-use outcome.

The studies being carried out to support the rezoning, which are anticipated to be completed shortly, include:

- Preliminary Ecological Assessment
- Preliminary Acid Sulphate Soils and Contamination Assessment
- Traffic and Transport Assessment
- Heritage (both Aboriginal and European) Assessment
- Marina Assessment
- Socio-Economic Assessment
- Urban Context Assessment
- Detailed Geotechnical Assessment
- Mangrove and Bank Stability Assessment
- Flood Study

Council has appreciated having Brian Murphy from your Hunter Office represented on its Rezoning Consultation Group to provide input to this rezoning.

Phone 02 6592 5399 • Fax 02 6592 5311

Email graree@gtcc.nsw.gov.au • Web: www.gtcc.nsw.gov.au

Council believes that the above studies, which include requirements stemming from the Section 62 Consultation undertaken with government agencies, will be sufficient for the determination of this project for both the rezoning and Part 3A Project Application. As such, Council does not request any additional assessment requirements.

The key issues for Council in regard to this project are its ability to:

- Provide public waterfront access through land that is currently private
- Provide what is considered a 'missing link' in regard to a proposed walkway/cycleway from the Taree CBD along the waterfront through to Council's Recreation Grounds and Entertainment Precinct
- Provide additional boating facilities for the Manning River
- Revitalise an old industrial precinct
- Provide an economic focus on Taree, rather than only the LGA's coastal settlements
- Provide focus on the Manning River, rather than the former Pacific Highway through the urban area
- Provide the opportunity for consolidation within the existing urban area and support a range of housing needs and commercial and social opportunities.

A major issue for Council will be the public infrastructure requirements of the project including a pedestrian cycle bridge over Browns Creek, pedestrian and cycle links through the site, road connection between Bligh Street and Pitt Street, and the treatment of the land/waterway interface along the length of the project. Council will need to carefully estimate the sequencing of construction of these facilities and will need to consider the long term maintenance responsibility that will lie with Council.

At previous meetings with you it was requested that consideration be given to the Department delegating the assessment requirements for future applications stemming from the project application back to Council. Council is happy for this to occur and would appreciate your advice as to whether this is possible or not, particularly in light of the proposed legislative amendments.

It is considered that given the proposed Masterplan, the proposed Development Control Plan and the Ministers Part 3A Approval there will be adequate planning framework to enable local assessment the individual development applications that will achieve the project over time.

Council hopes that the Part 3A Project Application will integrate with the Masterplan outcomes produced as part of the rezoning

If you have any queries in regard to this matter, please either contact myself on (02) 592 5230 or Council's Manager Environmental & Strategic Planning, Richard Pamplin, on (02) 6592 5266.

Yours faithfully


GRAHAM GARDNER
Director Planning and Building

rec'd

23/5/08

to Planning

non /

Jane Flanagan

Sy 23/5/08

23 MAY 2008



NSW Government

Department of Water & Energy

Contact: Jeff Hunt

Phone: 49042634

Fax: 49042503

Email: Jeff.Hunt@dnr.nsw.gov.au

Department of Planning
GPO Box 39
SYDNEY NSW 2001

23 MAY 2008

Our ER Ref: ER20038
Your File Ref: MP 08_0039

20 May 2008

Attention: Jane Flanagan

Dear Ms. Flanagan

**MP08_0039 - REQUEST FOR ASSESSMENT REQUIREMENTS PROPOSED
WATERFRONT PRECINCT CONCEPT PLAN PITT STREET, TAREE**

I refer to your letter of 05 May 2008 requesting key issues and assessment requirements for the project proposal. The Department of Water and Energy (DWE) provides the following advice for consideration:

Relevant Legislation

The assessment is required to take into account the objectives and regulatory requirements of the following legislation (administered by DWE), as applicable:

- Water Act 1912
- Water Management Act 2000 (WMA)

Water Sharing Plans

Gazetted Water Sharing Plans (WSPs) prepared under the provisions of the WMA establish rules for access to, and the sharing of water between the environmental needs of the surface or groundwater source and water users. If the proposal is within a gazetted WSP area the assessment is required to demonstrate consistency with the rules of the WSP. Refer to: <http://www.dnr.nsw.gov.au/water/plans.shtml>

Relevant Policies

The assessment is required to take into account the following NSW Government policies, as applicable:

- NSW Groundwater Policy Framework Document - General
- NSW Groundwater Quantity Management Policy
- NSW Groundwater Quality Protection Policy
- NSW Groundwater Dependent Ecosystem Policy
- NSW State Rivers and Estuaries Policy
- NSW Sand and Gravel Extraction Policy for Non-Tidal Rivers
- NSW Wetlands Management Policy
- NSW Farm Dams Policy
- NSW Weirs Policy

Guidelines

The assessment is required to take into account the following DWE Guidelines for Controlled Activities (February 2008), as applicable:

- Riparian corridors (and associated Vegetation Management Plans)
- Watercourse crossings
- Laying pipes and cables in watercourses
- Outlet structures
- In-stream works

Refer to: http://www.dnr.nsw.gov.au/water/controlled_activity.shtml

Groundwater

DWE is responsible for the management of the groundwater resources so they can sustain environmental, social and economic uses for the people of New South Wales.

Groundwater source

The assessment is required to identify groundwater issues and potential degradation to the groundwater source and provide the following:

- Details of the predicted highest groundwater table at the development site.
- Details of any works likely to intercept, connect with or infiltrate the groundwater sources.
- Details of any proposed groundwater extraction, including purpose, location and construction details of all proposed bores and expected annual extraction volumes.
- Describe the flow directions and rates and the physical and chemical characteristics of the groundwater source.
- Details of the predicted impacts of any final landform on the groundwater regime.
- Details of the existing groundwater users within the area (including the environment) and include details of any potential impacts on these users.
- Assessment of the quality of the groundwater for the local groundwater catchment.
- Details of how the proposed development will not potentially diminish the current quality of groundwater, both in the short and long term.
- Details on preventing groundwater pollution so that remediation is not required.
- Details on protective measures for any groundwater dependent ecosystems (GDEs).
- Details of proposed methods of the disposal of waste water and approval from the relevant authority.
- Assessment of the need for an Acid Sulfate Management Plan (prepared in accordance with ASSMAC guidelines).
- Assessment of the potential for saline intrusion of the groundwater and measures to prevent such intrusion into the groundwater aquifer.
- Details of the results of any models or predictive tools used.

Where potential impact/s are identified the assessment will need to identify limits to the level of impact and contingency measures that would remediate, reduce or manage potential impacts to the existing groundwater resource and any dependent groundwater environment or water users, including information on:

- Details of any proposed monitoring programs, including water levels and quality data.
- Reporting procedures for any monitoring program including mechanism for transfer of information.

- An assessment of any groundwater source/aquifer that may be sterilised as a consequence of the proposal.
- Identification of any nominal thresholds as to the level of impact beyond which remedial measures or contingency plans would be initiated (this may entail water level triggers or a beneficial use category).
- Description of the remedial measures or contingency plans proposed.
- Any funding assurances covering the anticipated post development maintenance cost, for example on-going groundwater monitoring for the nominated period.

Groundwater licensing

All proposed groundwater works, including bores for the purpose of investigation, extraction, dewatering, testing or monitoring must be identified in the proposal and an approval obtained from DWE prior to their installation.

Groundwater dependent ecosystems

The assessment is required to identify any impacts on GDEs.

GDEs are ecosystems which have their species composition and natural ecological processes wholly or partially determined by groundwater. GDEs represent a vital component of the natural environment. GDEs can vary dramatically in how they depend on groundwater, from having occasional or no apparent dependence through to being entirely dependent. GDEs occur across both the surface and subsurface landscapes ranging in area from a few metres to many kilometres. Increasingly, it is being recognised that surface and groundwaters are often interlinked and aquatic ecosystems may have a dependence on both.

Ecosystems that can depend on groundwater and that may support threatened or endangered species, communities and populations, include:

- Terrestrial vegetation that show seasonal or episodic reliance on groundwater.
- River base flow systems which are aquatic and riparian ecosystems in or adjacent to streams/rivers dependent on the input of groundwater to base flows.
- Aquifer and cave ecosystems.
- Wetlands.
- Estuarine and near-shore marine discharge ecosystems.
- Fauna which directly depend on groundwater as a source of drinking water or live within water which provide a source.

The NSW Groundwater Dependent Ecosystem Policy provides guidance on the protection and management of GDEs. It sets out management objectives and principles to:

- Ensure the most vulnerable and valuable ecosystems are protected.
- Manage groundwater extraction within defined limits thereby providing flow sufficient to sustain ecological processes and maintain biodiversity.
- Ensure sufficient groundwater of suitable quality is available to ecosystems when needed.
- Ensure the precautionary principle is applied to protect GDEs, particularly the dynamics of flow and availability and the species reliant on these attributes.

A number of gazetted WSPs list and map priority GDEs and set out the management strategies and actions for sharing and protecting groundwater quality, quantity and dependent ecosystems.

Surface Water

DWE is responsible for the sustainable management of rivers, estuaries, wetlands and adjacent riverine plains.

Watercourse/riparian

The assessment is required to consider the impact of the proposal on the watercourses and associated riparian vegetation within the site, by providing the following:

- Identify of the sources of surface water.
- Details of stream order (using the Strahler System).
- Details of any proposed surface water extraction, including purpose, location of existing and proposed pumps, dams, diversions, cuttings and levees.
- Detailed description of any proposed development or diversion works including all construction, clearing, draining, excavation and filling.
- An evaluation of the proposed methods of excavation, construction and material placement.
- A detailed description of all potential environmental impacts of any proposed development in terms of riparian vegetation, sediment movement, water quality and hydraulic regime.
- A detailed description of all structures to be sited in-stream, including wharves, marinas and floating pools, and a detailed assessment of the impact of these structures on the stream environment, including bed and bank stability and stream flow and function.
- A description of the design features and measures to be incorporated into any proposed development to guard against long term actual and potential environmental disturbances, particularly in respect of maintaining the natural hydrological regime and sediment movement patterns and the identification of riparian buffers. (See note below)
- Details of the impact on water quality and remedial measures proposed to address any adverse effects.

The *Rivers and Foreshores Improvement Act 1948 (RFIA)* has been repealed and the controlled activity provisions in the *WMA* have commenced. The provisions relating to Controlled activities replaced the *RFIA* from 4 February 2008.

Riparian corridors form a transition zone between terrestrial and aquatic environments and perform a range of important environmental functions. The protection or restoration of vegetated riparian areas is important to maintain or improve the geomorphic form and ecological functions of watercourses through a range of hydrologic conditions in normal seasons and also in extreme events.

Although Part 3A Major Projects are exempt from requiring a controlled activities approval (s91 of *WMA*), the assessment is required to take into account the objectives and provisions of relevant legislation and guidelines.

NOTE: Recommended Core Riparian Zones (as applicable):

- Minimum of 10m for any intermittently flowing 1st order watercourse;
- 20m for any permanently flowing 1st order watercourse or any 2nd order watercourse;
- 20m to 40m (merit based assessment) for any 3rd order or greater watercourse.

[Note: Watercourse order as classified under the Strahler System].

http://www.dnr.nsw.gov.au/water/controlled_activity.shtml

Water management structures/dams

DWE is responsible for the management and licensing of these structures under water legislation.

If the proposal includes existing or proposed water management structures/dams, the assessment is required to provide information on the following:

- Date of construction (for existing structure/s).
- Details of the legal status/approval for existing structure/s.
- Details of any proposal to change the purpose of existing structure/s.
- Details if any remedial work is required to maintain the integrity of the existing structure/s.
- Clarification if the structure/s is on a watercourse.
- Details of the purpose, location and design specifications for the structure/s.
- Size and storage capacity of the structure/s.
- Calculation of the Maximum Harvestable Right Dam Capacity (MHRDC).
- Details if the structure/s is affected by flood flows.
- Details of any proposal for shared use, rights and entitlement of the structure/s.
- Details if the proposed development/subdivision has the potential to bisect the structure/s.

DWEs Farm Dams Assessment Guide provides details on harvestable rights and the calculation of the MHRDC. Refer to:

http://www.naturalresources.nsw.gov.au/water/farm_dams/index.shtml

Basic Landholder Rights

The WMA identifies Basic Landholder Rights (BLRs) for access to water whereby landholders over an aquifer or with river or lake frontage can access water for domestic (household) purposes or to water stock without the need for a water licence (although a works approval may still be required). This has the potential to impact inequitably on existing licensed water users (under a WSP) in the case where riparian frontage continues to be subdivided, creating new basic rights for water extraction.

If this is an issue for the proposal the assessment should identify any potential for creation of new BLRs along the frontage to major waterways or over any sensitive aquifers. For those subdivisions fronting rivers/lakes, innovative subdivision design which allows the creation of additional lots without direct river/lake frontage or utilizes collective or community title to manage the use of any existing BLR could provide a satisfactory way of managing this issue whilst still allowing for subdivision. Subdivisions over a sensitive aquifer however, may be more limited in using this approach.

Sustainable Water Supply

Many gazetted WSPs to-date have identified particular surface and groundwater systems that are currently over-allocated (that is, water licence volumes issued to landholders operating in these catchments exceed the sustainable volumes/flows within these systems). In the case of over-allocation, the systems have subsequently been embargoed and no new water licenses are to be issued within these catchments. Any new or expanded development within such catchments will therefore be unable to obtain any new water entitlements directly and will have to enter the water trading market (if available within that catchment) to seek additional water. Therefore, there can be no guarantees of obtaining additional water via this mechanism and there is the potential of restrictions on further development within such catchments.

The assessment is required to address the issue of provision of a sustainable water supply for any project proposal. The assessment should include Water Management Plans detailing how a sustainable and efficient water supply can be sourced and

implemented with minimal reliance on accessing valuable surface and groundwater resources.

Through the implementation of BASIX, Integrated Water Cycle Management and Water Sensitive Urban Design, any proposed development must also be able to exhibit high water use efficiency.

Stormwater Control and Treatment

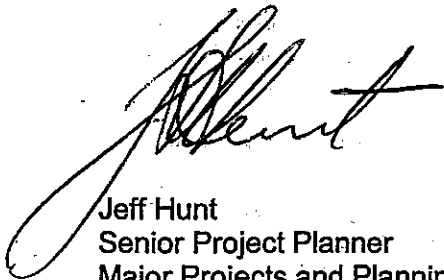
DWE requires that all structural works, including works for stormwater capture and treatment, are located outside any riparian buffers. The Department will however consider the construction of online works on minor streams, with adequate justification. Any Stormwater Management Plan for the site must maintain environmental flows and inundation patterns in the watercourses (ie. post development flows should match pre-development flows).

Water and Sewerage Services

While the Department has no statutory water supply or sewerage responsibilities in relation to the proposal, due consideration should be given to ensure that adequate water and sewerage services are provided to the area and that appropriate developer contributions for water and sewerage are levied.

The Department would be pleased to provide more detailed comment when the project assessment is available. Should you require any further information on any of the above water issues, please contact me on 49042634 (or Jeff.Hunt@dnr.nsw.gov.au).

Yours sincerely



Jeff Hunt
Senior Project Planner
Major Projects and Planning

30 MAY 2008

All communications to be addressed to:

Headquarters
NSW Rural Fire Service
Locked Mail Bag 17
GRANVILLE NSW 2142

Headquarters
NSW Rural Fire Service
15 Carter Street
HOMEBUSH BAY NSW 2127

Telephone: (02) 8741 5555
e-mail: developmentcontrol@rfs.nsw.gov.au

Facsimile: (02) 8741 5550



Coastal Assessments
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attention: Jane Flanagan

Your Ref: MP 08_0039

Our Ref: S08/0022
G08/1433

ke h
30/5/08
TO
Palmation
TO Jane Flanagan
2/6/08

26 May 2008

Dear Ms Flanagan,

Re: Request for Provision of Key Issues and Assessment Requirements for Pitt Street, Taree, Waterfront Precinct Concept Plan.

I refer to your letter dated 5 May 2008 seeking the NSW Rural Fire Service key issues and assessment requirements regarding bushfire protection for the above property in accordance with section 75F (4) of the *Environmental Planning and Assessment Act 1979*.

Please be advised that the above property is not classified as bush fire prone land. Accordingly, the NSW Rural Fire Service raises no issues in relation to bush fire for the above development.

For any enquiries regarding this correspondence please contact Luke Catorall.

Yours faithfully,

Nika Fomin
Development Control Co-ordinator

The RFS has made getting additional information easier. For general information on *Planning for Bush Fire Protection 2006*, visit the RFS web page at www.rfs.nsw.gov.au and search under *Planning for Bush Fire Protection 2006*.

6

6

23rd May 2008

26 MAY 2008

NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attn: Jane Flanagan
Your Ref: MP 08_0039

*KLM
2/6/08-
to Paula Wn.
To Jane Flanagan
3/6/08
PH
Jf 3/6/08*

Dear Jane,

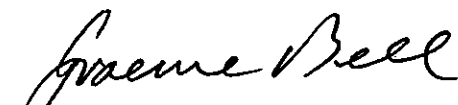
**RE: REQUEST FOR PROVISION OF DETAILS OF KEY ISSUES AND
ASSESSMENT REQUIREMENTS – PITT STREET, TAREE, WATERFRONT
PRECINCT CONCEPT PLAN.**

Country Energy has no key issues with the proposed development for the waterfront Precinct at Pitt Street, Taree.

The following should be noted with respect to electricity supply:

1. The current Country Energy Capital Contribution policy will apply.
2. Existing electrical infrastructure within the development area is limited.
3. Details of the notified electrical demand and timing of the development will be required so that appropriate planning can be undertaken.

Yours Sincerely,



Graeme Bell
Manager Planning and Customer Connection
Mid North Coast Region

1. The first part of the document is a list of names and addresses of the members of the committee. The names are written in a cursive hand, and the addresses are written in a more formal, printed hand. The list is organized in two columns, with names on the left and addresses on the right.

2. The second part of the document is a list of names and addresses of the members of the committee. The names are written in a cursive hand, and the addresses are written in a more formal, printed hand. The list is organized in two columns, with names on the left and addresses on the right.

3. The third part of the document is a list of names and addresses of the members of the committee. The names are written in a cursive hand, and the addresses are written in a more formal, printed hand. The list is organized in two columns, with names on the left and addresses on the right.

4. The fourth part of the document is a list of names and addresses of the members of the committee. The names are written in a cursive hand, and the addresses are written in a more formal, printed hand. The list is organized in two columns, with names on the left and addresses on the right.

5. The fifth part of the document is a list of names and addresses of the members of the committee. The names are written in a cursive hand, and the addresses are written in a more formal, printed hand. The list is organized in two columns, with names on the left and addresses on the right.

426DA30;1
08/1012
VB



Director, Coastal Assessments
Department of Planning
GPO Box 39
SYDNEY NSW 2001

- 3 JUN 2008

VCU Wm

316108

TO

Pauline Wm
TO: Jane Flanagan

416108

NOEL-Jef 4/6/08

Attention: Ms Heather Warton

REQUEST FOR PROVISION OF DETAILS OF KEY ISSUES AND ASSESSMENT REQUIREMENTS – PROPOSED WATERFRONT PRECINCT CONCEPT PLAN, PITT STREET, TAREE

Dear Ms Warton

I refer to your letter dated 5 May 2008 (Your reference: MP 08_0039) requesting the provision of key issues which the Roads and Traffic Authority (RTA) believes should form part of the Director-Generals Environmental Assessment Requirements (DGR's) for the subject proposal.

The proposal is likely to meet the requirements for consideration under *Schedule 3 Traffic Generating Development of State Environmental Planning Policy SEPP (Infrastructure) 2007*.

The RTA's primary interests are in the road network, traffic and broader transport issues, particularly in relation to the efficiency and safety of the classified road system, the security of property assets and the integration of land use and transport.

In accordance with the *Roads Act 1993*, the RTA has powers in relation to road works, traffic control facilities, connections to roads and other works on the classified road network. As Commerce Street (MR 182) is a classified regional road, RTA concurrence is required for connections to the road with Council consent, under section 138 of the Act. RTA consent is required for traffic signals under section 87 of the Act. Council is the roads authority for Commerce Street and all other public roads in the area.

The RTA has reviewed the information provided and would have no objections to or requirements for the proposed development as it is unlikely to have a significant traffic impact on the classified road network. However, as the traffic matters in this instance are primarily the responsibility of Taree City Council, you should consult with that authority regarding the possible traffic generating impacts of the proposed development, particularly on the Commerce Street / Victoria Street intersection which is a traffic signal controlled intersection.



Please contact me on (02) 4924 0240 if you require further advice.

Yours sincerely



Dave Young
Manager, Land Use Development
Hunter Operations & Engineering Services

29 May 2008

Cc Mr Graham Gardner
Greater Taree City Council



26 MAY 2008

Ms Heather Wharton
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Our ref: CF08-086
Your ref: MP 08-0039

KLW
2/6/08
To Paula Ho
To Jane Flanagan
3/6/08
PJ
Jf - 3/6/08

Dear Heather

Re: Key issues and assessment requirements for Pitt St Taree Waterfront Precinct Concept plan

Thank you for your letter requesting Key Issues and Environmental Assessment (EA) requirements from NSW Department of Primary Industries (DPI) for the proposal cited above. The information listed below may be of some assistance in the preparation of the EA for this proposal.

In particular management of stormwater should be carefully considered so as to minimise any negative impacts on the surrounding environment.

Definitions

The definitions given below are relevant to these requirements:

Fish means any part of marine, estuarine or freshwater fish or other aquatic animal life at any stage of their life history (whether alive or dead). Fish include oysters and other aquatic molluscs, crustaceans, echinoderms and beachworms and other aquatic polychaetes.

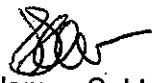
Marine vegetation means any species of plant that at any time in its life must inhabit water (other than fresh water).

Waters refers to all waters including tidal waters below mean high water mark as well as flowing streams, irregularly flowing streams, gullies, rivers, lakes, coastal lagoons, wetlands and other forms of natural or man made water bodies on both private and public land.

Useful Information

To help you in the preparation of an EIA, the publication "*Guidelines for the Assessment of Aquatic Ecology in EIA*" (Draft 1998) produced by the Department for Urban Affairs and Planning may prove useful in outlining appropriate procedures and methodologies for conducting aquatic surveys. Should you require any further information on these requirements please contact the Aquatic Habitat Protection Unit at Port Stephens on 4916 3955.

Yours sincerely


James Sakker
Conservation Manager

Matters to be Addressed

1. General Requirements

The EIA must include the information outlined below:

A topographic map of the locality at a scale of 1:25 000 should be provided. This map should detail the location of all component parts of the proposal, any areas locally significant for threatened species (such as aquatic reserves), and areas of high human activity (such as townships, regional centres and major roads).

A recent aerial photograph (preferably colour) of the locality (or reproduction of such a photograph) should be provided, if possible. This aerial photograph should clearly show the subject site and indicate the scale of the photograph.

GENERAL REQUIREMENTS

- Area which may be affected either directly or indirectly by the development or activity should be identified and shown on an appropriately scaled map (and aerial photographs).
- All waterbodies and waterways within the proposed area of development are to be identified.
- Description of aquatic vegetation, snags, gravel beds and any other protected, threatened or dominant habitats should be presented.
- Area, density and species composition should be included and mapped.
- Identification of recognised recreational and commercial fishing grounds, aquaculture farms and/or other waterways users.
- Presented maps or plans
- Description of proposal and study area
- Details of the location of all component parts of the proposal, including any auxiliary infrastructure, timetable for construction of the proposal with details of various phases of construction
- Size of the area affected
- Aspects of the management of the proposal, both during construction and after completion, which relate to impact minimisation eg Environment Management Plans
- Plan of study area
- Locations and types of landuses present
- Locations of streams and other waterbodies
- Land tenure details for all land parcels
- For each freshwater body identified on the plan, the plan should include, either by annotation or by an accompanying table, hydrological and stream morphology information such as: flow characteristics, including any seasonal variations, bed substrate, and bed width
- For each marine or estuarine area identified on the plan, the plan should include, either by annotation or by an accompanying table, hydrological and stream morphology information such as: tidal characteristics, bed substrate, and depth contours

DREDGING AND RECLAMATION ACTIVITIES

- Purpose of works
- Type(s) of marine vegetation in the vicinity of the proposed works
- Distance of adjacent marine vegetation from the outer boundary of the proposed works
- Method of dredging to be used
- Duration of dredging works
- Time of dredging works
- Dimension of area to be dredged
- Depth of dredging activities
- Nature of sediment to be dredged, including Acid Sulphate Soil

- Method of marking area subject to works
- Environmental safeguards to be used during and after works
- Measures for minimising harm to fish habitat under the proposal
- Spoil type and source location for reclamation activities
- Method of disposal of dredge material
- Location and duration of spoil stockpiling, if planned
- Volume of material to be extracted or placed as fill

ACTIVITIES THAT DAMAGE MARINE VEGETATION

- Type of marine vegetation to be harmed
- Amount of marine vegetation to be harmed, map distribution of marine vegetation
- Reasons for harming marine vegetation
- Methods of harming marine vegetation
- Construction details
- Duration of works/activities
- Measures for minimising harm to marine vegetation under the proposal
- Environmental measures to be employed, if necessary
- Method and location of transplanting activities or disposal of marine vegetation

ACTIVITIES THAT BLOCK FISH PASSAGE

- Type of activity eg works in a stream that change flow or morphological characteristics
- Length of time fish passage is to be restricted
- Timing of proposed restriction
- Remediation works

THREATENED SPECIES

- Threatened aquatic species assessment (Section 5c, EP&A Act 1979)
- Seven Part Test

2. Initial Assessment

A list of threatened species, endangered populations and endangered ecological communities must be provided. In determining these species, consideration must be given to the habitat types present within the study area, recent records of threatened species in the locality and the known distributions of these species.

In describing the locality in the vicinity of the proposal, discussion must be provided in regard to the previous land and water uses and the effect of these on the proposed site. Relevant historical events may include land clearing, agricultural activities, water abstraction/diversion, dredging, de-snagging, reclamation, siltation, commercial and recreational activities.

A description of habitat including such components as stream morphology, in-stream and riparian vegetation, water quality and flow characteristics, bed morphology, vegetation (both aquatic and adjacent terrestrial), water quality and tide/flow characteristics must be given. The condition of the habitat within the area must be described and discussed, including the presence and prevalence of introduced species. A description of the habitat requirements of threatened species likely to occur in the study area must be provided.

In defining the proposal area, discussion must be provided in regard to possible indirect effects of the proposal on species/habitats in the area surrounding the subject site: for example, through altered hydrological regimes, soil erosion or pollution. The study area must extend downstream and/or upstream as far as is necessary to take all potential impacts into account.

Please Note: Persons undertaking aquatic surveys may be required to hold or obtain appropriate permits or licences under relevant legislation.

For example:

Fisheries Management Act 1994

- Permit to take fish or marine vegetation for research or other authorised purposes (Section 37)
- Licence to harm threatened (aquatic) species, and/or damage the habitat of a threatened species (Section 220ZW).

Animal Research Act 1985:

- Animal Research Authority to undertake fauna surveys.

It is recommended that, prior to any field survey activities taking place, those persons proposing to undertake those activities give consideration to their obligation to obtain appropriate permits or licences which may be required in the specific context of the proposed survey activities.

3. Assessment of Likely Impacts

The EIA must:

- describe and discuss significant habitat areas within the study area;
- outline the habitat requirements of threatened species likely to occur in the study area;
- indicate the location, nature and extent of habitat removal or modification which may result from the proposed action;
- discuss the potential impact of the modification or removal of habitat;
- identify and discuss any potential for the proposal to introduce barriers to the movement of fish species; and
- describe and discuss any other potential impacts of the proposal on fish species or their habitat.

For all species likely to have their lifecycle patterns disrupted by the proposal to the extent that individuals will cease to occupy any location within the subject site, the EIA must describe and discuss other locally occurring populations of such species. The relative significance of this location for these species in the general locality must be discussed in terms of the extent, security and viability of remaining habitat in the locality.

4. Ameliorative Measures

The EIA must consider how the proposal has been or may be modified and managed to conserve fisheries habitat on the subject site and in the study area.

In discussing alternatives to the proposal, and the measures proposed to mitigate any effects of the proposal, consideration must be given to developing long term management strategies to protect areas within the study area which are of particular importance for fish species. This may include proposals to restore or improve habitat.

Any proposed pre-construction monitoring plans or on-going monitoring of the effectiveness of the mitigation measures must be outlined in detail, including the objectives of the monitoring program, method of monitoring, reporting framework, duration and frequency.

In the event of a request for concurrence or consultation with the Director of NSW DPI, one (1) copy of the EIA should be provided to NSW DPI in order for the request to be processed.

It should be noted that NSW DPI has no regulatory or statutory role to review draft EIAs unless they are accompanied by or are requested as part of a licence application under Part 7A of the FM Act. However, NSW DPI is available to provide advice to consent and determining authorities regarding DPI's opinion as to whether the requirements have been met if requested, pending the availability of resources and other statutory priorities.

Jane Flanagan - Proposed development at Pitt St Taree

From: "Geoff LeMESSURIER" <Geoff.LeMESSURIER@cma.nsw.gov.au>
To: <jane.flanagan@planning.nsw.gov.au>
Date: 03/06/2008 14:07
Subject: Proposed development at Pitt St Taree

Hi Jane

I know this is too late for the 20 May 2008 timeframe but I thought better late than never.

Just a couple of issues for the CMA re the development:

1. Acid sulfate soil issues re the proposed marina
2. foreshore stabilisation issues - the CMA encourages soft options for foreshore stabilisation such as rock fillets that encourage mangrove establishment rather than hard options such as concrete walls or rock revetment. The aim is to encourage riparian ecosystems.
3. The developer is the subject of an alleged Native vegetation management breach with another development at Old Bar.

My apologies for being late.

Regards Geoff

Geoff LeMessurier
Catchment Officer
Hunter/Central Rivers CMA
Ph: 65518994 ext 239
Mobile: 0427685906
Fax: 65522047
Mail: PO Box 440 Taree 2430

What's another word for Thesaurus?

After they make styrofoam, what do they ship it in?

Everywhere is within walking distance, if you have the time.

