NSW GOVERNMENT

Northern Rivers CMA CATCHMENT MANAGEMENT AUTHORITY

PCU025647

Our Ref: OUT11/141
Your Ref: 09_0019

Heather Warton
Director Metropolitan & Regional Projects North
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Heather

Re: Major Project 09_0019 – Riverside Tourist Cabins, South West Rocks

Thank you for your letter dated 26 July 2011 inviting comment on the Environmental Assessment (EA) for the Part 3A Major Project proposed for Riverside Tourist Cabins at South West Rocks.

The Northern Rivers Catchment Action Plan (CAP) sets targets for natural resource management in the region. The Northern Rivers Catchment Management Authority (NRCMA) has reviewed the EA with regard for both CAP targets and the provisions of the *Native Vegetation Act 2003* and offers the below comments.

Native Vegetation Act

The proposal appears to involve little if any clearing of native vegetation. If any clearing is required, it may need to satisfy the provisions of the *Native Vegetation Act 2003* as well as meet Kempsey Shire Council requirements. The NRCMA encourages any clearing to adopt the Act's objective to maintain and improve environmental outcomes. For any isolated trees cleared at the proposed site, the NRCMA encourages this clearing to be offset by revegetating a larger area of the same vegetation type in an appropriate adjacent area.

EECs and appropriate buffer

The EA notes the presence of two EECs over the majority of this site – coastal saltmarsh and swamp oak floodplain forest. The NRCMA encourages every effort to protect and enhance these EECs.

The NRCMA notes that this proposal will impact on 0.0334 ha of saltmarsh. Although this area is small, the NRCMA asks that the proposal is modified to eliminate any impact on saltmarsh. Saltmarsh is an endangered ecological community (EEC) under threat from numerous impacts that will only be exacerbated by sea level rise. It is essential to avoid any deliberate impacts on saltmarsh wherever possible.

The NRCMA has produced *Living and Working in Rural Areas – A handbook for managing land use conflict issues on the NSW North Coast* (2007). The handbook recommends a number of strategies to reduce conflict between adjacent land uses and protect natural values. The handbook may be accessed at:

http://www.dpi.nsw.gov.au/research/alliances/centre_for_coastal_agricultural_landscapes/living-and-working-in-rural-areas.

The total buffer between the two EECs and the development is unclear from the EA. The handbook recommends a minimum buffer of 100 metres between residential areas or urban development and wetlands, and 50 metres between rural tourist accommodation and wetlands (pages 92 & 93). As this development seems to include low intensity tourist accommodation, the NRCMA asks that the proposal is modified to provide a minimum 50 metre buffer to the wetland.

Landscaping and plantings

The EA notes that landscaping plantings will include a dominance of locally indigenous plants. The NRCMA requests that any landscaping on this site includes planting of only locally occurring native species. Native plantings provide habitat for native fauna species and eliminate any risk of weed invasion into local bushland.

Stormwater management

The NRCMA recommends that strict water quality controls are incorporated into the design of this development to ensure no negative impact on catchment or estuarine water quality, and no changes to hydrology of the native vegetation communities. The incorporation of best-practice Water Sensitive Urban Design principles should be incorporated into all future development.

Acid sulfate soils

The EA notes that acid sulfate soils have been mapped at or near the ground surface or within one metre over this entire site. The NRCMA encourages preparation of an Acid Sulfate Soil Management Plan prior to any development on the site to ensure no negative impact on catchment or estuarine water quality. Any development should avoid disturbing, exposing or draining acid sulfate soils wherever possible.

Flooding and climate change

The EA notes that the entire site is mapped as flood prone land, and that this may be exacerbated by climate change impacts. In light of this and the proximity to the river, the NRCMA encourages full consideration of climate change impacts on this site in accordance with the provisions of the Department of Planning's *NSW Coastal Planning Guideline: Adapting to Sea Level Rise* (August 2010).

The impact of the recommended fill level of 1.9 m AHD should be confined to the area of Vegetation Community 5 – grassland with scattered trees, which is described as highly disturbed grassland dominated by exotic species. Any fill should not be allowed to result in changes to the hydrology of the neighbouring native vegetation communities.

Floodgate modification

The NRCMA commends the proposal's intent to improve tidal exchange and fish passage to the wetland by modifying the existing floodgate to Back Creek. However, the NRCMA recommends that the potential of tidal restoration to export acid water to Back Creek is comprehensively investigated before tidal restoration is approved or commenced.

If you wish to discuss this matter further, please contact Nicole Strehling on 02 6561 4960.

Yours sincerely

Ian Simpson
Acting General Manager

1 September 2011