



ANNEX

X

Government Authority Responses



Australian Government

Department of Defence
Defence Support Group

Environmental Resources Management Australia	
Referred to:	Ref. No.
Date Received	12 JUN 2007
Checked By:	Date:

2004/1074994/3
LPSI/OUT/46

Mr Paul Douglass
Environmental Resources Management Australia
53 Bonville Avenue
THORNTON NSW 2322

Dear Mr Douglass

RE: PROJECT APPLICATION FOR FERN BAY ESTATE

Thank you for sending the abovementioned application to Department of Defence (Defence) for comment prior to submitting a Project Application with NSW Department of Planning. The proposed Fern Bay Estate is located south-east of RAAF Base Williamtown.

RAAF Base Williamtown is an important Defence asset that supports the training of Defence personnel and units. Defence is concerned to ensure that the long-term viability of RAAF Base Williamtown is not compromised by inappropriate development of surrounding land, as this has the potential to impact on Australia's Defence capabilities and national security.

The proposed development will be situated on land affected by the Defence (Areas Control) Regulations for RAAF Base Williamtown. The DACR control the height of objects (man-made structures and vegetation), including temporary structures, and the purpose for which they may be used within 15km radius of RAAF Base Williamtown. The DACR restriction over the site is "Structures higher than 90m require approval" by Defence. Consultation will be required with Defence should any development within the Fern Bay Estate exceed 90m above natural ground level.

The site is located outside the 2012 Australian Noise Exposure Forecast (ANEF) contours for RAAF Base Williamtown. However, this does not mean that aircraft noise will be unnoticeable at the site. In the course of normal aircraft flying activities at RAAF Base Williamtown, the site is over flown by military aircraft from time to time. This may be a source of annoyance and disruption to residents. In addition, Defence will not accept responsibility for compensation claims based on aircraft noise.

Defence recommends that a 'memorial' be placed on the certificates of title for the residential lots to inform all existing and future land owners that they should anticipate and accept that they will be affected by aircraft noise from time to time.

Should you have any questions or require further information, please contact Natasha Davies,
Assistant Director, Land Use Planning on (02) 6266 8186 or email
Natasha.davies@defence.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Kerwan', with a stylized, cursive script.

John Kerwan

Director

Land Planning and Spatial Information

BP3-1-B103

Department of Defence

CANBERRA ACT 2600

/ June 2007

All communications to be addressed to:

Head Office
NSW Rural Fire Service
Locked Mail Bag 17
Granville NSW 2142

Telephone: (02) 8741 5555

Head Office
NSW Rural Fire Service
15 Carter Street
Homebush Bay NSW 2127

Facsimile: (02) 8741 5433



Environmental Resources Management
PO Box 71
Thornton NSW 2322

Attention: Paul Douglas

Your Ref: 0063154L01.Cons.doc

Our Ref: D07/0001
G07/1489

4 June 2007

Dear Sir,

Re: Draft Master Plan Proposal – Fern Bay Estate, Nelson Bay Road, Fern Bay (MP 20-4-2005).

I refer to your letter dated 10 May 2007 advising that further comments can be made on the now approved master plan prepared under *State Environmental Planning Policy No. 71*.

The NSW Rural Fire Service advises that any development referred to it for consideration will now be assessed under the recently released *Planning for Bush Fire Protection 2006*.

For any enquiries regarding this correspondence please contact Garth Bladwell.

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

Yours faithfully,

Yours faithfully,

Nika Fomin
Development Control Co-ordinator

Environmental Resources Management Australia			
Referred to:		Ref. No.	
Date Received	15 JUN 2007		
Checked By:		Date:	

Environmental Resources Management Australia	
Referred to:	Ref. No.
Date Received	31 MAY 2007
Checked By:	Date:



NSW Government

DEPARTMENT OF WATER AND ENERGY

Your Ref: 0063154L01.Cons.doc
Our Ref: ER6511B

28 May 2007

Environmental Resources Management Australia Pty Ltd
PO Box 71
THORNTON NSW 2322

Attention: Paul Douglass

Dear Sir

**Project Application for Fern Bay Estate
Nelson Bay Road, Fern Bay**

Thank you for your letter of 10 May 2007 in this matter.

You are advised that the Department of Natural Resources has been abolished with staff/ functions for natural resource management allocated to the Department of Water and Energy (DWE), Department of Environment and Climate Change and Department of Primary Industries.

DWE will await referral from the Department of Planning to provide a response to the Project Application.

Should there be any further enquiry please contact Jeff Hunt, Senior Planner on 4904 2634 at this office.

Yours sincerely

Peter Johns
Project Officer
Major Projects, Mining and Assessments
Newcastle



NSW DEPARTMENT OF
PRIMARY INDUSTRIES

Environmental Resources Management Australia	
Referred to:	Ref. No.
Date Received 20 JUN 2007	
Checked By:	Date:

Mr. Paul Douglas
Environmental Resource Management Australia (ERM)
PO Box 71,
THORNTON NSW 2322

Your ref: 0063154L01
Our ref: L89/0836

Dear Sir,

RE: PROJECT APPLICATION – FERN BAY ESTATE

Thank you for your letter of 14th May 2007 concerning the Project Application the proposed Fern Bay Estate. I apologise for the delay in responding to your firm's notification.

The Department of Primary Industries (DPI) has been formed by the merger of NSW Fisheries, Mineral Resources NSW, State Forests NSW and NSW Agriculture. This is a co-ordinated response from DPI response from Mineral Resources, Agriculture, Fisheries and Forest Divisions.

Minerals

The subject area is not affected by any coal or mineral exploration or mining titles. The area does not host any known deposits of construction, industrial or heavy mineral sands of commercial potential.

ERM is advised that the subject land lies within Petroleum Special Protecting Authority (PSPAUTH) 18, held by Macquarie Energy Pty. Ltd., and Petroleum Exploration Licence (PEL) 267, held by Sydney Gas Operations Ltd affect the land.

The DPI has no further issues with respect to this matter.

Agriculture

The Project Application has no agricultural implications.

Fisheries

A suitable buffer zone is to be located between any future development and the mangroves stands adjoining the Hunter River estuary. In terms of stormwater drainage from the site, stormwater discharged is not to be directed into the mangrove stands.

NSW Fisheries has no further issues with respect to the proposal.

Mineral Resources NSW

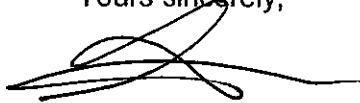
PO Box 204 Murrumbidgee Regional Office NSW 2510
Tel: 02 4931 6066
516 High Street Maitland NSW 2320

ABN 51 734 124 190
www.dpi.nsw.gov.au

Fax: 02 4931 6790

For further information please contact Gina Hamilton-Avery on 02 4931 6667.

Yours sincerely,



Gina Hamilton-Avery
Geoscientist
For Cameron Ricketts
Team Leader, Land Use
14 June 2007



**NSW National Parks
and Wildlife Service**

Our reference : DOC09/2276
Contact : Adam Faulkner, 49848204

Environmental Resources Management Australia
Attention: Paul Douglass
PO Box 71
THORNTON NSW 2322

Dear Paul,

Following review of the 'Fern Bay Seaside Village Offset Package: Worimi Regional Park Vegetation Management Plan - 0065580VMP Final 1 December 2008', Parks and Wildlife Group Hunter Region (PWG) has identified a number of issues which need to be addressed. The issues set out below are to be addressed in the document prior to it being placed on public exhibition as part of the environmental assessment for the Fern Bay Seaside Village development.

I note that the Voluntary Planning Agreement (VPA) is also required, and is at an advanced stage of negotiation. Once terms have been agreed to, the draft VPA should be placed on public exhibition at the same time as the environmental assessment. While some of the points noted below may also relate to the VPA, they have been included here given the VMP is in its final stage of development, and the VPA is still under negotiation.

Waste Removal

Section 5.3, third paragraph, second sentence changed to:
"DECC will remove 'litter' along the four wheel drive track during service activities as required with implementation of removal program for larger waste dumps undertaken by Aspen during years 1 to 5."

Weed Management

Section 6.3 – Maintenance and Monitoring
DECC require that the monitoring of the effectiveness of the weed control work should be independent, and that a different contractor should be engaged for the monitoring work than that engaged for the weed control work.



Eucalyptus parramattensis subsp *decadens* x *E. robusta*

Section 8.4.3, at end of second paragraph add:

"However, the locations of individual occurrences of *Eucalyptus parramattensis* subsp *decadens* x *E. robusta* must be identified and the plants protected prior to the commencement of any works associated with the construction of the four wheel drive track and associated walking track.

Gantt Charts

- Re. Waste removal – point 18 in the chart needs to be replicated in each year of waste removal.
- Re. Weed Removal – point 51 – may need to allow more time for kill from treatment to show before inspection; and point 51 needs to be replicated each year for years one to five. It is also noted that PWG's assessment of meeting weed treatment obligations for each VMP year will be based on meeting percentage kill targets in the VMP.
- Re. Annual monitoring and report at point 170, note that this will relate to the DECC assessment and release (if obligations have been met) at end of each VMP years for years one to five, in accordance with the Voluntary Planning Agreement .
- Track rationalisation –the installation of signage and interpretation shelter to PWG specifications in the four wheel drive carpark is considered to be part of the 'construction' item listed as point 111.
- Track rationalisation – DECC note that the four wheel drive track and carpark design and specifications have not yet been finalised, and this should occur as soon as possible, and preferably prior to progressing to exhibition.
- Track rationalisation – Four wheel drive track and carpark - DECC note that an adequate 'defect liability period' needs to be included for the four wheel drive track and carpark design and construction. This will allow identification of any maintenance issues that arise as a result of defect construction and/or materials, which must be rectified by Aspen. This does not include maintenance from ordinary use of the track.
- Bollard and cabling of four wheel drive track, and Aspen/Worimi State Conservation Area boundary as agreed needs to be included.

For any further information in relation to this matter please contact Adam Faulkner on 49848204.

Yours sincerely



ROBERT QUIRK
Manager Hunter Region
Parks and Wildlife

11/2/09

ERM has over 100 offices
across the following
countries worldwide

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Argentina	New Zealand
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India	Sweden
Indonesia	Taiwan
Ireland	Thailand
Italy	UK
Japan	USA
Korea	Venezuela
Malaysia	Vietnam
Mexico	



Environmental Resources Management

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