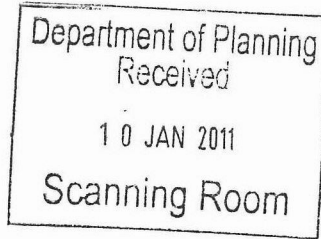


Mark Schofield
A/Director, Regional Projects
Department of Planning
GPO Box 39
SYDNEY NSW 2001



Our Ref: OUT10/221
Your Ref: 07_0010



22 December 2010

Dear Mark

Re: MP07_0010 - Environmental Assessment for Residential, Commercial and Tourist Development and Environmental Works at Ocean Drive, Lake Cathie

Thank you for your letter dated 17 November 2010 with the opportunity to comment on the Environmental Assessment (EA) for the Part 3A Major Project proposed for Ocean Drive, Lake Cathie.

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

This proposal appears to involve clearing of isolated trees in land currently zoned rural. As the proposal is under Part 3A and will involve rezoning of this land to residential and business zones, it appears this clearing would be excluded from the provisions of the *Native Vegetation Act 2003*. However, the NRCMA encourages any clearing to adopt the Act's objective to maintain and improve environmental outcomes. For any isolated trees cleared in the proposed residential and business zones, the NRCMA encourages this clearing to be offset at a ratio of 20:1, by revegetating the same vegetation type in an appropriate adjacent area.

Littoral rainforest and appropriate buffer

For the purposes of this proposal, the NRCMA requests that the extent of littoral rainforest is considered to be the area mapped under SEPP 26 and the extent of the endangered ecological community (EEC) defined by the Department of Environment Climate Change and Water. This community may extend beyond the area mapped under SEPP 26.

The EA notes that this is one of the largest littoral rainforest remnants in the area, and is in relatively good condition. The NRCMA encourages every effort to protect and enhance this EEC.

The EA notes that a 40-60 metre vegetated buffer has been included in the concept plan, but does not specify the width of the total buffer. Exhibit PA 04 (Sheet 01) shows that the concept plan provides some sections of littoral rainforest with this buffer, while others are provided with no buffer. The buffer width has not been applied uniformly along the length of existing vegetation.

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. This handbook recommends a minimum buffer of 100 metres between residential areas or urban development and SEPP 26 littoral rainforest (page 92). The NRCMA is unable to support this proposal unless an appropriate buffer is applied uniformly along the length of littoral rainforest. 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 EA acknowledges that the effects of climate change including sea level rise and increased storm surge are likely to result in beach erosion and recession. This will see the existing littoral rainforest effectively sandwiched between the beach and the planned development over time. This makes inclusion of an appropriate buffer even more important to provide the littoral rainforest with some opportunity to migrate landward.

Vegetation management plan and 'environmental works'

The NRCMA commends plans to enhance existing natural vegetation through development and implementation of a vegetation management plan, including best-practice weed management and planting of locally occurring native species. The NRCMA encourages liaison with the Bonny Hills and Lake Cathie Landcare Groups throughout this process.

Interpretive signage

As beachside residential developments often result in increased illegal clearing for view enhancement, the use of interpretative signage to increase community understanding of the value of littoral rainforest and encourage ownership of the area is also commended.

Public access management

As increased public access to the beach from this development will pose a key threat to the littoral rainforest, the NRCMA supports efforts to rationalise and formalise public access, including the use of fencing and recycled plastic track to prevent unrestricted access. The NRCMA suggests that the formalised track should follow the existing informal path wherever possible to prevent impacts on the littoral rainforest. Where this is not possible, the shortest possible path to the beach that avoids any clearing and minimises damage to littoral rainforest species should be selected.

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 marine water quality, and no changes to hydrology of the littoral rainforest. The incorporation of best-practice Water Sensitive Urban Design principles should be incorporated into all future development.

Acid sulfate soils

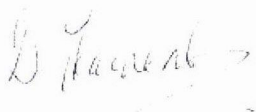
The EA notes that acid sulfate soils have been mapped over parts of this site. The NRCMA encourages preparation of an Acid Sulfate Soil Management Plan prior to any development on the site to ensure no negative impact on catchment or marine water quality. Any development should avoid disturbing, exposing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

Flooding and climate change

The EA notes that the site is subject to some flooding that may be exacerbated by climate change impacts. In light of this and the proximity to the coast, 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).

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

Yours sincerely



Deb Tkachenko
General Manager