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CROWN LANDS

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File No: 07/2244 & DOC11/091271  
Your Ref: 09\_0019  
15 August 2011

Director  
Metropolitan and Regional Projects North  
GPO Box 39  
Sydney NSW 2001

Dear Sir/Madam

**RE: ENVIRONMENTAL ASSESSMENT EXHIBITION: MAJOR PROJECT 09-0019 – RIVERSIDE TOURIST CABINS, NEW ENTRANCE ROAD, SOUTH WEST ROCKS.**

<b>Application No.</b>	09_0019
<b>Location</b>	Lot 4 DP 1022342 New Entrance Road South West Rocks
<b>Proponent</b>	Shannon Pacific Pty Ltd
<b>Council Area</b>	Kempsey
<b>Approval Authority</b>	Minister for Planning and Infrastructure

Crown Lands is writing in response to the public exhibition of the above project. Crown Reserve 86006 for Future Public Requirements (Lot 339 DP 754396) exists 20m to the north of the site, north of Government Road.

The majority of the proposed development site, and the Crown Reserve, is SEPP 14 Wetland. According to **Section 4.6.2**, "restoring tidal flows to the SEPP 14 wetland area in the site has the potential to export acidic water and other products of ASS oxidation into Back Creek", and "it is understood that the wetland area above the floodgates may have contained acid scalds".

Crown Lands Concerns - Riverside Tourist Cabins

Crown Lands do not have any major concerns with the proposed tourist development on Lot 4 DP 1022342.

Crown Lands Concerns - Installing Floodgate / Restoring Tidal Flow Component

Whilst the restoration of tidal flow to the site is likely to be an environmentally beneficial project in long term if undertaken appropriately, there are concerns with restoring tidal flow to wetland areas that have been 'drained'. This is particularly relevant when a site is impacted upon by Acid Sulphate Soils or Potential Acid Sulphate Soils. Management of such sites require careful consideration.

Crown Reserve 86006 is downstream from the proposed development site and proposed flood gate. Hence the Crown Reserve could be directly adversely impacted by the proposal due to a possible increase in acid water, particularly in the early stages of restoring tidal flow.

The documents provided do not clearly clarify whether the flood gate / restoring tidal flow component of this project is to be approved via this approval process, or a completely separate approval process altogether.

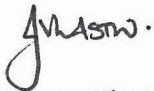
The Environmental Assessment and Proposed Monitoring Programs need to include impacts on lands downstream of the flood gate, including the Crown Reserve.

The documents also do not clarify the level of consultation and/or concurrence with the appropriate agencies has taken place directly considering this aspect of the project. Appropriate Agencies include, but may not be limited to NSW Office of Water, Northern Rivers Catchment Management Authority, DPI Fisheries and DPI Crown Lands.

In regards to restoring tidal flow and ensuring the appropriate method is determined, consultation and concurrence of appropriate agencies is imperative.

For further enquiries, please do not hesitate to contact myself using the details provided on the previous page.

Yours faithfully



Jaimee Vlastuin  
Senior Natural Resource Management Officer  
Mid North Coast  
Crown Lands Division