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| JRPP No: | 2009NTH005 |
| DA No: | 2009/0368 |
| PROPOSED DEVELOPMENT: | Construction of Replacement Bridge, Approaches and Demolition of Existing Bridge (Stingray Creek), Ocean Dr, Laurieton, North Haven |
| APPLICANT: | Port Macquarie-Hastings Council |
| REPORT BY: | Jacky Jurmann, Development Assessment Planner, Port Macquarie-Hastings Council |

Assessment Report and Recommendation

PRECIS

This report considers a development application for the construction of a replacement bridge and demolition of the existing bridge over Stingray Creek, North Haven.

The application is being reported to the Joint Regional Planning Panel as the proposal is "designated development" pursuant to Clause 7 of the State Environmental Planning Policy No. 14 – Coastal Wetlands.

The development is also "integrated development" for the purposes of Section 205 of the Fisheries Management Act 1994, Section 91 of the Water Management Act 2000 and Section 90 of the National Parks and Wildlife Act 1997.

Adjoining property owners were notified of the application and an advertisement placed in the local paper exhibiting the development for thirty (30) days. During the exhibition period, seven (7) submissions were received by Council.

RECOMMENDATION

That DA 2009/0368 for the construction of a replacement bridge, approaches and demolition of the existing bridge over Stingray Creek at Section 1 DP 758603 Ocean Drive, Laurieton and Lot 7011 DP 1023531, Bridge Street, North Haven be determined by granting consent subject to the conditions attached to this report.

1. DESCRIPTION OF DEVELOPMENT

Port Macquarie-Hastings Council propose to construct a new bridge over Stingray Creek between North Haven and Laurieton. The replacement of the existing bridge is required due to its current structural condition. Whilst temporary remediation works have been implemented, the life of the existing structure is limited and restricts use by vehicles over 18 tonnes.

The existing Stingray Creek Bridge has two traffic lanes (one in each direction) and a separated footpath on the northern (upstream) side. The vehicle travel width between the kerbs is approximately 6.1m and the footway travel width is less than 1.0m. Vehicle travel widths are considered quite restrictive for heavy vehicles and footpath widths are constraining for pedestrians and cyclist.

Options for alternative creek crossings and a bypass of North Haven were previously considered by Council and are summarised in the Environmental Impact Statement.

A total of nine (9) alignments (6 options with 3 additional alternative alignments) were evaluated.

The preferred bridge follows the Option 3A alignment which proposes to construct the new curved bridge immediately upstream (north) of the existing bridge. The bridge will consist of a 190m long curved bridge (220m radius) designed to minimise the extent of land acquisition and intersection realignment required immediately east of the proposed bridge. The proposal includes the realignment and reconstruction of approximately 120m of road approaches on the western side and approximately 105m on the eastern side. The realignment of the eastern bridge approach will include minor reconfiguration of the intersection of Ocean Drive with Bridge and River Streets. The existing bridge over Stingray Creek forms part of Ocean Drive and will be removed following completion and opening of the new bridge structure.

Refer to the attachments at the end of this report for design plans.

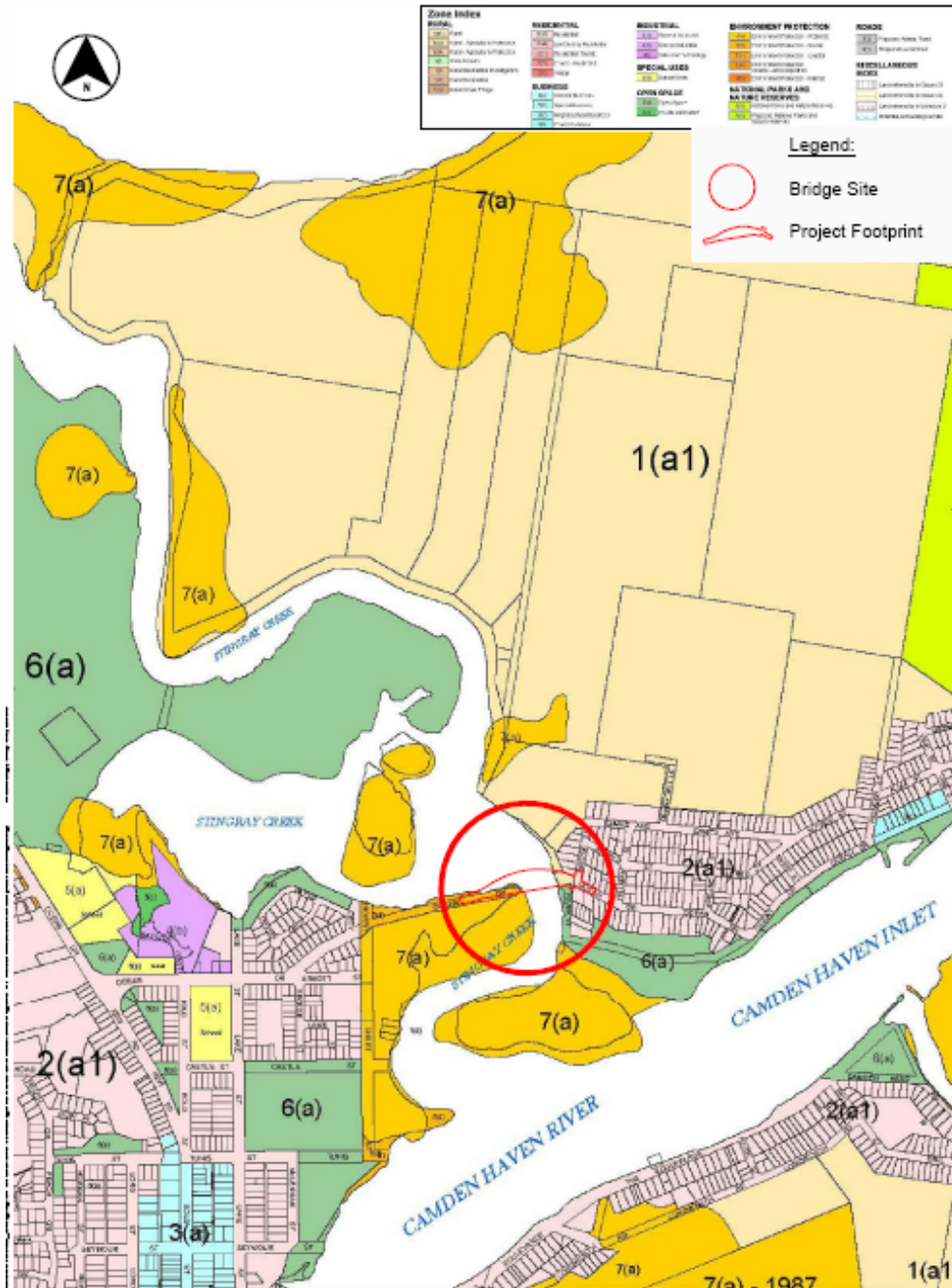
2. BACKGROUND

Existing sites features and surrounding development

The existing bridge structure that traverses Stingray Creek is unzoned under the provisions of the Hastings Local Environmental Plan 2001 with the land adjacent to the creek where the existing bridge abutments are located is zoned as follows:

- Zone 1(a1) Rural: adjacent to the creek bed located at the north-west bridge abutment;
- Zone 2(a1) Residential: located adjacent to the 1(a1) Rural zone and 6(a) Open Space zone, not directly adjacent to the creek bed;
- Zone 6(a) Open Space: located adjacent to the 2(a1) Residential zone and 6(a) Open Space zone located at the north-east bridge abutment;
- Zone 7(a) Environmental Protection – Wetlands: not specifically covered by the subject site however is located directed adjacent Ocean Drive and extends to the south-east bridge abutment adjacent to the creek bed;
- Zone 7(d) Environmental Protection – Scenic: located at the south-west bridge abutment where the existing bridge commences and includes the road carriageway to the creek bed from the Short Street intersection.

Refer to the following zoning plan:



The site is adjoined by open space on the western approach, and a boat ramp and associated parking area, and residential housing on the eastern approach. The townships of North Haven and Laurieton lie to the east and west of the existing bridge respectively. The businesses in the nearby villages consist generally of tourist and local resident support services.

Stingray Creek forms part of the Camden Haven estuary and provides a connection between Queens Lake and the Camden Haven River. The creek and upstream lake are tidal and support local aquaculture (oyster), recreational fishing and tourism industries. Existing oyster leases are located to the north and south of the existing bridge. The environment of the study area includes mangroves, mudflats, seagrasses and estuarine wetlands, particularly on the Laurieton side of the creek.

Refer to the following aerial photograph taken in August 2009:



3. APPLICATION CHRONOLOGY

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| 28/10/2005 | DA 2005/0671 submitted. |
| 9/11/2005 | DA notified and 275 submissions received. "Submissions conveyed overwhelming opposition to the proposal replacement of the bridge at the existing crossing." (Excerpt from Council report of 6/3/2006.) |
| 6/3/2006 | DA deferred by Council pending further evaluation and consultation to confirm a final alignment. |
| 21/9/2009 | DA 2009/0368 submitted. |
| 28/9/2009 | DA 2005/0671 withdrawn. |
| 2/10 to 6/11/2009 | DA and Environmental Impact Statement exhibited. 6 submissions received. |
| 2/10/2009 | External State Government referrals sent. |
| 23/10/2009 | Additional information request received from DECCW (re: Aboriginal archaeology). Referred to applicant. |
| 19/11/2009 | Additional information sent to DECCW. |

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| 17/11/2009 | Copy of submissions sent to concurrence authorities. |
| 16/11/2009 | Response received from NSW Office of Water advising Council is exempt from a Controlled Activity Approval. |
| 13/11/2009 | Further additional information requested by NSW Department of Planning via email (re: State Environmental Planning Policy 14). Referred to applicant. |
| 20/11/2009 | Above request received via post. Referred to applicant. |
| 26/11/2009 | Response sent to NSW Department of Planning (re: State Environmental Planning Policy 14). |
| 26/11/2009 | Response received from NSW Department of Planning (re: State Environmental Planning Policy 14) requesting further additional information. Referred to applicant. |
| 7/12/2009 | Further additional information requested received from DECCW via email (re: Aboriginal archaeology). Referred to applicant. |
| 4/2/2010 | Email received from NSW Department of Planning (re: State Environmental Planning Policy 14) following up on additional information request. |
| 14/4/2010 | Applicant responds to NSW Department of Planning (re: State Environmental Planning Policy 14). |
| 27/4/2010 | Further additional information requested received from NSW Department of Planning via email (re: State Environmental Planning Policy 14). Referred to applicant. |
| 4/5/2010 | Additional information (re: Aboriginal archaeology) received from applicant. Referred to DECCW. |
| 6/5/2010 | Additional information (re: State Environmental Planning Policy 14) received from applicant. Referred to NSW Department of Planning. |
| 12/5/2010 | Concurrence received from DECCW (re: Aboriginal archaeology). Referred to applicant to provide evidence of consultation. |
| 13/5/2010 | Applicant response received (re: Aboriginal archaeology) detailing consultation with local Aboriginal stakeholders. |
| 17/5/2010 | Concurrence received from NSW Department of Planning (re: State Environmental Planning Policy 14). |

4. STATUTORY ASSESSMENT

Section 79C(1) Matters for Consideration

In determining the application, the consent authority is required to take into consideration the following matters as are relevant to the development that apply to the land to which the development application relates:

(a) The provisions (where applicable) of:

(i) Any environmental planning instrument

State Environmental Planning Policy No. 14 – Coastal Wetlands

The aim of State Environmental Planning Policy No. 14 is to ensure that coastal wetlands are preserved and protected in the environmental and economic interests of NSW. The policy applies to land that has been identified as State Environmental Planning Policy 14 wetlands. In accordance with clause 4, the site contains a mapped area of coastal wetlands.

Areas mapped as protected under State Environmental Planning Policy No. 14 in the vicinity of the proposal are shown in the following map:



Clause 7(1) of State Environmental Planning Policy No. 14 states that the following activities within the boundaries of declared wetlands require the development consent and the concurrence of the Director-General:

- (a) clear that land,
- (b) construct a levee on that land,
- (c) drain that land, or
- (d) fill that land'.

Clause 7(3) provides that pursuant to Section 29 of the Environmental Planning and Assessment Act 1979 (EP & A Act), development for which consent is required by Clause 7(1) is declared to be designated development for the purposes of the Act.

In this regard, the application and Environmental Impact Statement has been forwarded to the Department of Planning to seek concurrence for the proposed works. The NSW Department of Planning have provided concurrence and made the following comments:

“The Department has examined the Environmental Impact Statement prepared by AECOM Australian Pty Ltd. We note that the relatively minor extent of vegetation clearance means that there should not be a marked impact on the viability of the State Environmental Planning Policy No. 14 wetland condition. We note also Council’s view that minor clearing of wetland vegetation is warranted on road safety grounds and can be adequately offset by the proposed on-site safeguards.

Concurrence for the Development Application has been granted conditionally subject to the following as conditions:

- *The Applicant shall undertake all actions listed in ‘Section 18.3 Impacts and Mitigation Measures of the Environmental Impact Statement (pages 169-177), including preparation of a Construction Environmental Management Plan (CEMP);*
- *The Applicant shall prepare a Compensatory Habitat Plan for this site which includes all actions listed in the Wetland Restoration Plan’ of the Environmental Impact Statement (Appendix E) together with a monitoring program that will cover a period of 10 years. The Compensatory Habitat Plan is to be forwarded for information to the Department of Planning prior to commencement of the road works.”*

Additionally, Clause 7A requires that restoration works to a State Environmental Planning Policy No. 14 wetland may only be carried out with the consent of Port Macquarie-Hastings Council and concurrence of the Director-General.

In accordance with clause 8, the application was forwarded to the NSW National Parks and Wildlife Service. No comments or conditions were received.

The requirements of this State Environmental Planning Policy are therefore satisfied.

State Environmental Planning Policy No. 44 – Koala Habitat Protection

In accordance with clause 6, this State Environmental Planning Policy requires consideration in the following circumstances:

- (a) that is land to which this Policy applies, and*
- (b) that is land in relation to which a development application has been made, and*
- (c) that:*
 - (i) has an area of more than 1 hectare, or*
 - (ii) has, together with any adjoining land in the same ownership, an area of more than 1 hectare,*

whether or not the development application applies to the whole, or only part, of the land.

In this regard, the site and adjoining land owned by Council has an area of more than one (1) hectare.

In accordance with clauses 7 to 10, further investigations were required to determine if the site contains potential and then core Koala habitat.

Clause 7 outlines the first step in determining if the site habitat constitutes 'potential core koala habitat'. In accordance with this clause, an assessment of the site habitat affected by the bridge site area has been carried out (refer to the Environmental Impact Statement). The site habitat, which includes mainly coastal wetlands and mangroves, does not constitute 'core koala habitat' as defined in the State Environmental Planning Policy.

Therefore, no further investigation is required under the provisions of the State Environmental Planning Policy and therefore the requirements of the Policy are satisfied.

State Environmental Planning Policy No. 55 – Remediation of Land

In accordance with clause 7, the subject land is not identified as being potentially contaminated by any man-made contaminants as defined in Part 7A of the Environmental Planning and Assessment Act 1979.

Therefore the provisions of the State Environmental Planning Policy have been satisfied and no further investigation of this issue is required.

State Environmental Planning Policy No. 62 – Sustainable Aquaculture

Under Part 3A of the State Environmental Planning Policy, the consent authority when determining a development application must consider the potential for the development to have any adverse impacts on oyster aquaculture development or a priority oyster aquaculture area.

In accordance with Clause 15B(2), it was determined that the application may impact nearby oyster leases and accordingly, the application was referred to the Department of Primary Industries for comment. No comments were received on the development application.

The Department of Primary Industries did however provide comments to the NSW Department of Planning during initial consultation phases of the development for incorporation into the Director General's Requirements (DGR's). These comments advised that the Department were generally satisfied with the route 3A alignment and that although the development will impact on SEPP 62 Priority Oyster Aquaculture Areas, key fish habitats including seagrass, mangroves endangered saltmarsh communities and SEPP 14 wetlands, that if an appropriately time bound compensatory plan is incorporated into the DGR's, the project will provide the best opportunity to contribute rather than detract from the goals of the State Plan and Natural Resource Commission targets.

Clause 15C of the State Environmental Planning Policy sets out matters that a consent authority may refuse to grant consent to development if it is satisfied that the development will have an adverse effect on, or impede or be incompatible with:

- (a)(i) *any oyster aquaculture development that is being carried out (whether or not within a priority oyster aquaculture area), or*
- (a)(ii) *any oyster aquaculture development that may in the future be carried out within a priority oyster aquaculture area, or*
- (b) *A consent authority may also refuse consent if it is not satisfied that appropriate measures will be taken to avoid or minimise any such adverse effect, impediment or incompatibility.*

The proposal will result in some impacts to areas identified as Priority Oyster Aquaculture Areas under the Oyster Industry Sustainable Aquaculture Strategy (OISAS). Existing oyster leases are located to the north of Ocean Drive in line with the proposed bridge structure.

Discussions carried out by the applicant with local oyster lease owners indicate that the leases in the vicinity of the bridge are used to 'catch' the oysters and that changes to flow would impact on these activities. Construction activities and the location of the piers have the potential to reduce access to these areas and impact on this land use.

The following mitigation measures relating to aquaculture activities include:

- Payment of fair market value for the land in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.
- Ongoing consultation with the DPI and potentially affected oyster lease owners to ensure access to other oyster leases in the vicinity is maintained and to monitor pre and post bridge construction catch rates. The monitoring will be used to identify and quantify any changes in catch rates as a result of the bridge construction.
- Maintenance of a transit land under the bridge at all times.
- Regular updates on construction progress and impacts to navigation.
- Preparation and implementation of an Acid Sulfate Soils Management Plan.
- Use of sediment booms and/or curtains within the waterway around work areas.
- Ongoing monitoring and maintenance of erosion and sedimentation controls.
- Preparation and implementation of a Soil and Water Management Plan, including measures to ensure no chemicals, hydrocarbons, sediment or wastes are discharged to Stingray Creek or associated wetlands.

The mitigation measures recommended in the Environmental Impact Statement are considered suitable and provided that they are effectively implemented the resulting level of impact is considered acceptable and will be unlikely to adversely affect local oyster aquaculture.

Therefore, it can be concluded that the application is consistent with the aims of the State Environmental Planning Policy and the relevant provisions have been satisfied. It is recommended that conditions be imposed requiring preventative measures during construction.

State Environmental Planning Policy No. 71 – Coastal Protection

The proposed works are located within the NSW Coastal Zone (sensitive coastal location) and are therefore subject to the provisions of State Environmental Planning Policy 71.

Pursuant to Clause 7, the matters for consideration set out in Clause 8 must be taken into account by a consent authority when it determines a development application within the coastal zone. Additionally, Clauses 12 to 16 must also be considered.

The following table provides an assessment of the matters for consideration in Parts 2 and 4 of the State Environmental Planning Policy in relation to the proposed works:

| Provision | Comment | Complies |
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| Part 2 – Matters for Consideration | | |
| (a) the aims of this Policy set out in clause 2, | The proposed works are consistent with the aims of State Environmental Planning Policy No. 71. Stingray Creek bridge requires reconstruction in order for the bridge to meet current road safety standards. The application | Yes |

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| | <p>addresses ecological issues and provides management measures for the surrounding wetlands to be employed during construction and use.</p> <p>The proposal is consistent with the aims of the Policy and will ensure that the coastal zone is managed and protected in accordance with ecologically sustainable development principles; the proposal has been assessed on its individual merit; and the proposal is consistent with the matters of consideration.</p> | |
| (b) existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved, | The proposed works will improve public access in the long-term but may have some impacts during construction. Impacts are likely to be increased traffic congestion as a result of construction vehicles and half road closures associated with the road works. Potential impacts have been assessed and management measures provided as part of the traffic, transport and access impact assessment. Long-term access is considered to be significantly improved. | Yes |
| (c) opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability, | Not applicable. Access to foreshores is not affected by this proposal. | N/a |
| (d) the suitability of development given its type, location and design and its relationship with the surrounding area, | The proposed works are suitable and considered essential to due to the existing Stingray Creek Bridge's current structural condition. The deficiencies of the existing bridge are impacting on the efficient movement of goods and traffic through the area. Options for alternative creek crossings, including a bypass of North Haven have been considered. Refer to Environmental Impact Statement for assessment of alternatives. Impacts attributed to the proposal are considered manageable. | Yes |
| (e) any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore, | <p>Removal of existing vegetation associated with the location of the proposed bridge and decommissioning of the existing bridge has been identified as potentially having the biggest visual impact on the surrounding environment. Following completion of construction and revegetation of disturbed areas, it is considered that the visual impact will be low.</p> <p>Views from a public place will not be affected any greater than currently. Similarly, the current levels of overshadowing of river foreshore areas will not be significant when compared to the current levels as a result of the existing bridge.</p> <p>It is considered that the replacement of the bridge will not detrimentally impact the current</p> | Yes |

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| | amenity of the river foreshore. | |
| (f) the scenic qualities of the New South Wales coast, and means to protect and improve these qualities, | The proposed works are likely to have some visual impacts, in terms of clearing and construction disturbance however these are considered to be minor and specific to the construction phase of the project. Removal of the existing vegetation associated with the location of the bridge has been identified as the greatest potential visual impact and it is considered that replanting of wetland vegetation in vicinity of the bridge will reduce the any visual impact, particularly when view from the summit of North Brother Mountain and the air. | Yes |
| (g) measures to conserve animals (within the meaning of the <i>Threatened Species Conservation Act 1995</i>) and plants (within the meaning of that Act), and their habitats, | Identified impacts on ecology and assessment of those impacts, in relation to proximity to State Environmental Planning Policy No. 14 wetlands is detailed in this report and the Environmental Impact Statement, along with appropriate mitigation measures. The measures are considered satisfactory to minimise any impacts on any threatened species and/or habitat. | Yes |
| (h) measures to conserve fish (within the meaning of Part 7A of the <i>Fisheries Management Act 1994</i>) and marine vegetation (within the meaning of that Part), and their habitats | Identified impacts on ecology and assessment of those impacts, in relation to proximity to State Environmental Planning Policy No. 14 wetlands is detailed in this report and the Environmental Impact Statement, along with appropriate mitigation measures. The measures are considered satisfactory to minimise any impacts on any fish and/or habitat. A permit for the works will be required under the <i>Fisheries Management Act</i> . | Yes |
| (i) existing wildlife corridors and the impact of development on these corridors, | The proposed works are not likely to affect any identified wildlife corridors. | Yes |
| (j) the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards, | The proposed bridge works are not likely to have an impact on coastal processes, but may have some minor impacts to estuarine flows. These impacts are considered acceptable. | Yes |
| (k) measures to reduce the potential for conflict between land-based and water-based coastal activities, | The proposed works are not likely to effect conflict between land-based and water-based coastal activities. During construction of the bridge, there may be some limitations on boat movements under the bridge, however some form of access will be maintained at all times. | Yes |
| (l) measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals, | The Aboriginal Cultural Heritage investigation submitted by the applicant revealed that no items of Aboriginal Culture Heritage values were identified. The NSW Department of Environment Climate Change and Water have provided their concurrence for approval. | Yes |

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| (m) likely impacts of development on the water quality of coastal waterbodies, | During construction, a range of potentially polluting activities carried out either within the waterway, above the waterline or on adjoining surface areas. There are a range of operational impacts associated with run-off from the bridge which currently enters Stingray Creek untreated. The Environmental Impact Statement assesses potential impacts and provides a range mitigation measures to manage any potential impacts, which are recommended to be imposed as conditions of consent in an Environmental Management Plan. | Yes |
| (n) the conservation and preservation of items of heritage, archaeological or historic significance, | No identified heritage items will be affected by the proposed works. Recommendations have been made in relation to the unexpected discovery of a non-indigenous heritage item or suspected heritage item during the proposed activities, which will be imposed through conditions of consent. | Yes |
| (o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities, | The draft Port Macquarie-Hastings Local Environmental Plan 2010 was exhibited from 8 March to 7 May 2010. There are no provisions relating compaction of towns that are applicable to this proposal. | N/a |
| (p) only in cases in which a development application in relation to proposed development is determined: (i) the cumulative impacts of the proposed development on the environment, and (ii) measures to ensure that water and energy usage by the proposed development is efficient. | i. The assessment report and Environmental Impact Statement demonstrates that it is unlikely that the proposal will result in detrimental cumulative impacts. ii. Not applicable. | Yes |
| Part 4 – Development Control | | |
| 13 Flexible zone provisions – A provision of an environmental planning instrument that allows development within a zone to be consented to as if it were in a neighbouring zone, or a similar provision, has no effect. | Not applicable. | N/a |
| 14 Public access – A consent authority must not consent to an application to carry out development on land to which this Policy applies if, in the opinion of the consent authority, the development will, or is likely | Public access to foreshore will be improved by the proposal. | Yes |

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| to, result in the impeding or diminishing, to any extent, of the physical, land-based right of access of the public to or along the coastal foreshore. | | |
| 15 Effluent disposal – The consent authority must not consent to a development application to carry out development on land to which this Policy applies in which effluent is proposed to be disposed of by means of a non-reticulated system if the consent authority is satisfied the proposal will, or is likely to, have a negative effect on the water quality of the sea or any nearby beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or a rock platform. | Not applicable. | N/a |
| 16 Stormwater – The consent authority must not grant consent to a development application to carry out development on land to which this Policy applies if the consent authority is of the opinion that the development will, or is likely to, discharge untreated stormwater into the sea, a beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or onto a rock platform. | Stormwater during construction and use can be adequately managed. Refer to comments later in this assessment report. | Yes |

It is considered that the application is consistent with the aims and relevant provisions of the State Environmental Planning Policy.

State Environmental Planning Policy (Infrastructure) 2007

Clause 94(1) of the State Environmental Planning Policy Infrastructure provides that development for the purpose of road infrastructure facilities may be carried out by or on behalf of a public authority (i.e. Port Macquarie-Hastings Council) without consent on any land.

Further, Clause 94(2) provides that development for the purpose of road infrastructure facilities includes a reference to development for the following purposes if carried out in connection with a road or road infrastructure facilities:

‘(a) construction works (whether or not in a heritage conservation area), including:

(i) temporary buildings or facilities for the management of construction, if they are in or adjacent to a road corridor, and

(ii) creation of embankments, and

(iii) *extraction of extractive materials and stockpiling of those materials, if:*

(A) the extraction and stockpiling are ancillary to road construction, or

(B) the materials are used solely for road construction and the extraction and stockpiling take place in or adjacent to a road corridor, and

(iv) temporary crushing or concrete batching plants, if they are used solely for road construction and are on or adjacent to a road corridor, and

(v) temporary roads that are used solely during road construction’.

Notwithstanding the above, Clause 8(2) provides that if there is an inconsistency between the provisions of State Environmental Planning Policy Infrastructure and *State Environmental Planning Policy No. 14 – Coastal Wetlands*, State Environmental Planning Policy No. 14 prevails to the extent of the inconsistency. The provisions of State Environmental Planning Policy No. 14 apply to the proposed works and prevail.

The application was referred to the NSW Roads and Traffic Authority (RTA) for comment who advised that the proposal was not considered integrated development as Council is the roads authority and owner. Notwithstanding this, consultation has occurred between the applicant (Council) and the RTA for several years as Ocean Drive is a Regional road (Tourist Road) - ‘classified road’- that attracts State Government funding to assist Council in its ongoing maintenance.

The project requires RTA agreement under Section 61 and Section 138 of the Roads Act for the road works and the new bridge structure. The RTA advised the following requirements to be taken into account in the design and planning of the project:

1. *Bridge engineering design standards to conform to current Australian Bridge Standards AS5100 commensurate with road function and usage;*
2. *Road engineering design standards are to conform to current AUSTROADS Road Design standards commensurate with road function and usage ;*
3. *Environmental clearance (as part of the development approval) to be provided by Council in accordance with clause C.09 of RTA’s “Arrangements with Councils for Road Management”;*
4. *Council is accountable for ensuring adherence to technical, environmental standards, associated legislative, regulatory and administrative processes as well as the arrangement of independent third party certification of adherence to technical and environmental requirements;*
5. *The new bridge shall include facilities and connection for cyclist and pedestrians that are designed to current AUSTROADS guidelines;*
6. *A Traffic Management Plan (TMP) shall be prepared for construction activities and shall include contingencies and contract details for Council, Police, RTA and site management should MR600 be utilised during incidents on the Pacific highway to detour traffic*
7. *The new bridge and approach must be available to all registered vehicles fully laden up to 50 tonnes(noting that Ocean Drive is not a B-Double route).*

It is recommended that the RTA recommendations are incorporated into conditions of consent.

The application is considered consistent with the aims and relevant provisions of the State Environmental Planning Policy.

State Environmental Planning Policy (Major Development) 2005

The proposal is classified as 'designated development' pursuant to Clause 7 of the State Environmental Planning Policy No. 14 – Coastal Wetlands. Accordingly, the development is classified as 'regional development' under Clause 13B(1)(e) of the Policy and is subject to determination by the Joint Regional Planning Panel in accordance with Clause 13F(1)(a).

Additionally, the capital investment value of the project exceeds \$5 million and Council is the applicant for the consent, and therefore Clause 13B(2) applies to the proposal.

North Coast Regional Environmental Plan

In accordance with clause 2, the proposal is consistent with the aims of this Regional Environmental Plan.

Clause 32B, the following matters are required to be taken into account:

- (1) This clause applies to land within the region to which the NSW Coastal Policy 1997 applies.*
- (2) In determining an application for consent to carry out development on such land, the council must take into account:*
 - (a) the NSW Coastal Policy 1997,*
 - (b) the Coastline Management Manual, and*
 - (c) the North Coast: Design Guidelines.*
- (3) The council must not consent to the carrying out of development which would impede public access to the foreshore.*
- (4) The council must not consent to the carrying out of development:*
 - (a) on urban land at Tweed Heads, Kingscliff, Byron Bay, Ballina, Coffs Harbour or Port Macquarie, if carrying out the development would result in beaches or adjacent open space being overshadowed before 3pm midwinter (standard time) or 6.30pm midsummer (daylight saving time), or*

In this regard, the proposal will not contravene any of the requirements of the NSW Coastal Policy, Coastline Management Manual and North Coast Design Guidelines. The proposal will also not impede any public access to a foreshore or adversely overshadow any open space.

In accordance with clause 81, there is a sufficient foreshore open space which is accessible and open to the public within the vicinity of the proposed development. The bridge will not detract from the amenity of the waterway.

It is considered that the application is consistent with the aims and relevant provisions of the Regional Environmental Plan.

Hastings Local Environmental Plan 2001

The bridge structure that traverses Stingray Creek is unzoned however the land adjacent to the creek where the bridge abutments are located is subject to several land use zones under the provisions of Clause 9 of the LEP, as follows:

- Zone 1(a1) Rural: adjacent to the creek bed located at the north-west bridge abutment

- Zone 2(a1) Residential: located adjacent to the 1(a1) Rural zone and 6(a) Open Space zone, not directly adjacent to the creek bed
- Zone 6(a) Open Space: located adjacent to the 2(a1) Residential zone and 6(a) Open Space zone located at the north-east bridge abutment
- Zone 7(a) Environment Protection – Wetlands: not specifically covered by the subject site however is located directly adjacent to Ocean Drive and extends to the south-east bridge abutment adjacent to the creek bed
- Zone 7(d) Environment Protection – Scenic: located at the south-west bridge abutment where the existing bridge commences and includes the road carriageway to the creek bed from the Short Street intersection.

The proposed new bridge structure and associated bridge abutment works as well as the minor reconfiguration works on Ocean Drive, Bridge Street and River Street intersections essentially traverse the same zones as the existing bridge structure with the exception of the 7(a) Environment Protection – Wetlands zone.

Definition of works

Under the LEP the proposed bridge works and associated local road approaches to Stingray Creek Bridge are defined as *utility installations*, which are defined as:

'a) a building or work used by a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a showroom'

Further, the works are considered to be a *public utility undertaking*, as they are being carried out by Port Macquarie-Hastings Council. *Public utility undertakings* are defined in the LEP as:

'any of the following undertakings carried on or permitted or suffered to be carried on by or by authority of any government department or under the authority of, or in pursuance of, any Commonwealth or State Act:

a) Railway, road transport, water transport, air transport, wharf or river undertakings;

b) Undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services;

and a reference to a person carrying on a public utility undertaking shall be construed as including a reference to a council, county council, government department, corporation firm or authority carrying on the undertaking'

The proposed works include demolition of the existing Stingray Creek Bridge, to enable construction of the new bridge. Under the LEP *demolition* is defined as follows:

'the destruction, pulling down, dismantling or removal of a building or structure, in whole or in part'

The proposed works fall within the definition of *demolition* and *utility installations* under LEP 2001.

Permissibility

Utility installations, including construction of the new bridge and associated local road works as well as demolition of the existing bridge are permissible with consent under the following land use zones:

- Zone 1(a1) Rural;
- Zone 2(a1) Residential;
- Zone 6(a) Open Space;
- Zone 7(d) Environment Protection – Scenic; and
- Unzoned land.

In addition, Clause 7(2) of LEP 2001 provides:

‘Nothing in this plan shall be construed as restricting or prohibiting or enabling the consent authority to restrict or prohibit the carrying out of development of any description specified in Schedule 5’.

Section 6 of Schedule 5 includes:

‘the carrying out by persons carrying on public utility undertakings, being road transport undertakings, on land comprised in their undertakings, of any development required in connection with the movement of traffic by road, including the construction, reconstruction, alteration, maintenance and repair of buildings, works and plant required for that purpose, except:

(a) the erection of buildings and the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or

(b) the formation or alteration of any means of access to a road’

The proposal is permissible with development consent and is considered consistent with the all of the zone objectives.

Unzoned Land

Clause 11 relates to land that is unzoned and provides that development consent is required for any development on land that is unzoned. In the case of unzoned land that is below the mean high water mark, the following must be considered by the consent authority:

‘(i) whether or not the proposed development would alienate the waters of the ocean, estuary, bay, lake or river from recreational uses or from commercial fishing and, if so, whether there is sufficient area in the locality for those uses to mitigate the adverse effect of the proposed development on those uses, and

(ii) the provisions of and the impact on any coastal, estuary or river plan of management in force from time to time that applies to the unzoned land or land in the vicinity, and

(iii) any impact on, or from, the natural environment and its processes’.

Potential impacts to the natural environment, estuarine flows, recreational uses and commercial fishing are assessed later in this report.

Environmentally Sensitive Land

Clauses 19, 25, 26, and 39 of LEP 2001 all act to require the proposal to obtain development consent. These clauses relate to landform alterations in Zone 7(a) and 7(d), development of flood liable land, development disturbing acid sulfate soils, and demolition respectively.

Clause 19 aims to ensure that the impact of landform alteration on environmentally sensitive land is subject to specific considerations. Development of land zoned 7(a) that involves

construction of a levee, excavation, filling or draining of land requires development consent under Clause 19(2).

Under Clause 25, development consent of development on flood liable land cannot be granted unless a survey identifying the level of the land relative to the 1 in 100 year flood level has been completed and consideration has been given to:

- a) the likelihood of loss of life or property from flooding;*
- b) the likelihood of increased demand for flood mitigation measures and emergency services;*
- c) any impediments to the operation of floodway systems in times of flood;*
- d) the effect of proposed development on adjoining land in times of flood;*
- e) limits on the intensity of development of urban flood liable land; and*
- f) the provision of services and facilities appropriate to the flood liability of the land.*

The LEP requires particular matters be considered prior to granting development consent on flood liable land. It is not anticipated that the proposed bridge will:

- Alter flood flows, extents or velocities significantly such that an increase in flood risk to life or property will occur as a result of the development;
- Result in any need for increase mitigation measures and/or emergency procedures than those already be in place;
- Alter to the detriment of the operation of the floodway in times of flood. It is anticipated that the increase in the span width between piers and the increase in the flow area beneath the bridge may assist in the flow of floods;
- Affect any proposed development on adjoining land. The adjoining land is currently be subject to flooding and the building of infrastructure, services and facilities would require the appropriate measures for flood liable land.

With respect to acid sulfate soils (ASS) the site is shown as Class 2 and 3 on the ASS Planning Map and therefore development consent is required for works below the ground surface (Class 2) and works within 1 metre below the natural ground surface (Class 3). The objective of Clause 26 is to ensure adequate assessment of development which may create an acid sulfate hazard and therefore, prior to granting consent, the following matters must be taken into consideration:

- a) a preliminary soil assessment determining the presence or absence of potential or actual acid sulfate soils within the area of proposed landform alteration, unless the applicant agrees that potential or actual acid sulfate soils are present within the area of proposed landform alteration;*
- b) where the preliminary soil assessment identifies, or the applicant agrees about the presence of, potential or actual acid sulfate soils—the adequacy of an acid sulfate soils management plan prepared in accordance with the Acid Sulfate Soil Manual;*
- c) the likelihood of the proposed development resulting in the oxidation of acid sulfate soils; and*
- d) any comments received from any relevant public authority the consent authority may consult with in respect of the application.*

Demolition of the existing bridge and road approaches also requires development consent under Clause 39.

Issues relating to impacts to land Zone 7(a), flooding, and acid sulfate soils are discussed later in this report.

It is considered that this report demonstrates that the proposal is consistent with the aims, zone objectives and that the relevant provisions of the LEP have been satisfied.

(ii) The provisions of any draft environmental planning instrument (EPI)

Draft Port Macquarie-Hastings Local Environmental Plan 2010

Council placed on exhibition the Draft Port Macquarie-Hastings Local Environmental Plan 2010 on 8 March 2010. This assessment has considered the draft instrument, but given the timing of exhibition (i.e. following exhibition and referrals of the development application) limited weight has been given to the document. It is noted that the proposed draft Local Environmental Plan does not affect permissibility and that there are no specific provisions that would create any significant impacts on this application.

(iii) Any development control plan

Port Macquarie-Hastings Development Control Plan 2006

DCP 40 – Advertising of Development

The application was exhibited in accordance with the requirements of the Environmental Planning and Assessment Act and Regulations and the DCP.

Seven (7) submissions were received by Council objecting to the proposal. The issues raised in these submissions are discussed later in this report.

DCP 41 – Building Construction and Site Management

The proposal is consistent with the provisions of the DCP. Sediment and erosion controls and site safety fencing will be required during construction through conditions of consent.

(iii)(a) Any planning agreement or draft planning agreement

Nil.

(iv) Any matters prescribed by the regulations

NSW Coastal Policy

The 'NSW Coastal Policy 1997' provides a strategic policy framework for the coast of NSW in order to guide decision making. The central focus of the policy is the ecologically sustainable development of the NSW coastline.

Under the policy, Council has a review role in ensuring that major rezonings and major new developments in the coastal zone are consistent with the Ecologically Sustainable Development principles on which the policy is based.

The proposal will involve some impacts to fisheries habitat, namely seagrass and mangrove communities and State Environmental Planning Policy No. 14 wetlands. These impacts have been minimised to the extent practicable through the route selection and concept design process, and will be further reduced through revegetation and wetland restoration works.

Management of ASS will be detailed in the Construction Environmental Management Plan (CEMP), with the main objective of design and construction planning being to avoid disturbing potential acid sulfate soil material.

Demolition of buildings AS 2601 – Clause 66 (b)

Demolition of the existing bridge will occur following completion of the new bridge. The demolition activities are capable of compliance with the Australian Standard and it is recommended that a condition of consent be imposed regarding this issue.

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments and the social and economic impacts in the locality

Context and setting

The Stingray Creek Bridge lies between the urban areas of Laurieton and North Haven. These townships consist predominantly of low-density residential areas and supporting services. Laurieton consists of residential areas, along with small-scale commercial/retail and supporting services such as health, education, religious and sporting facilities. Land use in North Haven is predominantly residential with a small number of commercial enterprises along Ocean Drive and tourist accommodation.

Minor impacts during construction in the immediate bridge vicinity are expected to waterway traffic and navigation, and recreational fishing for safety reasons; however access for boats will be maintained through the construction site.

Two residential properties will be impacted by land acquisition (total of 28m²) for the realignment of the Ocean Drive intersection with River and Bridge Streets. An oyster lease (OL66/280) on the northern side of the Laurieton bridge approach will also require extinguishment. Property acquisition and lease extinguishment are subject to the terms of the *Land Acquisition (Just Terms Compensation) Act 1991*.

The replacement of the bridge is considered necessary to maintain the link between the two townships.

Access, transport and traffic

Stingray Creek Bridge has two traffic lanes (one in each direction) and a separated footway on the northern (upstream) side. The trafficable width for vehicles between kerbs is approximately 6.1m with a footway of less than 1.0m. Therefore the trafficable width is restrictive, particularly for larger vehicles, and the footway width is also constraining for pedestrians and cyclists. The vertical alignment of the bridge is quite steep which restricts stopping sight distance and also sight distance for vehicles attempting to exit either Bridge or River Streets.

Traffic

Council's Development Engineers have assessed the proposal and have made the following comments:

“Upon final bridge reconstruction, no additional traffic will be generated from the bridge. However, additional vehicle capacity will be created with increased vehicle and pedestrian widths and improved intersection geometry. The Environmental Impact Statement reported that minor increases in heavy vehicle use (0.5% to 1.0% of AADT) are predicted with the removal of the 18 tonne load limit.

The most recent traffic counts (November 2008) indicate approximately 8,300 vehicles per day (vehicles per day) currently cross Stingray Creek Bridge. Historic growth on Stingray Creek Bridge between 1986 and 2004 averages approximately 2.5% per year; however, recent annual growth (2004 to 2008) have averaged less than 1% per year. Daily volume over much of the year is 4,800 vehicles per day with increases between 5,400 and 6,000 vehicles per day during the peak tourist season (December/January).

Future traffic growth in the North Haven area is highly constrained. Total future traffic volumes for the bridge section are estimated to be 13,000 vehicles per day in 2021 and can be accommodated by the proposed two-lane two-way bridge cross section.

The proposed bridge will improve safety while maintaining relatively similar traffic capacity to the existing bridge. Additional stated positive impacts of the bridge include:

- Additional provision for cyclist and pedestrians;*
- Improved sight distance and improved safety of turning movements into and out of Bridge Street and River Street;*
- Increased trafficable width for vehicles*
- Safety barriers in accordance with current standards;*
- Improved alignment with Ocean Drive approach at North Haven; and*
- Continued long-term direct access between North Haven and Laurieton.”*

Construction Traffic

Council's Development Engineers have assessed the proposal and have made the following comments:

“During construction of the bridge additional traffic will be generated by construction workers and material deliveries. The existing bridge is to remain open during construction and minor delays and temporary half-road closures are expected. A construction traffic management plan will be required to detail how traffic patterns will be addressed during construction. The construction schedule shall minimize impacts during peak tourist times and school times.

The traffic management plan shall detail how traffic issues will be addressed during construction. The plan will address as a minimum:

- Provision of safe pedestrian and cyclist access around the construction zone;*
- Traffic control plans;*
- Staff and contractor parking; and*
- Communications with residents and visitors regarding road closures, and traffic management changes.*

The following general measures should be included in the traffic management plan as a minimum:

- To reduce the employee traffic impact, staff traffic movements should be avoided during the background peak periods on the adjacent road network, e.g. 8 to 10 am and 3 to 5 pm;*
- Construction vehicle movements outside of standard working hours, including loading and unloading operations, will be minimised and avoided where possible;*
- A designated area for staff and contractor parking will be identified and established (preferably away from Ocean Drive) and staff will be directed to only use these areas; and*
- Construction activities during the peak summer holiday period should be avoided or minimised to the extent practicable.*

A program to provide updates to the community on the progress of construction and any planned traffic changes or delays should be developed. The plan should incorporate a range of communication methods, including but not limited to:

- Notices in local businesses and newspapers;*
- Letters to directly affected residents;*
- Notices on Council's website;*
- Community Newsletters; and*
- Complaint procedures and contact details."*

It is recommended that the traffic management measures are incorporated into conditions of consent.

Access

The preferred Option 3A alignment provides for relatively similar travel distances to and from existing locations. It maintains shorter travel routes for non-vehicle travellers between North Haven and Laurieton, and will be less likely to generate more traffic through the coastal towns.

With the Option 3A alignment, access can be maintained to the existing boat ramp located adjacent to the bridge on the south side.

Public domain

Minor impacts to road and waterway users may be experienced during demolition of the existing bridge and construction of the new bridge, such as short-term closures of Ocean Drive and the Camden Haven River, increased noise emissions and the like. A small number of residential properties will also be impacted from construction activities. However, these impacts can be managed through mitigation measures including work hours, pollution control and site safety measures and communication with residents, road and waterway users. It is recommended that conditions of consent be imposed to ensure the impacts on the public domain are minimised.

Pedestrians

The proposed bridge cross-section includes both a 1.8m wide footway and a 3.0m wide shared cycleway/footway. Current conceptual plans propose the shared cycleway/footway on the upstream (northern) side of the bridge. Community consultation has requested that the bridge cross-section move the proposed cycleway/footpath to the downstream (southern) side of the bridge in an effort to minimize pedestrian conflicts across Oceans Drive. Council has included this request as a recommendation of the Environmental Impact Statement.

The footway and shared cycleway will support the implementation of the Camden Haven Bike Plan and improve the connection of the cycleway/pedestrian route between North Haven and Laurieton.

Following community consultation conducted by the applicant, the shared cycleway/footway shown in the concept design plans was relocated to the southern side of the bridge (currently on the northern side) to support the connection with the existing pathways. Council's Development Engineers have also recommended that during detailed design phase of the bridge structure, that the abutment be designed such that sufficient area is available for a pedestrian underpass or boardwalk of the bridge (North Haven side) to provide safe pedestrian linkage along the foreshore. This would avoid the need for pedestrians to cross Ocean Drive in this location.

The existing pedestrian refuges on Ocean Drive west of the existing bridge and east of Bridge/River Street will be maintained with the preferred Option 3A bridge alignment.

Utilities

Telecommunications

It is proposed to relocate the existing telecommunications conduits from the existing bridge to the new bridge structure. The conduits will be located beneath the footpath of the new bridge as shown in Figure 9 of the Environmental Impact Statement. It is recommended that a condition be imposed requiring the works to comply with the requirements of Telstra.

Electricity

Electrical conduits will be supplied in the new bridge substructure to supply the proposed luminaries and for the future burying of electrical assets. It is recommended that a condition be imposed requiring the works to comply with the requirements of Country Energy.

Heritage

European cultural heritage

A qualitative assessment of the cultural heritage as it relates to the subject site and surrounding lands was undertaken by the applicant's consultant for the preparation of the Environmental Impact Statement. The assessment involved the identification of heritage items, places, sites as well as the identification of the potential impacts on the heritage values of the subject site and surrounding lands arising from the proposed works. No known sites of potential heritage value were identified as being impacted by the proposed works.

Aboriginal heritage

In the Environmental Impact Statement the eastern bank of Stingray Creek has been identified as containing the potential to contain sub-surface Aboriginal archaeological deposits. Any excavation works therefore may have the potential to uncover and/or destroy unidentified items of cultural heritage significance.

In response to the NSW Department of Environment Climate Change and Water's (DECCW) request, a preliminary assessment of Aboriginal Cultural Heritage values was undertaken by the applicant. The assessment concluded *"that no Aboriginal Cultural Heritage values were identified and that the footprint of both the existing and proposed new bridge does not encompass evidence of Aboriginal objects on the surface or under the surface, does not include intact landform and consequently does not include potential for archaeological deposit. No Aboriginal sites occur in close proximity to the bridge and no indirect impacts are envisaged on sites in the local area due to their great distance away from the development."*

DECCW issued their concurrence for approval of the development application subject to the applicant providing evidence that the local Aboriginal stakeholders have been consulted.

The applicant has advised that the following consultation with the Bunyah Local Aboriginal Land Council by the applicant has been undertaken at various stages, including:

- During preparation of the Aboriginal Cultural Heritage Assessment by AECOM in March 2010;
- During preparation of this report by AECOM in November 2008;
- During the Route Options Study by AECOM in March 2008; and
- During preparation of the former Environmental Impact Statement and Feasibility Study by GHD in 2004.

During the consultation the applicant was advised by representatives from the Bunyah Local Aboriginal Land Council that no known cultural heritage sites existing within or immediately adjacent to the construction footprint.

Other land resources

Local oyster production has been identified as a land resource that could be affected by the proposal. Refer to the assessment of the provisions of the State Environmental Planning Policy No. 62 – Sustainable Aquaculture earlier in this report.

Flooding

Council's Environmental Engineer has assessed the proposal and has made the following comments with regards to flooding:

"The eastern and western embankments of Stingray Creek Bridge and parts of North Haven are subject to flooding. The Public Works Camden Haven Flood Study (February 1989) calculated the peak design flood levels along Stingray Creek at North Haven Bridge at 2.3m AHD (5% AEP), 2.6m AHD (2% AEP) and 2.8m AHD (1% AEP). Sections of the new bridge approaches will continue to be subject to flooding.

The Environmental Impact Statement concluded that increasing the design bridge approaches to allow for any predicted sea level rise to mitigate flood impacts would potentially impact on flooding of properties in North Haven, and was not recommended. Additional clearance is recommended beneath the bridge girders. (see comments under "Roads")"

It is recommended that conditions of consent be imposed with regards to the issue of flooding.

Bushfire

The site is not identified on Council's mapping as being bushfire prone.

Sewer

Council's Acting Sewerage Manager has assessed the proposal and has made the following comments:

"A 225mm diameter sewer rising main is located on the existing bridge serving the North Haven area. This main is to be replaced by an equivalent main on the southern side of the bridge as shown in the plans. All work is at the proponent's cost. Realignment work is also required on either side of the bridge to connect to the existing main."

It is recommended that conditions of consent be imposed with regards to sewerage.

Water quality

Potential impacts

Construction will include undertaking potentially polluting activities either within the waterway itself, above the waterline, or on adjoining surface areas. Such activities include earthworks, fuel and chemical storage, refuelling of plant and equipment, disposal of wastewater, placement of concrete, staff facilities, waste collection, and erosion from exposed ground or material stockpiles.

Following construction of the new bridge, reconstruction of the road approaches and removal of the existing bridge the net increase in total impervious area will be approximately 1000m². This increase is a result of the wider allowances on the proposed bridge for travelling lanes, footway and additional cycleway/footway provisions. The new bridge is also slightly longer than the existing bridge due to its curvilinear alignment.

Due to an increase in impervious area there will be an increase in the amount of stormwater runoff from the proposal in comparison to the existing bridge structure. The water draining from the existing bridge and approaches currently drains into Stingray Creek untreated. Runoff from roadways has the potential to carry litter, sediment, hydrocarbons (oil, grease, rubber) metals and other urban pollutants into the creek.

Proposed mitigation measures

Construction

Avoidance of water quality impacts is a key environmental management objective during construction to prevent contamination of the estuary and nearby aquaculture activities. Stormwater management during construction and operation of the proposal would be in accordance with the following guidance:

- RTA Specification G38 Soil and Water Management (Soil and Water Management Plan) (RTA 2004c);
- RTA Specification G39 Soil and Water Management (Erosion and Sediment Control Plan) (RTA 2004b);
- RTA Water Policy (RTA , undated), RTA Code of Practice for Water Management (RTA 1999); and

- Managing Urban Storm water: Soils and Construction Volumes 1, 2D (Landcom 2004, DECC June 2008).

Prior to construction commencing, a Soil and Water Management Plan (SWMP) will be prepared in accordance with the above mentioned specification and policies and to verify that no construction impacts are occurring, a water quality monitoring program will be implemented.

Operation

In order to mitigate the impacts of stormwater from the road and bridge surfaces, it is proposed that the detailed design include long-term stormwater management measures in accordance with Council's stormwater management requirements and the RTA/DECC "Code of Practice for Water Management" incorporating:

- Stormwater drainage networks;
- Oil/hydrocarbon filters;
- Sediment control points; and
- Litter capture (Gross Pollutant Trap - GPT).

Council's Development Engineers have assessed the proposal and have made the following comments with regards to stormwater:

"Stormwater from the existing bridge currently drains into Stingray Creek untreated. Runoff from roads have the potential to carry urban pollutants into the creek.

The new bridge will be both longer and wider than the existing structure, and therefore will generate an increase in the amount of stormwater runoff. The contractor shall implement a Soil and Water Management Plan (SWMP) during bridge construction and incorporate stormwater treatment measures into the bridge design. Rainfall runoff from the proposed bridge deck shall be captured and directed to purpose-built stormwater treatment structures prior to discharge to Stingray Creek."

It is recommended that conditions of consent be imposed with regards to the management and treatment of stormwater.

Water supply

Council's Water Supply Development Engineer has assessed the proposal and has made the following comments with regards to stormwater:

"The following water mains and adjustments will be required as part of the works:

1. 375mm AC Trunk water main

This water main is to be relocated as indicated on the plans submitted with the development application on the south side of the new bridge superstructure at the proponent's cost. In addition to the bridge crossing, the work will include an adjustment of about 60 metres of water main on the east side of the bridge and an adjustment of up to 1200 metres on the west side. On the west side it will also be necessary for the new water main to cross the new road formation from south to north. Stop valves off each end of the bridge will be required as well as an air valve on the bridge structure.

2. 2 x 150mm AC distribution water mains

Council's Water Supply Section will replace these water mains with a 450mm water main, with the bridge crossing generally as shown on the plans submitted with the development application on the north side of the bridge. The work will also include about 60 meters of additional pipe from the bridge abutment to the north-eastern corner of the intersection of Ocean Drive and Bridge Street. At this point a connection will be made to the existing 200mm AC water main. On the western side of the new bridge an adjustment of about 90 metres will be required in both 450mm and 200mm water main. Stop valves off each end of the bridge will be required as well as an air valve on the bridge structure."

It is recommended that conditions of consent be imposed with regards to water supply.

Soil

The study area sits within a low-lying alluvial floodplain. According to Council records, areas around the bridge are subject to moderate soil loss and the site has a high probability of acid sulfate bottom settlements at shallow depths.

The proposal will require earthworks and disturbance of stream banks for the construction of new embankments and bridge abutments at both the western and eastern approaches of the bridge and for the demolition of the old bridge and piers. Impacts during construction include the potential for erosion of exposed areas during rainfall and transport of sediments into the creek.

Additionally, the earthworks may present a potential risk of exposing acid sulphate materials. If this were to occur, it would potentially result in the formation of acid drainage, impacting the aquatic ecosystem and nearby aquaculture operations.

In order to address the potential impacts of the construction on erosion and sedimentation, it is recommended that conditions of consent be imposed requiring the preparation of a Soil and Water Management Plan in accordance with relevant guidelines and standards and implemented during construction.

In order to address the potential risk of disturbing potential acid sulfate soils, the applicant proposes to:

- Consider in the detailed design construction planning phases, methods to eliminate or reduce the need to expose PASS materials; and
- Prepare and implement of an Acid Sulfate Soils Management Plan in accordance with the *NSW Acid Sulfate Soils Manual* (Stone *et al*, 1998) to avoid disturbance of PASS and prevent the generation of acid drainage or leachate.

It is recommended that conditions of consent be imposed requiring appropriate mitigation measures be implemented prior to commencement and throughout the works.

Air and microclimate

Construction

Exposure of soils from the realignment of the road and construction of the embankments has the potential to generate dust which may also contribute to local air pollution and pose a nuisance to residents, as too would the necessary movements of trucks and machinery for construction.

Construction vehicle and plant emissions will contribute to local generation of greenhouse gases and air pollutants. However these emissions will be short-term and minor compared to the overall contribution of vehicle traffic within the local government area.

It is recommended that a condition of consent requiring that prior to construction, an Air Quality/Dust Management Plan be prepared incorporating appropriate dust control practices and procedures.

Occupation

Some heavy vehicles (greater than 18 tonnes) may be currently travelling between Laurieton and North Haven or Lake Cathie/Bonny Hills via Kew. Following opening of the new bridge a small number of heavy vehicle trips may be reduced in length therefore reducing overall exhaust emissions.

However this contribution is likely to be only minor and therefore operational impacts on air quality and greenhouse gases are unlikely to be measurably altered following replacement of the existing bridge.

Flora and fauna

Construction of the proposed development will not require any removal/clearing of any significant vegetation and therefore will be unlikely to have any significant adverse impacts on biodiversity or threatened species of flora and fauna. The applicant's ecological assessment satisfactorily addresses Section 5A of the Act.

Refer also to the assessment of the provisions of the State Environmental Planning Policy No. 14 – Coastal Wetlands.

Waste

Wastes created from demolition and construction will require sustainable management. It is recommended that a condition of consent be imposed requiring the submission of a Demolition and Construction Management Plan prior to the issue of the Construction Certificate.

Noise and vibration

The proposal is located adjacent noise sensitive receptors being residential dwellings and recreational areas.

Construction Noise

The *Noise Control Guideline: Construction Site Noise* was first published in 1985 and is currently the existing adopted guideline for construction site noise in NSW. For projects greater than 26 weeks duration, noise level criteria for construction works is the average background level + 5dB(A).

The guideline also provides time restrictions for construction activities as follows:

- Monday to Friday: 7am to 6pm.
- Saturday: 8am to 1pm if audible on residential premises, otherwise 7am to 1pm.
- No construction work to take place on Sundays or Public Holidays.

The proposed construction working hours are consistent with the above restrictions and it is recommended that the construction hours be imposed through conditions of consent.

Additionally, the applicant proposes to formalise the mitigation methods to address any potential noise and vibration issues in a Construction Noise and Vibration Management Plan (CNVMP). The plan should detail any community notification programs which are planned regarding out of hours construction work to be undertaken, and a 24 hour contact phone number for residents to call should they have any complaints or questions.

It is recommended that the requirement for the CNVMP be included as a condition of consent.

Operational noise

The applicant advises that whilst it is not an intention of the proposal to change the traffic mix (i.e. to significantly increase the proportion of heavy vehicles using the road), it may be a by-product of removing the existing weight restriction of 18 tonnes, that the new bridge will result in a small percentage increase of heavy vehicle traffic.

Traffic assessment works undertaken by AECOM as part of the Stingray Creek Bridge Options study, (Maunsell AECOM 2008; Section 4.10.2), found that:

“Recent traffic surveys of Ocean Drive North Haven indicated that 2.9% of traffic using the road are heavy vehicles (Port Macquarie-Hastings Council, April 2005). This could increase to about 4% with the construction of a new bridge.”

Based on an annual average daily traffic (AADT) flow of 9400 vehicles, the predicted incidental increase in heavy vehicle numbers results in a noise level increase of 0.3 dB(A). Given this, it is considered necessary to examine the feasibility of noise treatments.

The following noise reduction recommendations are outlined in the Environmental Impact Statement:

- *Install a ‘low-noise’ pavement surface such as open grated asphalt near the North Haven (eastern) bridge abutment; and*
- *Impose a reduced speed limit of 50kph on the new bridge.*

The noise assessment did not conclude that acoustic walls at the most affected residences were required as it is anticipated that the above measures will result in noise levels at the most affected residence (i.e. 1 Bridge Street) being reduced by 1.1dB(A) when compared to existing road traffic noise.

It is recommended that the above mitigation measures be required through conditions of consent.

Socio economic impacts in the locality

North Haven and Laurieton play a role in the regional tourism and provide accommodation and recreational facilities. The townships have an coastal village atmosphere and amenity and are surrounded by natural resources such as Stingray Creek, Camden Haven river, extensive Nature Reserves and National Parks. The Mid-North Coast Regional Strategy recognises that tourism is a significant component of the regional economy and highlights the need to ensure the character and appeal of coastal towns, villages and their hinterland is not lost.

Construction will have the potential to cause disruption to residents and an impact on the visual amenity of the area. These impacts are considered to be of relatively short duration and can be managed through the employment of mitigation measures to minimise disruption to residents, particularly relating to noise and vibration, and traffic management.

Additionally, to avoid impacts on local businesses and tourism during construction, the applicant plans to undertake construction activities outside the peak summer holiday period and together with scheduling of construction phases would minimise disruption and nuisance during other school holiday periods.

The Environmental Impact Statement indicates that local businesses, particularly nearby shops and holiday accommodation facilities, would be provided up to date construction information and relevant contact details to communicate any key concerns or complaints in relation to construction scheduling and impacts.

Cumulative impacts

The proposed development is not expected to have any significant adverse cumulative impacts on the natural or built environment or the social and economic attributes of the locality provided that the proposed mitigation measures are implemented as outlined in the Environmental Impact Statement.

(c) The suitability of the site for the development

The Environmental Impact Statement provides the assessment of a variety of options for the replacement of the bridge. The proposed option (3A) was recommended on the results of the Route Options Study and outcomes of the Value Management Workshop which was attended by a range of community representatives.

In comparison to the alternatives considered, the preferred option provides an improved and safe road alignment for Ocean Drive, reduced impacts to properties on Ocean Drive and reduced potential impacts on Stingray Creek.

(d) Any submissions made in accordance with this Act or the regulations

The application was notified and exhibition in accordance with the requirements of the Environmental Planning and Assessment Act and Regulations thereunder and Council's adopted Port Macquarie-Hastings Development Control Plan 2006 (DCP 40 – Advertising of Development).

Additionally, the applicant conducted community information and consultation sessions during the preparation of the Environmental Impact Statement and during the exhibition of the development application.

Following completion of the required public exhibition period eight (8) submissions have been received from members of the public. However, one submission was referred to the applicant for response as it was raising issues of financial compensation.

Issues raised in the submissions received and comments in response are provided as follows:

| Issue | Submission Summary | Planning Comment |
|-----------------------------------|--|--|
| Increased traffic | Concerns that the traffic figures in the Environmental Impact Statement were underestimated and that the traffic impacts as a result of the new bridge would increase in North Haven. | Council's Development Engineers have assessed the application and Environmental Impact Statement and have advised that there will be minimal traffic increases, including truck movements, as a result of the new bridge. The traffic increases in the future will be a result of population increases in the region. |
| | Concerns that the increase in load limit will result in an increase in heavy truck movements through North Haven and Bonny Hills. Traffic calming devices on Ocean Drive will result in trucks using local roads. Will reduce amenity and safety for residents. Advocates bypass of both villages. | Refer to comment above. Local buses and quarry trucks already hold exemptions to load limit. |
| Cycleway | Concerns that the cycleway is indicated on the Northern side of the bridge and not Southern as was indicated in the community consultation. Concerns that the location could be unsafe and not connect with existing cycleway. | The applicant has advised that the shared cycleway/footway shown in the concept design plans was relocated to the southern side of the bridge (currently on the northern side) to support the connection with the existing pathways. Council's Development Engineers have also recommended that during detailed design phase of the bridge structure, that the abutment be designed such that sufficient area is available for a pedestrian underpass or boardwalk of the bridge (North Haven side) to provide safe pedestrian linkage along the foreshore. This would avoid the need for pedestrians to cross Ocean Drive in this location. |
| Loss of amenity to North Haven | Disagrees with statement in the Environmental Impact Statement that the new bridge will not result in the loss of amenity for residents. Feels that the proposed option has been chosen as it is the cheapest. | Refer to earlier comments. The Environmental Impact Statement has satisfactorily analysed all available options weighing up environmental, economic and social considerations. |
| Option 3A not chosen by residents | Feels that the preferred option was not the option chosen by residents during the community consultation sessions and that the bypass options were not thoroughly assessed. | Refer to above comments. It should be noted that 275 submissions were received in response to the previous development application when compared with 8 submissions received in response to this development application. |

(e) The public interest

Ecologically Sustainable Development and Precautionary Principle

Ecologically sustainable development (ESD) requires the effective integration of economic and environmental considerations in decision-making processes.

The four principles of ecologically sustainable development are:

- the precautionary principle,
- intergenerational equity,
- conservation of biological diversity and ecological integrity,
- improved valuation, pricing and incentive mechanisms.

The Environmental Impact Statement has demonstrated that the Precautionary principle has been applied through each stage of the route options assessment and concept design. Environmental assessment has been based on best available technical information and precautionary mitigation measures have been developed to avoid, minimise, or manage any identified or potential impacts.

The Intergenerational Equity principle requires the present generation to ensure that the diversity, health and productivity of the environment is maintained or enhanced for the benefit of future generations.

An appropriate crossing of Stingray Creek is needed to maintain the regional road network which is vital to the continued economic development of Laurieton and the region. Without such a crossing, access of Laurieton and North Haven residents to services and facilities would be severely restricted.

The principles of ESD require that a balance needs to be achieved between the man-made development and the need to maintain ecological processes. Based on the assessment provided in this assessment report, the Environmental Impact Statement and the recommended conditions of consent, it is considered an appropriate balance has been achieved.

Draft Sea Level Rise Policy Statement

The NSW Government has prepared a draft Sea Level Rise Policy Statement (Department of Environment and Climate Change, 2009). The draft policy outlines the government's objectives and commitments to sea level rise and outlines the support that the NSW Government will provide to coastal communities and local councils to prepare and adapt to rising sea levels.

The policy recommends that planning and investment decisions consider the range of sea level rise projections over the life of an asset to decide how the structure can be located or designed to avoid or minimise sea level rise impacts.

It is a recommendation of the Environmental Impact Statement (clause 11.3.3) that the detailed design of the proposed bridge structure look to increase clearance beneath the underside of the girders in the centre of the bridge to account for some sea level rise over the course of its design life. It is recommended that a minimum of 0.4 - 0.5m be considered rather than the full 2100 year benchmark of 0.9m. This increase would account for projected sea level rise for the first half of the bridge's design life and recognises that a greater increase will be constrained by practical construction and design considerations on the western and eastern road approaches.

Council's Development Engineers recommend that any increase in clearance would need to be balanced with the need to avoid an increase in filling of the western embankment which could adversely affected current flood flows in Stingray Creek and nearby properties in North Haven.

Mid-North Coast Regional Strategy

The NSW Department of Planning's Mid-North Coast Regional Strategy is based on a potential regional population increase from 330,600 to 424,600 by the year 2031, which equates to a total of 94,000 additional people.

The strategy notes that the region's economy is based on service industries, manufacturing, construction and agriculture and particularly tourism. It highlights the need to ensure that the character and appeal of coastal towns, villages, and their hinterland is not lost through inappropriate development.

The applicant through the Environmental Impact Statement has informed that the proposal aims to support future economic growth of the area by ensuring ongoing connection between the local communities and Port Macquarie.

It is considered that the proposal is consistent with the Strategy in that impacts to high value environments has been minimised through the route selection process and that the bulk and scale of the proposed structure is relatively similar to the existing bridge, therefore having minimal impact on the character of the local villages.

5. DEVELOPMENT CONTRIBUTIONS APPLICABLE

No developer contributions are applicable to the proposal.

6. CONCLUSION

The application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

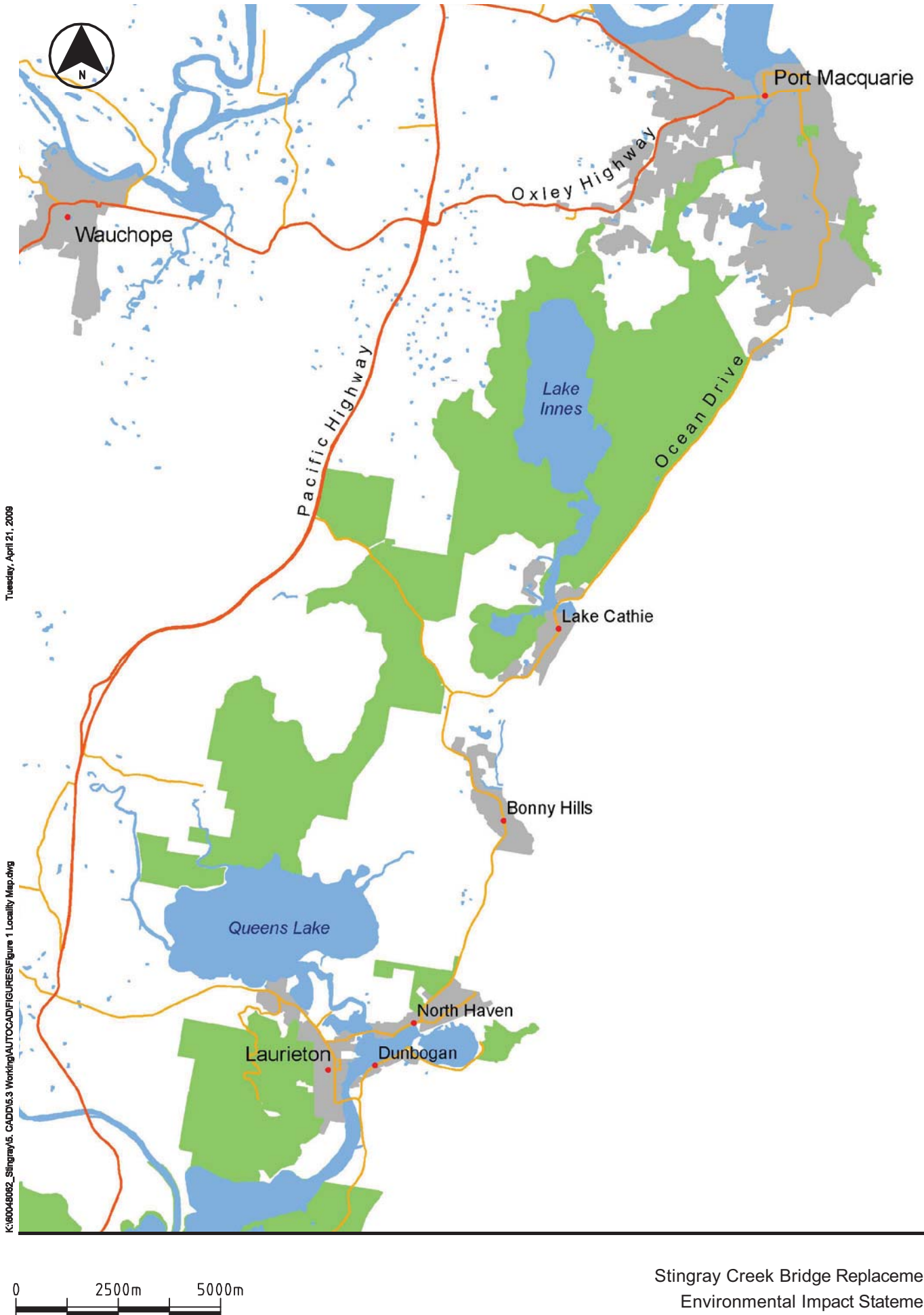
Issues raised during assessment and public exhibition of the application have been considered in the assessment of the application.

Based on this assessment, the site is considered suitable for the proposed development, is not contrary to the public's interest and will not have an adverse social, environmental or economic impact.

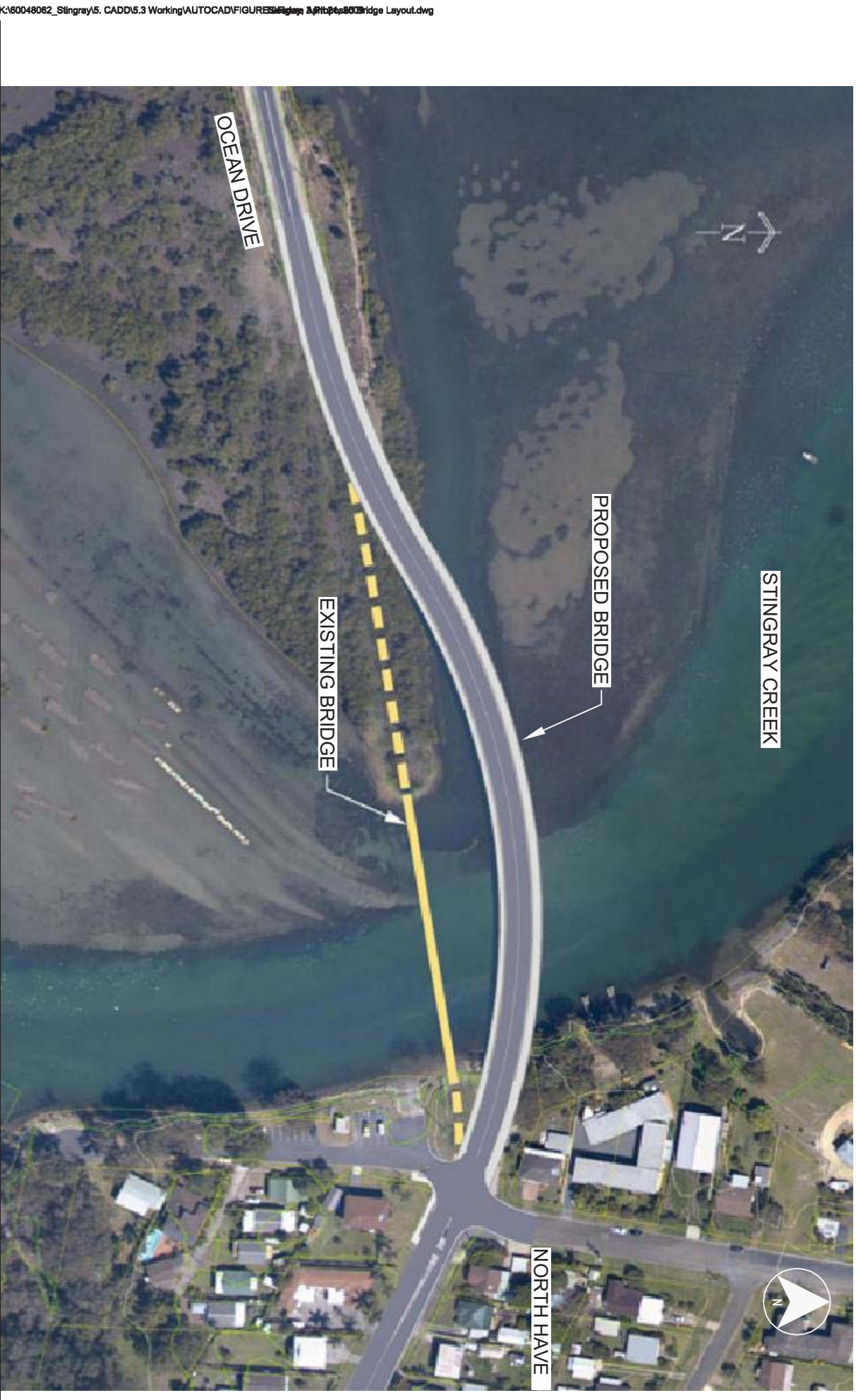
It is recommended that the application be determined by granting conditional consent.

ATTACHMENTS

- **Site plans and elevations**
- **Submissions**
- **Environmental Impact Statement**
- **Draft Consent Conditions**



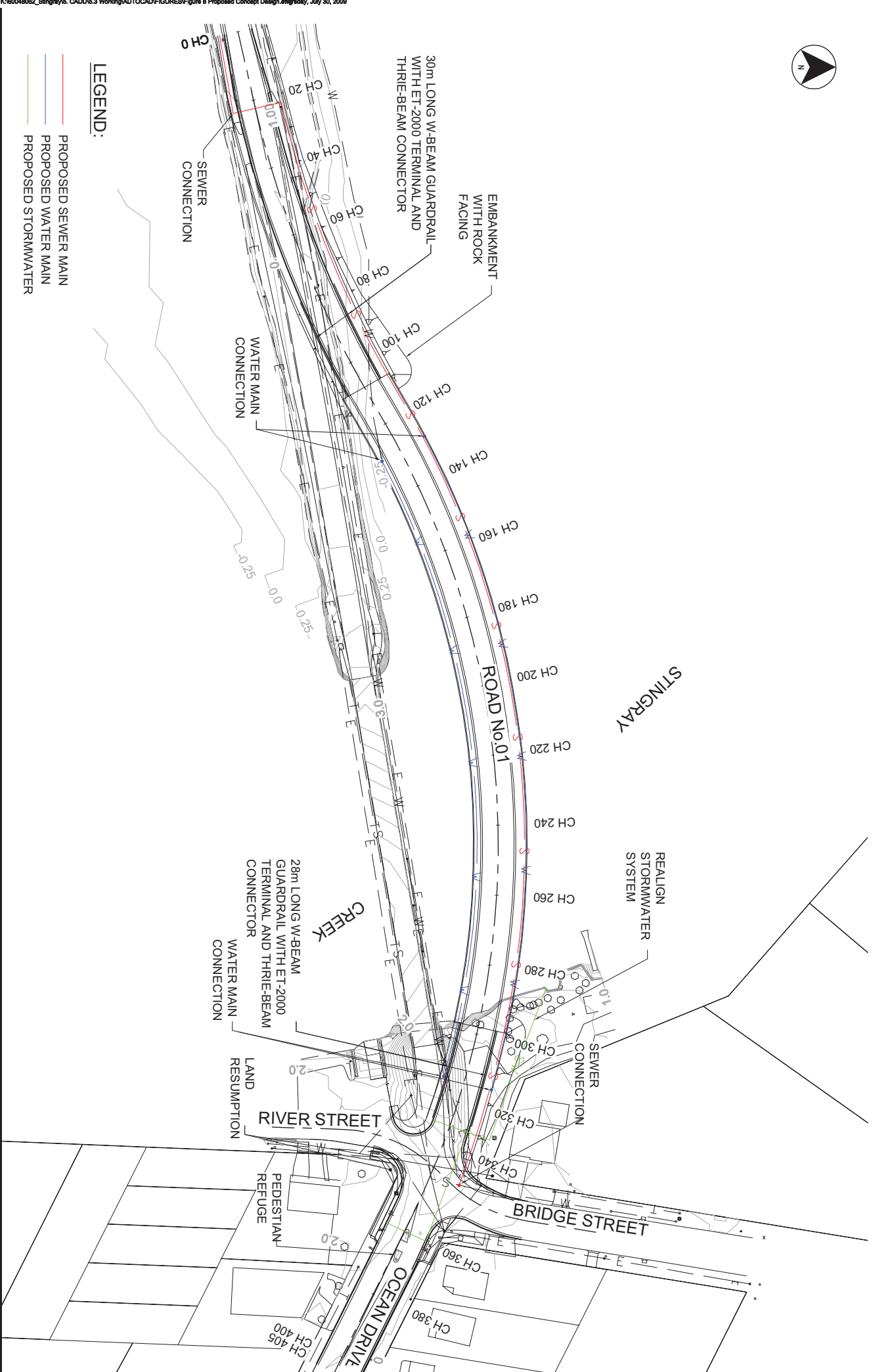
Stingray Creek Bridge Replacement
Environmental Impact Statement
Figure 1 Locality Map



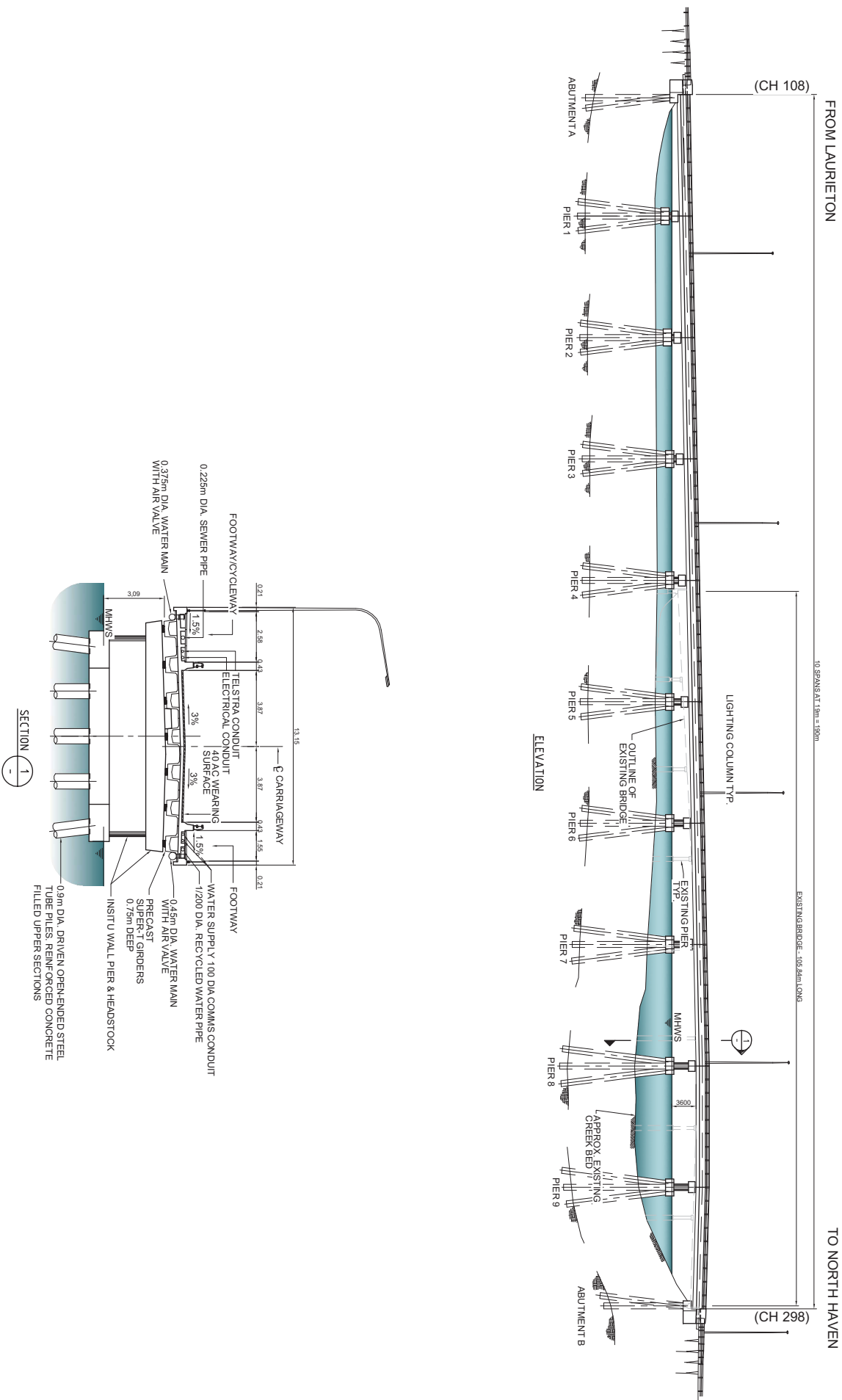
Stingray Creek Bridge Replacement
Environmental Impact Statement
Figure 3 Proposed Bridge Layout



K:\60048082_Stingray\6. CADD\6.3 Working\AUTOCAD\FIGURES\Figure 8 Proposed Concept Design.dwg, July 30, 2009



Stingray Creek Bridge Replacement
Environmental Impact Statement
Figure 8 Proposed Concept Design



K:\60048082_Slings\6. CADD\6.3 Working\AUTOCAD\FIGURES\Figure 9 Cross section of new bridge.dwg, July 30, 2009



Slings Creek Bridge Replacement
Environmental Impact Statement
Figure 9 Cross Section of New Bridge

Legend

 Project Footprint

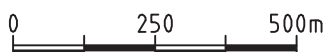


Thursday, July 30, 2009

K:\60048062_Stingray\5. CADD\5.3 Working\AUTOCAD\FIGURES\Figure 10 Project Footprint.dwg

0 50 100m

Stingray Creek Bridge Replacement
Environmental Impact Statement
Figure 10 Project Footprint



Stingray Creek Bridge Replacement
Environmental Impact Statement
Figure 11 Local Environment plan Zoning



Legend

-  SEPP 14 Boundary
-  Project Footprint

Stingray Creek Bridge Replacement
Environmental Impact Statement
Figure 12 SEPP 14 Wetlands

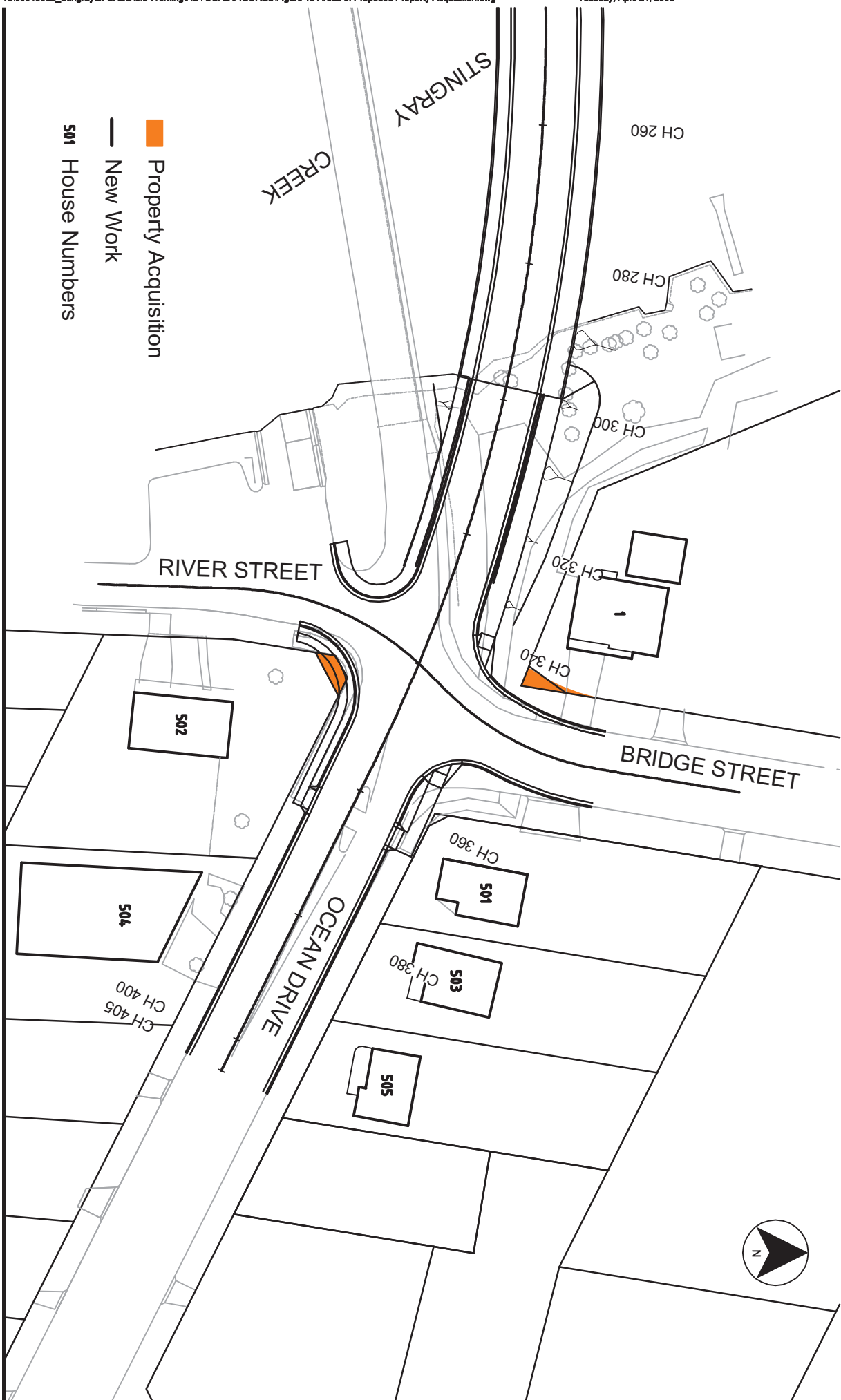


Figure 13 Areas of Proposed Property Acquisition



ACKNOWLEDGEMENT SENT

-9-10-09

018

D-JJ

JASON
McCLUNG

SOLICITOR



ACCREDITED SPECIALIST
PROPERTY LAW

Suite 4
Elders House
Cor Pacific Highway & Park Avenue
Coffs Harbour NSW 2450

(P.O. Box 1011)

Email: jason@jasonmcclung.com.au
Facsimile: (02) 66 515 852
Telephone: (02) 66 515 800

7 October 2009

The General Manager
Port Macquarie – Hastings Council
Development & Environment Services
P O Box 84
PORT MACQUARIE NSW 2444

Dear Sir/Madam

Stingray Creek Bridge
Development Application and EIS Public Exhibition
My Reference: 08361

| | |
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| Port Macquarie | |
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| 9 OCT 2009 | |
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| Binder | |

I act for Pelican Waters MH Pty Limited, the owner of Aspire Pelican H2O, 3 - 5 Bridge Street, North Haven.

My client has been provided with the publicly available information regarding the Stingray Creek Bridge Project.

My client has recently completed substantial renovation and refurbishment of their property and due to the immediate proximity of the Stingray Creek Bridge Project to my client's property, there will be substantial economic consequences to my client during the construction of the bridge.

My client intends to make a formal submission in response to the EIS but in the meantime my client has asked that I give notice to the council of my client's concerns in regard to the following:-

1. The likely impact on the buildings on my client's property as a result of the works and the proposed measures to be adopted by council (if any) to monitor and compensate owners for dilapidation;
2. The council's proposal for working hours for the project including the council's proposal in regard to works being performed on weekends, public and school holidays. Also, information regarding the hours of work during work days;
3. Council's proposal for sufficient alternative access to my client's property and guarantees that access will not be obstructed;

Liability limited by a scheme approved under Professional Standards Legislation

Refer to Peter
Jenkins for
response
D. 19/10/09


expires 6/11/09

4. Council's proposal in regard to the provision of compensation due to loss of trade and the likely impact on future trade (after completion of the bridge).

Please advise the name and contact details of the appropriate liaison officer at the council to discuss these issues with a view to my client making a formal submission within the time period allowed.

I look forward to hearing from you.

Yours faithfully



Jason McClung
Accredited Specialist Property Law

ACKNOWLEDGEMENT SENT

D-~~Sup~~ Sup

14-10-09 014



Jacky Jurmann/PMHC
14/10/2009 09:29 AM

To: Leane Gadd/PMHC@PMHC
cc: council@pmhc.nsw.gov.au
bcc:
Subject: Fw: re : stingray creek bridge submission.

Please register and acknowledge submission.

Jacky Jurmann
Development Assessment Planner
Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444
ph: 02 6581 8537
fax: 02 6581 8788
email: Jacky.Jurmann@pmhc.nsw.gov.au

----- Forwarded by Jacky Jurmann/PMHC on 14/10/2009 09:29 AM -----
paul child <childos1@hotmail.com>

12/10/2009 02:50 PM

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| Port Macquarie | |
| HASTINGS COUNCIL | |
| Parcel | 28574 |
| 14 OCT 2009 | |
| Library | |
| Room | |
| Cabinet | DA 2009-0368 |
| Binder | |

To: <jacky.jurmann@pmhc.nsw.gov.au>
cc:
Subject re : stingray creek bridge submission.

port macquarie hasting council
jacky jurmann,

hi jacky I would like to offer a submission re the EIS for stingray bridge. I am greatly concerned about the existing traffic problems with ocean drive & in particular the area around the bridge & around the retail section of ocean drive. I have now read the EIS by AECOM & find it lacking in facts. Many traffic flow data seem to be carried out in low peak times not holiday times. The 25% loading for peak seems very small, the noise level data is also not accurate [although AECOM do indicate that the noise is already above RTA max.] Speed limits seem to be different in the EIS as to RTA road side markings, it seems by all AECOM data that over 4000 vehicles per day are driving over the legal speed limit along Ocean Drive North Haven but nobody acts on this info. [why]

Under section TRAFFIC TRANSPORT & ACCESS IMPACTS -
re : the potential adverse impacts on traffic & noise AECOM suggest that implementation of the recommended mitigation strategies be carried out.
15.6 page 209 "---- Reduced speed limits to 40k in retail areas, Raised pedestrian crossing to physically restrict vehicle speeds.---"
in my opinion these 2 recommendations would go a long way in making our retail area a safer place for all. These changes to Ocean Drive could be completed prior to bridge works & this would make many locals feel that we are at last seeing a change for the better.

as stated by AECOM these changes would "--make less the impact--"

Thanks paul & margaret child 540 ocean drive north haven 12/10/09.

Check out The Great Australian Pay Check Take a peek at other people's pay and perks

ACKNOWLEDGEMENT SENT
Copy for DA

D-~~Sup~~ Sup (55)

14-10-09 014



Jacky Jurmann/PMHC

14/10/2009 09:29 AM

To Leane Gadd/PMHC@PMHC

cc council@pmhc.nsw.gov.au

bcc

Subject Fw: re : stingray creek bridge submission.

Please register and acknowledge submission.

Jacky Jurmann
Development Assessment Planner
Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444
ph: 02 6581 8537
fax: 02 6581 8788
email: Jacky.Jurmann@pmhc.nsw.gov.au

--- Forwarded by Jacky Jurmann/PMHC on 14/10/2009 09:29 AM ---
paul child <childos1@hotmail.com>

12/10/2009 02:50 PM

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| Port Macquarie | |
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| Parcel | 28574 |
| 14 OCT 2009 | |
| Library | |
| Room | |
| Cabinet | DA 2009-0368 |
| Binder | |

To <jacky.jurmann@pmhc.nsw.gov.au>

cc

Subject re : stingray creek bridge submission.

port macquarie hasting council
jacky jurmann,

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Thanks paul & margaret child 540 ocean drive north haven 12/10/09.

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**Fw: bridge DA**

Geoff Williams to: RecordsEmail

22/10/2009 11:49 AM

----- Forwarded by Geoff Williams/PMHC on 22/10/2009 11:49 AM -----

Jacky Jurmann/PMHC

16/10/2009 09:09 AM

To council@pmhc.nsw.gov.au

cc

Subject Fw: bridge DA

Please register submission. DA 2009-368.

Jacky Jurmann
Development Assessment Planner
Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444
ph: 02 6581 8537
fax: 02 6581 8788
email: Jacky.Jurmann@pmhc.nsw.gov.au

----- Forwarded by Jacky Jurmann/PMHC on 16/10/2009 09:09 AM -----

"M & W Job" <kamaru@tsn.cc>

To <jacky.jurmann@pmhc.nsw.gov.au>

cc

16/10/2009 09:04 AM

Subject bridge DA

Good morning Jacky,
re. Stingray Creek Bridge.

I have been involved with "the bridge" for some time. The recent Community Update suggested that ".....a two way cycle path on one side of the bridge connecting to the existing cycle way". The small diagram on the front bottom right suggests that, as was the case with the earlier designs, this wider cycle way is on the North side of the bridge. If that is still the case, can I point out again, that it will **not** connect with the existing cycleway, as that is on the south side, except for around 100 metres on the Laurieton side. If the wider cycleway is still on the North side, and I want to use it, I would have to cross Ocean Drive twice. This would not seem to be the best design. I have raised this before, maybe it has been changed?

Regards,

Milton Job

ACKNOWLEDGEMENT SENT

Copy for DA

D-Sub
28-10-09 013

P.O Box 369
St Leonards NSW 1590
25 October 2009

Port Macquarie-Hastings Council
PO Box 84
Port Macquarie NSW 2444

Re: Objection to

Proposed Development: Construction of replacement bridge, approaches & demolition of existing bridge (Stingray Creek)

Description of land: SEC: 1 DP: 758603 RES: 8210, LOT: 7011 DP: 1023531 RES: 231 Ocean Drive LAURIETON, Bridge Street NORTH HAVEN

Dear Sir,

I wish to formally lodge my objection to this development proposal, via this letter.

The construction of a new bridge at Stingray Creek North Haven will involve the upgrading of the bridge to a thirty tonne limit.

This by nature will enable larger vehicles to cross the bridge than is currently available.

As such the increase in traffic of heavier vehicles, than is currently possible, will increase the noise and pollution levels along the entire Ocean Drive strip from North Haven through to Bonny Hills.

By consenting to the approval of the bridge construction, the Port Macquarie - Hastings Council will be overriding several of its own stated aims and strategies.

The Councils Vision is "A sustainable high quality of life for all".

The bridge construction will allow an increase in heavy traffic flow along the entire Ocean Drive route, from North Haven to Bonny Hills. The consequential increase in noise and pollution within the environment of the residents of both North Haven and Bonny Hills will negate the achievement of this aim of the council.

The council has a stated strategy of encouraging heavy traffic onto the Pacific Highway. The upgrade of the Stingray Creek Bridge can only encourage, not discourage, the movement of heavy vehicles onto Ocean Drive and thus negate any efforts the council has put in place to encourage such vehicles onto the Pacific Highway.

The traffic calming works undertaken in North Haven will cause the heavier traffic to divert to the back streets of North Haven and thus increase the environmental noise of air pollution for those residents.

Bonny Hills currently has no pedestrian crossings, and ineffective traffic calming means on Ocean Drive. The current 50KPH limit, is regularly ignored by most drivers of heavy vehicles, traversing through Bonny Hills.

As such the increase in traffic and particularly the increase in heavier traffic along Ocean Drive will both endanger the lives of people crossing Ocean Drive, as well as reducing the amenity of the residents by increasing noise and pollution.

I therefore object on the grounds that council is overriding its own stated undertakings to the residents of North Haven and Bonny Hills, increased pollution, both noise and air pollution, as well as endangering the lives of pedestrians.

The only sensible construction is to create a full bypass around North Haven and Bonny Hills in concert with the Stingray Creek bridge.

In this manner the council will create a real asset rather than a liability to the council.

I thank you for your time and opportunity to note my objections.

Regards



Viv Makila

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|------------------------------------|-------------|
| Port Macquarie HASTINGS COUNCIL | |
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D/A 2009/0368

40 Kingsford Road
LOGANS CROSSING 2439
5th November 2009

Port Macquarie Hastings Municipal Council
Burrawan Street
PORT MACQUARIE 2444

**Re: SUBMISSION ON STINGRAY CREEK BRIDGE PROPOSED
DEVELOPMENT - From: Daryl Davis**

According to the latest council E.I.S. on Stingray Creek Bridge development 'the new bridge will not result in a loss of amenity to the North Haven area' I strongly disagree for these reasons:

Council states 'the proposed bridge meets the assessment criteria and project objectives better than the other options considered'. At an early community consultation, a meeting with only a small number of attendees, I believe (October 2007), a consensus taken then on the alternatives decided on what course development would taken from then on. I believe the consensus, while valid as a majority decision, was not a large enough sample to truly map local opinion. It was from that basis that the whole process evolved.

So, **Objection 1** – A faulty premise...

'That a majority of residents preferred the option of directing traffic along Ocean Drive'.

The meeting of June 2008 confirmed this with a large attendance where the overwhelming majority (80-90%) were against the proposal proceeding along Ocean Drive... Perhaps the exact attendance figures are available? However local press coverage that week was muted to say the least. Having been there I can safely say that those who spoke from the public were either very concerned about the proposed route if not against it.

In my reading of the current E.I.S. proposal of 250 or so pages I was disturbed by the fact that the alternatives rated comment of only half a page, correct me if I am wrong – Page 180 (19.1.2.). 'Of the bypass options considered they were only ranked highly for two out of the eleven assessment criteria, namely..

- Relative Travel Efficiency; and
- Safety and Access'.

Notwithstanding the sensitive area that a bypass would have to navigate and the obvious much greater cost involved investigating it, aren't efficiency and safety **major** considerations that warrant full investigation? Both the use of Ocean Drive or a bypass have sensitive environmental concerns, endangered species on one hand and endangered humans on the other.

So, **Objection 2** – Safety and Efficiency concerns... leading to perhaps the major issue – loss of amenity by traffic.

Objection 3 – Traffic

- Page 152 (15.2.2) Traffic Origin – Destination.

'The most recent survey confirmed that travel patterns have not changed significantly since 1994'. It shows that only 12% of traffic using the bridge does not have an origin or destination in North Haven or Laurieton/Dunbogan. This is shown on a pie chart. Yet on the same chart is also shown another 31% of Laurieton/Dunbogan traffic bypassing North Haven. So which is it? 12%, or 12% + 31%, which by my computer equals 43%!!!

If this then is the correct figure for traffic not wanting to go to North Haven, then over 43% of traffic will unnecessarily be directed through the village of North Haven with predictable catastrophic eventual outcomes. A different scenario altogether I would suggest?

Community Update September 2009 states 'The new bridge will not significantly impact traffic volumes on Ocean Drive as future growth is being driven by local residential, commercial and tourism development.(?) Only a minor increase in heavy vehicles is predicted'.

Considering that the Mid-North Coast Regional Strategy (Department of Planning 2009) is based on a potential population growth from 330,600 to 424,600 by 2031, 94,000 additional people, and yet an earlier publication in 2008 in Snapshots – A Publication on Economic Development in the Greater Port Macquarie Region predicted then an even greater increase of 110,000 people, then it appears that council's latest community update errs on the side of caution. If we settle on say 100,000 new residents by 2031, which is not that far into the future, how can council maintain 'The new bridge will not significantly impact traffic volumes'. The new bridge will attract more traffic simply because of a substantial projected population growth the majority of which will be west (Wauchope area) and south (Camden Haven) and will bring all kinds of building and servicing requirements and vehicles, including heavy vehicles, associated with them.

If by council's cautious reckoning of 1% increase in heavy vehicles equates to 83 additional heavy vehicles per day approximately (Page 158 E.I.S. Traffic Volumes) then a 1.8% increase is cautiously another say 65 (approx.) and results in approximately 150 extra heavy vehicle uses per day, plus normal vehicle increases – not inconsequential in terms of peace and quiet I

would argue – these are not positive outcomes for North Haven which under these burdens changes village to thoroughfare.

If through traffic (traffic not bound for North Haven) is diverted through North Haven the very nature of North Haven will be defined by that traffic and North Haven will be forever compromised and denigrated – its true potential denied for future generations – just another busy road with impatient workers slowed down on their way to work – an imposition on a once peaceful fishing village that deserves better.

This will inflict a major increase in diesel and petrol fumes, noise pollution, and danger on an area that has only just established itself as a desirable scenic outdoor dining area and promenade – an area worth visiting to relax, eat, stroll and take in the river and park views. To mix that with extra fumes and the noise of vehicles that don't even want to be there is short-sighted to say the least, potentially dangerous, and contradicts Page 92 of the E.I.S. which says that the current Coastal Strategy 'highlights the need to ensure that the character and appeal of coastal towns, villages ... is not lost through inappropriate development'.

In the Stingray Creek Feasibility study of 2002 the Camden Haven Chamber of Commerce, Industry and Tourism expressed concern, as did some businesses in Ocean Drive North Haven, that they needed an outcome to avoid negative impacts on business. That is, they supported the council's preferred option along Ocean Drive to foster business activity, and I believe this view has indeed coloured Council's view from very early on, believing they had support for their preferred options from the Chamber. Again I maintain a greater sample of opinions was required. General feelings run far deeper and are more divided than early polls of a very one dimensional nature suggest. The alternative of a bypass has never seriously been offered as a legitimate option would argue.

Either way, with or without a bypass, it is inevitable that business will increase, especially with the extra 100,000 people in the area in 20 years time. Left to its own devices with a bypass North Haven will thrive. At a meeting with our federal member on this issue (November 2009) he stated that every bypassed town or village he knew of prospered and generally thrived, with a more matured and considered outlook. It is curious the Chamber of Commerce taking the above view when, as an early objector (E.I.S. study 2005) noted the irony in the fact that Laurieton is alive and very well due in no small part to the bypass that has always been in place to take non Laurieton/Dunbogan traffic. Whether this was by good design or good luck is another matter. The condition of the road from the start of Ocean Drive at Kew into Laurieton and North Haven is another issue as well but deserves comment as it is indeed a related issue. The state of disrepairs of this road is atrocious in its present state, and would in no small way be attributable to the heavy vehicles that now service Laurieton and Lakewood. With the new bridge these vehicles will of course move on to service Lake Cathie and hence travel through North Haven if allowed. With no load limit on the new bridge they will be legally entitled to do so.

Back to business (and won't it indeed be busy). I would have to comment on the time allotted for public response by a submission of 28 days and the fact that these dates weren't printed on the latest community update except to say that these dates would appear in the press. Why weren't these dates on the "update" as it was a given that the E.I.S. was now to be lodged for approval. No coverage of the last community consultation with the public or dates appeared in the local press after that meeting though the dates did appear in Council Matters at the back of the paper.

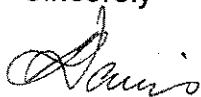
Considering the many years since the bridge became an issue to quietly inform the public and allow them only 30 days to comment is suggestive of a much more expedient agenda and I would ask that at least another 30 days to be allowed for public comment. Unfortunately real democracy is indeed a longer process. Expediency should not stand in its way. Short cuts can end in disaster as a recent event in the area will attest (no I won't mention the "G" word).

This is a culturally sensitive bit of paradise that will attract far more tourist dollars if it is left to 'grow slow' without the overwhelming pressure imposed by through traffic (e.g. Ballina compared to Lennox Head and the difference a bypass makes). There has to be a better way that counts the real cost – not just the dollar cost now. The real cost of not bypassing North Haven will be an irreversible legacy – loss of the fishing village heritage and amenity by strangulation, by traffic.

There could be a major positive if the bypass is reconsidered. Should it be built, an earlier correspondent in the previous E.I.S. study suggested that such a bypass would provide protection as a fire-break for North Haven which being bordered by nature reserve could indeed be subjected to the threat of wild fire. This road would be a certain advantage in such conditions which with all probability will occur.

Do the job properly – bypass North Haven (and Bonny Hills). The cost to the future for North Haven will be far greater than the extra needed to do the job properly now.

Sincerely



Daryl Davis

ACKNOWLEDGEMENT SENT

JS



Fw: Stingray Bridge Submission

Geoff Williams to: RecordsEmail

09/11/2009 08:27 AM

----- Forwarded by Geoff Williams/PMHC on 09/11/2009 08:27 AM -----

D/A 2009/0368



"JANPELHAM"

<janila@iprimus.com.au>

06/11/2009 04:20 PM

To: "PMHC" <council@pmhc.nsw.gov.au>

cc

Subject: Stingray Bridge Submission

To General Manager PMHC

Please find set out below my submission with regard to the proposed new Stringray Bridge.

According to the latest council update on the Stingray Bridge development, the new bridge will not result in a loss of amenity to the North Haven area!! I strongly disagree.

So much money is spent by local government promoting tourism in the Port Macquarie/Camden Haven area and now Council, in their wisdom, plan to build the new Stingray Bridge in a position that will direct all traffic, which will then include larger vehicles like buses, B-doubles etc, through the village and past the North Haven Primary School - madness - that's all I can say! And why? Because that is the cheapest option. Has a representative from Council ever bothered to spend time at North Haven and observed the traffic that goes through there at the moment, I imagine not. Many workers travel through

North Haven every day to get to work at Port Macquarie, if the Stingray Bridge by-passed the village, those workers would have a safer, quicker trip to work and the village could carry on being the lovely little coastal village that it is.

FIND THE MONEY to build the bridge further west and by-pass North Haven and the school - somehow Council FOUND THE MONEY to build the Glasshouse!!! The extra money needed to place the bridge in that position would benefit residents and tourists alike from the Camden Haven to Port Macquarie. Let's preserve our little villages like North Haven, that's what tourists want to see, it's such a great spot, there on the river and every day you will find it buzzing with excitement with residents and tourists alike enjoying a coffee or a meal.

And whilst I am on my soap box, I am appalled at the transfer of the Information Centre from Kew to the Glasshouse. I went in there last week and all they had were a few miserable brochures and where does Council suggest that tourists towing caravans park? It's hard enough to get a park for a car in Port Macquarie, let alone one big enough for a van. What a lost opportunity for tourism in our city.

Kew is the ideal situation for the centre as it is right at the southern end of the Camden Haven area, after the long drag up from the south, Kew is a great spot for a meal and toilet break. We should have a beautiful park there with plenty of room for caravan parking, maybe a craft shop, clean toilets and a clean and inviting food outlet. Numerous other towns can manage it, why not Port Macquarie. I believe that without an information centre at Kew, tourists will just drive straight on, not knowing what they are missing in the Camden Haven and surrounding area. They may even bypass Port Macquarie as they don't have any information listing the attractions there. An information centre at Kew could have brochures on the whole area including Kendall, Laurieton, Bonny Hills and Lake Cathie then on to Port Macquarie or alternatively travellers could just drive up the highway then go to Timbertown, The Billabong or into Port itself. I'm told that volunteer staffing is the problem, I'm sure if council had the intestinal fortitude to build such an area and called for volunteers to staff it, many of the locals would put their hand up, I certainly would.

Think about it guys!!!

Regards,

Jan Pelham - Ratepayer (one of those helping to pay off the Glasshouse)
Laurieton

Email: janila@iprimus.com.au



Fw: Stingray Creek Bridge Development Proposal
Geoff Williams to: RecordsEmail

06/11/2009 01:14 PM

----- Forwarded by Geoff Williams/PMHC on 06/11/2009 01:14 PM -----

* D/A 2009/0368



"Graeme L Morgan"

<Graeme.L.Morgan@hnehe
alth.nsw.gov.au>

06/11/2009 12:06 PM

To <council@pmhc.nsw.gov.au>

cc <jacky.jurmann@pmhc.nsw.gov.au>

Subject Stingray Creek Bridge Development Proposal

Dear Sir

I hereby voice my opposition to the current proposed route through North Haven.

This proposal is shortsighted, as it will damage tourism for years to come, with a short-term cost benefit in the form of reduced development costs now. Tourism is a major factor behind the development of the Camden Haven, and forcing heavy- vehicle traffic directly through the centre of the North Haven shopping area will have a devastating impact on the amenity of the area, and ultimately on tourism to the area.

The amenity of the North Haven business/residential strip along the waterfront area will be compromised forever for residents, tourists and local business operators, by increased traffic, traffic noise & traffic-generated pollutants.

I believe the safety of residents & tourists will be compromised by the heavy traffic on roads not designed for that purpose. This is not to mention the damage to the health of residents, tourists and local business operators which will result from increased vehicle exhaust fumes as traffic levels increase over time.

The North Haven bypass is the only solution, and Council needs to reconsider so that the current proposal does not proceed.

The current proposal is short-sighted, and sacrifices long-term amenity in favour of short-term cost savings.

Yours faithfully
Graeme Morgan
Resident/Ratepayer - 3 Wall Street North Haven

Yes.

Jacky Jurmann
Development Assessment Planner
Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444
ph: 02 6581 8537
fax: 02 6581 8788
email: Jacky.Jurmann@pmhc.nsw.gov.au

"Graeme.L Morgan" <Graeme.L.Morgan@hnehealth.nsw.gov.au>

06/11/2009 11:16 AM

To <jacky.jurmann@pmhc.nsw.gov.au>
cc
Subject Stingray Creek Bridge DA

Jacky
I am a North Haven resident.
Can I submit my submission by email today?
regards, Graeme Morgan

Graeme Morgan
Management Accountant - Manning Hospital
Hunter New England Area Health Service
Ph: 65-929252 Fax: 65-515680
Email: Graeme.L.Morgan@hnehealth.nsw.gov.au

Graeme Morgan
Management Accountant - Manning Hospital
Hunter New England Area Health Service
Ph: 65-929252 Fax: 65-515680
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>>> <Jacky.Jurmann@pmhc.nsw.gov.au> 6/11/2009 11:43 am >>>

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ACKNOWLEDGEMENT SENT



Fw: bridge DA

Geoff Williams to: RecordsEmail

04/11/2009 02:14 PM

----- Forwarded by Geoff Williams/PMHC on 04/11/2009 02:14 PM -----

Jacky Jurmann/PMHC

04/11/2009 10:25 AM

To council@pmhc.nsw.gov.au

cc Peter Jenkins/PMHC@PMHC

Subject Fw: bridge DA

Please register submission. DA 2009-368.

Jacky Jurmann
Development Assessment Planner
Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444
ph: 02 6581 8537
fax: 02 6581 8788
email: Jacky.Jurmann@pmhc.nsw.gov.au

----- Forwarded by Jacky Jurmann/PMHC on 04/11/2009 10:25 AM -----

"M & W Job" <kamaru@tsn.cc>

To <Jacky.Jurmann@pmhc.nsw.gov.au>

cc

04/11/2009 09:39 AM

Subject Re: bridge DA

Good morning Jacky,

Thank you for your reply to my query of the cycle/pathway on the proposed new bridge. The response does not suggest that the plan will be changed, but refers to... "The Camden Haven Bike Plan however shows a proposed off road cycleway on the northern side....". You agree that the present cycleway is on the south, that is what we have now. I have not seen any "future plan" but two things are apparent: any future plan is just that, a future plan. With the current global financial situation, and more importantly, the current Council situation, the 'future' could be a long way off. I also suggest that there will always be a much greater use of the south cycleway, as this is the one that connects North Haven to the town of Laurieton. A North cycleway would only connect North Haven with West Haven and Lakewood. As the wider cycleway would be the preferred route, for especially electric 'gophers', the south option is still the commonsense option.

Regards,

Milton

----- Original Message -----

From: Jacky.Jurmann@pmhc.nsw.gov.au
To: M & W Job
Sent: Monday, October 19, 2009 9:18 AM
Subject: Re: bridge DA

Milton,

Council's Traffic Engineer has advised the following in response to your enquiry:

"The existing pathway is on the northern side and the preliminary design included with the DA simply mimics this by having the shared path on this side. Milton is correct that the present links on both approaches are on the southern side so it would be logical to have the shared path on this side of the bridge. The Camden Haven Bike Plan however shows a proposed off road cycleway on the northern side of Ocean Drive as well so in the future there will be equal demand for cycles on both sides of the bridge.

I agree that the present cycleways/pathways would dictate that the shared path go on the southern side of the bridge however will include these comments in future discussion."

Regards,

Jacky Jurmann
Development Assessment Planner
Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444
ph: 02 6581 8537
fax: 02 6581 8788
email: Jacky.Jurmann@pmhc.nsw.gov.au

"M & W Job" <kamaru@tsn.cc>

16/10/2009 09:04 AM

To <jacky.jurmann@pmhc.nsw.gov.au>
cc
Subject bridge DA

Good morning Jacky,
re. Stingray Creek Bridge.

I have been involved with "the bridge" for some time. The recent Community Update suggested that ".....a two way cycle path on one side of the bridge connecting to the existing cycle way". The small diagram on the front bottom right suggests that, as was the case with the earlier designs, this wider cycle way is on the North side of the bridge. If that is still the case, can I point out again, that it will **not** connect with the existing cycleway, as that is on the south side, except for around 100 metres on the Laurieton side. If the wider cycleway is still on the North side, and I want to use it, I would have to cross Ocean Drive twice. This would not seem to be the best design. I have raised this before, maybe it has been changed?

Regards,

Milton Job

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Internal Virus Database is out of date.

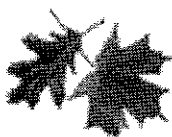
Checked by AVG - www.avg.com

Version: 8.5.339 / Virus Database: 270.13.115/2403 - Release Date: 09/29/09
17:56:00

No virus found in this outgoing message.

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Version: 8.5.339 / Virus Database: 270.14.39/2468 - Release Date: 10/29/09 19:49:00



Jacky Jurmann/PMHC

02/11/2009 09:40 AM

To "Jim Clark" <Jim.Clark@planning.nsw.gov.au>

cc "Jenny Gwynne" <Jenny.Gwynne@planning.nsw.gov.au>

bcc

Subject Re: SEPP 14 Stingray Creek bridge

Hi Jim,

Apologies for indicating the wrong clause (the dangers in using standard templates) and should have been Clause 7.

The application has been referred to DECCW, both EPA and NPWS. I have attached their initial comments.

The exhibition period was from 2/10/09 to 6/11/09. To date there has been 4 submissions. Please let me know if you'd like a copy. Council has also conducted a community information session. I didn't attend but was informed that there was approximately 10 people who attended.



20091102083024059.pdf

Regards,

Jacky Jurmann
Development Assessment Planner
Port Macquarie-Hastings Council
PO Box 84
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ph: 02 6581 8537
fax: 02 6581 8788
email: Jacky.Jurmann@pmhc.nsw.gov.au
"Jim Clark" <Jim.Clark@planning.nsw.gov.au>



"Jim Clark"
<Jim.Clark@planning.nsw.gov.au>

23/10/2009 09:58 AM

To <Jacky.Jurmann@pmhc.nsw.gov.au>

cc "Jenny Gwynne" <Jenny.Gwynne@planning.nsw.gov.au>

Subject SEPP 14 Stingray Creek bridge

Hey Jacky

We've received the EIS etc for Stingray Creek Bridge .

But your letter says you're referring it under clause 9(3) of SEPP 14 relating to development within 100m below MHWL.

SEPP 14 doesn't have a clause 9, and has nothing to do with development below MHWL.

So I presume you mean clause 7 of SEPP 14 because the development includes works defined in the SEPP.

Clause 8 requires to send the application to DECCW. Has that happened and have they

responded ?

Also the EIS etc goes ion public exhibition. What are / were the exhibition dates, and have there been any submissions ?

Thanks.....Jim

Jim Clark
Team Leader Local Planning
Northern Region
NSW Department of Planning
Phone 6641 6604
Fax 6641 6601
0419 605 316

jim.clark@planning.nsw.gov.au

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FOR USE BY PLANNERS/SURVEYORS TO PREPARE LIST OF PROPOSED CONDITIONS

NOTE: THESE ARE DRAFT ONLY

DA NO: 2009/368

DATE: 20/05/2010

A - GENERAL MATTERS

- (1) (DA001) The development is to be carried out in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

| Plan / Supporting Document | Reference | Prepared by | Date |
|--------------------------------|-----------------|-------------------------|--------------|
| Environmental Impact Statement | 60048062/DO-004 | AECOM Australia Pty Ltd | 29 July 2009 |

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

- (2) (DA002) No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- the appointment of a Principal Certifying Authority; and
 - the date on which work will commence.

Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.

- (3) (DA006) Approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works within the development site required by the development consent is to be obtained from Port Macquarie-Hastings Council. A copy of the approval is to be submitted with the application for Construction Certificate.
- (4) (DA007) Approval pursuant to Section 138 of the Roads Act, 1993 to carry out works required by the Development Consent on or within public road is to be obtained from Port Macquarie-Hastings Council. The application for this engineering approval must be made on the prescribed form with payment of fees pursuant to Section 223 of the Roads Act 1993 in accordance with Council's Schedule of Fees and Charges. The application is to include detailed design plans prepared by an appropriately qualified and practising consultant. A copy of the approval is to be submitted with the application for Construction Certificate.
- Such works include, but not be limited to:
 - Civil works
 - Traffic management
 - Work zone areas
 - Swing or hoist goods across or over any part of a public road
- (5) (DA008) The requirements, pursuant to Section 306 of the Water Management Act 2000, to carry out water management works on public land, required by this Development Consent is to be obtained from Port Macquarie-Hastings Council prior to the issue of a Construction Certificate.

- (6) (DA016) The general terms of approval from the following authorities are set out in Section G of this consent and form part of the consent conditions for this approval.

- Department of Planning

- (7) (DA035) The applicant shall construct the Stingray Bridge and road approaches as follows:

(A) STINGRAY BRIDGE;

The applicant shall design and construct to design standards conforming to current Australian Bridge Standards AS5100 commensurate with road function and usage generally as outlined in EIS (clause 5.1) ..

The total width of the bridge at road level will be a minimum 15.3m. This width will allow for the provision of:

- Two (2) 4.5m travelling lanes;
- One (1) 3m wide shared footpath/cycleway - clear of the traffic lanes;
- One (1) 1.8m wide footpath - clear of the traffic lanes
- Safety barriers on the outer edge of the bridge and between the roadway and footpaths/cycleway.
- Pedestrian underpass or boardwalk off the bridge (North Haven side) to provide safe pedestrian linkage along the foreshore.
- Utilities (water, sewer, telecommunications, fibre optic cable, electricity transmission lines, streetlighting)
- Rainfall runoff from the proposed bridge deck to be captured and directed to purpose-built stormwater treatment structures prior to discharge to Stingray Creek.
- Clearance beneath the underside of the bridge girders to the Mean High Water Mark shall be at least equivalent to the clearance the existing bridge structure with a minimum clearance of 3.6m plus additional allowances for sea rise due to climate change.
- Registered vehicles fully laden up to 50 tonnes (noting that Ocean Drive is not a B-Double route).
- Environmental clearance in accordance with clause C.09 of RTA's "Arrangements with Councils for Road Management";

(B) ROAD APPROACHES:

The applicant shall construct realign and reconstruct approximately 120m of road approaches on the western side and approximately 105m on the eastern side, generally in accordance with EIS (clause 5.2) and Figure 8 Proposed Concept Design of the EIS and in accordance with Council's adopted AUSPEC Specifications and AUSTROADS; such construction is to include, but not limited to:

- 9metre wide sealed carriageway
- minor reconfiguration of the intersection of Ocean Drive with Bridge and River Streets
- Guardrails
- Embankment with rock facing
- All utilities (water, sewer, stormwater, streetlighting, electricity, telecommunications, including fibre optic cabling)

- A 3m wide shared footpath/cycleway on the western approach connecting with the existing network(south side);
- A 1.8m wide footpath on the western approach connecting with the existing network (north side)

The design plans must be approved by Council pursuant to Section 138 of the Roads Act.

- (8) (DA036) The submission with the application for approval pursuant to Section 138 of the Roads Act of a Traffic Management Plan and/or Environmental Plan and/or a Work Method Statement for any works or deliveries that impact the normal travel paths of vehicles, pedestrians or cyclists or where any materials are lifted over public areas for the construction phase of the development ;such traffic management plan shall detail how traffic issues will be addressed during construction. The plan will address as a minimum:

- Provision of safe pedestrian and cyclist access around the construction zone;
- Traffic control plans;
- Staff and contractor parking; and
- Communications with residents and visitors regarding road closures, and traffic management changes.
- Measures to reduce the employee traffic impact, staff traffic movements should be avoided during the background peak periods on the adjacent road network, e.g. 8.00 am to 10.00 am and 3.00 pm to 5.00 pm;
- Construction vehicle movements outside of standard working hours, including loading and unloading operations, shall be minimised and avoided where possible;
- A designated area for staff and contractor parking shall be identified and established (preferably away from Ocean Drive) and staff shall be directed to only use these areas; and
- Construction activities during the peak summer holiday period should be avoided or minimised to the extent practicable.
- A program also to provide updates to the community on the progress of construction and any planned traffic changes or delays shall be developed. The plan shall incorporate a range of communication methods, including but not limited to:
 - Notices in local businesses and newspapers;
 - Letters to directly affected residents;
 - Notices on Council's website;
 - Community Newsletters; and
 - Complaint procedures and contact details.

Any persons preparing such Traffic Control layout plans shall be RTA accredited or equivalent.

- (9) (DA049) Approval under Section 61 and/or Section 138 of the Roads Act 1993, to carry out works required by the development consent on or within road reserve is to be obtained from the Roads and Traffic Authority (RTA). A copy of the approval is to be submitted with the application for the Construction Certificate.

- (10) (DA050) The application for the Construction Certificate is to be accompanied by an execution of a Works Authorisation Deed (WAD) with The Roads and Traffic Authority (RTA). Please contact the Northern Regional Office of the RTA at Grafton for further details (Phone 02 6640 1344).
- (11) (DA099) The proponent shall provide electricity, streetlighting and telecommunication services (including fibre optic cable) to the project in accordance with the requirements of the relevant authority.
- (12) (DA195) In addition to the water infrastructures shown on the bridge plans submitted with the development application, provide water main adjustments and replacements as well as connections between the bridge and the existing water supply infrastructure. These items are to be funded by the proponent or by Council generally in accordance with the details provided in the advices attached to this consent.
- (13) (DA196) Provide two 100mm communication ducts for water supply purposes within the bridge structure for the full length of the bridge.
- (14) (DA197) Prior to issue of construction certificate, Council allocate funds to cover the establishment and 10 years maintenance cost for the compensatory habitat works.
- (15) (DA198) The existing bridge shall be demolished in a controlled systematic manner following completion of the new bridge, commissioning of the new utility installations, and opening to general vehicle traffic ,as recommended in the EIS (clause 5.5); such requirement is:.
- The demolition will occur sequentially, with all components dismantled/demolished including all components of the substructure and supports.
 - The structure shall be dismantled manually with no use of explosives or other mechanical methods which would pose a risk of materials entering the waterway in an uncontrolled manner.
 - A detailed methodology for the bridge demolition shall be developed by the contractor, however will comply with the following general principles to ensure the protection of the environment:
 - Erect a containment system curtain around the perimeter of each pier/working area and anchor to the creek bed;
 - All works associated with demolition and removal of the bridge supports will be undertaken entirely within the areas isolated by the containment system;
 - Removal of the structure above the water line will be carried out in pieces using a crane and/or from a barge
 - Dismantling and 'dropping' sections to the creek bed will be avoided;
 - Rubble and dismantled pieces will be transported to the bank where they will be off-loaded for appropriate disposal;
 - Piers will be removed to creek bed level; and
 - Removal of the structure below the pier columns below tide level will be carried out inside a steel caisson placed over the pier column, which will then be dewatered, providing access to the pier column which will then be cut and transported by crane/barge to the creek bank for disposal.
- (16) (DA199) All works shall be in accordance with the requirement of the New South Wales Department of Natural Resources.

- (17) (DA200) A formal survey and application to the Department of Lands shall be undertaken in order to formally implement property boundary adjustments and land acquisition on private property and Crown lands required for the approaches of the new bridge to be acquired by Council.

The private properties affected are:

- Approximately 14m² from 502 Ocean Drive, North Haven (Lot 1 DP1044491); and
- Approximately 14m² from 1 Bridge Street, North Haven (Lot 1 DP232625).

The Crown Lands affected include:

- Bed of Stingray Creek;
- Reserve 231 for "Access to navigable waters" (Lot 7023 DP 1030561 - south of bridge and including the boat ramp and Lot 7011 DP 1023531 - north of bridge); and
- Reserve 8210 for "Access to foreshore" (adjacent to western approach).

A formal application is required prior to issue of Construction Certificate.

- (18) (DA201) To minimise construction impacts to waterway users and to ensure interruptions are of minimal inconvenience, the following measures shall be implemented during construction:

- Notices shall be erected a short distance upstream and downstream of the bridge advising vessels of the bridge works and potential restriction to navigation;
- A transit lane shall be maintained under the bridge at all times;
- Navigation hazards shall be marked with yellow buoys and yellow flashing lights;
- NSW Maritime shall be notified of all works in advance to allow them sufficient time to prepare a marine notice; and
- Regular updates on construction progress and impacts to navigation shall be provided to the community and local businesses.

- (19) (DA202) A detailed construction methodology shall be developed by the successful contractor in accordance with both these development consent conditions and the commitments and obligations contained in the EIS to mitigate environmental impacts.

- (20) (DA203) The successful tenderer/contractor shall furnish to the Council, prior to commencement of any works on the site, a performance bond to the amount of 30% of the estimated cost of the bridge component and roadwork approaches, for the purpose of ensuring:

- (a) the due and proper performance of the conditions of development consent up to the time of the release from the defects liability period.
- (b) The reimbursement to Council pursuant to section 678(7) of the Local Government Act 1993, or otherwise in the carrying out of works for the reinstating the land or at its option to carry out works reasonably required to construct or complete the said bridge and approaches as a consequence of the non completion of any said works or failure to comply with any notice which Council is entitled to give to the contractor in respect thereof.

Council is indemnified against the cost of implementing any works to remedy default in the carrying out of any works and remedial measures.

B - PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

- (1) (DB004) Submission to Council as the road authority prior to the issue of a Construction Certificate detailed design plans for the following works associated with the development:
1. Stingray Bridge designed for a 50 tonne loaded vehicle in accordance with AUSPEC D3 Port Macquarie-Hastings Council current version and the requirements of this consent.
 2. Adjoining road works of the bridge approaches and intersection works in accordance with AUSPEC Design Specification D1 and D2 Port Macquarie-Hastings Council current version and the requirements of this consent.
 3. Water supply detailing the existing and proposed water supply infrastructure reticulation as required by this consent and in accordance with AUSPEC Design Specification D11, Port Macquarie-Hastings Council current version.
 4. Sewerage reticulation in accordance with AUSPEC Design Specification D12, Port Macquarie-Hastings Council current version.
 5. Retaining walls in accordance with AUSPEC Design Specification Port Macquarie-Hastings Council current version.
 6. Stormwater systems in accordance with AUSPEC Design Specification D5 and D7, Port Macquarie-Hastings Council current version.
 7. Erosion & Sedimentation Control Management Plan in accordance with the requirements of this consent
 8. Location of all existing and proposed utility services including;
 - Conduits for electricity supply and communication services.
 - Water supply
 - Sewerage
 - Stormwater
 - Fibre optic cable
 - streetlighting
 9. Pathways, cycleway ,bridge underpass and associated facilities in accordance with AUSPEC Design Specification D9, Port Macquarie-Hastings Council current version and with the requirements of this consent

An application and checking fee in accordance with Council's Management Plan shall be payable upon submission of engineering design plans.

- (2) (DB005) The design plans of the bridge and approaches are to be approved by the RTA and shall be submitted to Council as the road authority for approval prior to the issue of a Construction Certificate.
- (3) (DB006) Provision of Engineering plans for the bridge approaches detailing the existing and proposed water supply infrastructure as listed herein and in the advices attached to this consent.
- (4) (DB009) If engineering works are of a value greater than \$25,000, a detailed estimate of cost of the civil engineering works and documentary proof of payment of the levy required by the Building and Construction Industry Long

Service Payments Act must be provided to Council prior to any approval of engineering plans.

- (5) (DB012) An Erosion and Sediment Control Management Plan prepared in accordance with the relevant sections of the Department of Housing manual "Soil and Water Management for Urban Development", Port Macquarie-Hastings Council sediment control policies and Council's adopted AUSPEC Design and Construction Guidelines shall be submitted to and approved by the Principal Certifying Authority with the application for construction certificate.

The plan shall include measures to:

- a. Prevent site vehicles tracking sediment and other pollutants from the development site.
 - b. Dust control measures.
 - c. Safety measures for temporary and permanent water bodies including fencing and maximum batter slopes.
 - d. Contingencies in the event of flooding.
- (6) (DB013) The submission with the Section 138 Roads Act application to and approval by Council of details for the disposal of any spoil gained from the site and/or details of the source of fill, heavy construction materials and proposed routes to and from the site, including, but not limited to:
- The pavement condition of the route/s proposed (excluding collector, sub-arterial and arterial roads) for the haulage of fill material to the site and/or haulage of excess material from the site. The condition report shall include photographs of the existing pavement and pavement deflection test results taken in the travel lanes;
 - Recommended load limits for haulage vehicles and;
 - A procedure for monitoring the condition of the pavement during the haulage
 - Bond to guarantee public infrastructure is not damaged as a result of construction activity.

and;

Council shall determine the need for and extent of any rectification work on the haulage route/s considered attributable by the haulage of materials to and/or from the site.

Details are to be provided with the application for approval pursuant to Section 138 of the Roads Act 1993.

- (7) (DB023) A certificate from an approved practising chartered professional civil and/or structural engineer certifying the structural adequacy of the proposed bridge, retaining walls and embankment is to be submitted with the application for the Construction Certificate.
- (8) (DB038) Prior to the issue of any Construction Certificate, satisfactory arrangements are to be made with the Water Authority for the provision of water and sewer services to the land. Evidence of such arrangements will be furnishing relevant documentation from the Water Authority.
- (9) (DB195) Prior to the issue of the Construction Certificate, the applicant shall submit to the Principal Certifying Authority for approval the Construction Environmental Management Plan (CEMP), incorporating the relevant sub-plans as detailed in the Environmental Impact Statement. The CEMP must be prepared in accordance with the requirements of this consent, relevant state agencies and as outlined in the Environmental Impact Statement.

C - PRIOR TO ANY WORK COMMENCING ON SITE

- (1) (DC002) A minimum of one (1) week's notice in writing of the intention to commence works on public land is required to be given to Council together with the name of the principal contractor and any major sub-contractors engaged to carry out works. Works shall only be carried out by a contractor accredited with Council.
- (2) (DC003) A copy of the current stamped approved construction plans must be kept on site for the duration of site works and be made available upon request to an officer of the Council.
- (3) (DC004) Prior to the commencement of any works, a pre-construction meeting shall be organised by the applicant. This meeting is to be attended by the principal contractor and Council's Project engineer or his representative.
- (4) (DC006) Erosion and sediment controls in accordance with the approved management plan shall be in place prior to the commencement of any works or soil disturbance on the site.
- (5) (DC007) The erosion and sediment control sign issued with the development consent is to be displayed at all times on the filter fence.
- (6) (DC010) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must:

- a. be a standard flushing toilet, connected to a public sewer, or if connection to a public sewer is not available, to an on-site effluent disposal system approved by the Council, or
- b. an approved temporary chemical closet.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

- (7) (DC013) Signage must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - a. stating that unauthorised entry to the work site is prohibited.
 - b. showing the name of the principal contractor in charge of the work site and a telephone number at which that person may be contacted outside working hours.
 - c. the name and contact details of the principal certifying authority responsible for the site

Any such signage is to be removed when the work has been completed.

This does not apply to:

- a. building work carried out inside an existing building.

- (8) (DC015) If the work involved in the erection or demolition of a building:
 - a. is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - b. building involves the enclosure of a public place,

a hoarding complying with DCP No. 41 - Building Construction and Site Management or a fence which will prevent the unauthorised entry of persons onto the site must be erected between the work site and any public place.

Such hoarding/fencing shall be located within the property boundaries. The location of hoardings/fencing on public land is not permitted unless specific

approval under Section 138 of the Roads Act, 1993 has been granted by Council.

- (9) (DC195) Prior to the commencement of any works, documentary evidence shall be submitted to the principal certifying authority that all relevant state agency approvals have been obtained.
- (10) (DC196) A hardstand construction compound will be required during the construction period . Selection of the final suitable site will be the responsibility of the contractor and subject to approval by Council's Project engineer for construction. The area shall require inspection and approval prior to adoption and at completion of construction, the area will be rehabilitated.
- (11) (DC197) Provision being made for support of adjoining properties and roadways during construction. All mitigation measures are to be in accordance with the EIS (chapter 12).

D - DURING WORK

- (1) (DD002) Development works on public property or works to be accepted by Council as an infrastructure asset are not to proceed past the following hold points. Additional hold points may be required with the construction of the bridge as per the tender contracts. No works shall proceed past the identified hold points without inspection and approval by Council. Notice of required inspection must be given 24 hours prior to inspection, by contacting Council's Customer Service Centre on (02) 6581 8111. You must quote your construction certificate number and property description to ensure your inspection is confirmed:
 - a. prior to commencement of site clearing and installation of erosion control facilities;
 - b. at completion of installation of erosion control measures
 - c. prior to installing traffic management works
 - d. at completion of installation of traffic management works
 - e. at the commencement of earthworks;
 - f. before commencement of any filling works;
 - g. when the sub-grade is exposed and prior to placing of pavement materials;
 - h. when trenches are open, stormwater/water/sewer pipes and conduits jointed and prior to backfilling;
 - i. at the completion of each pavement (sub base/base) layer;
 - j. before pouring of kerb and gutter;
 - k. prior to the pouring of concrete for sewerage works and/or works on public property;
 - l. on completion of road gravelling or pavement;
 - m. during construction of sewer infrastructure;
 - n. during construction of water infrastructure;
 - o. prior to sealing and laying of pavement surface course.

All works at each hold point shall be certified as compliant in accordance with the requirements of AUSPEC Specifications for Provision of Public Infrastructure and any other Council approval, prior to proceeding to the next hold point.

Council will undertake random audits of work sites to verify compliance of public works as required.

- (2) (DD006) The capacity and effectiveness of erosion and sediment control measures shall be maintained at all times in accordance with the approved management plan until such time as the site is made stable by permanent vegetation cover or hard surface.
- (3) (DD014) Provision being made for support of adjoining properties and roadways during construction.
- (4) (DD024) Work on the project being limited to the following hours, unless otherwise permitted by Council:-
- Monday to Saturday from 7.00am to 6.00pm
 - The builder to be responsible to instruct and control his sub-contractors regarding the hours of work.
- (5) (DD038) In buildings constructed prior to 1970, all existing accumulations of dust (eg in ceiling voids, wall cavities, walls, floors etc) shall be removed by the use of an industrial vacuum fitted with a high efficiency particulate air filter.
- (6) (DD039) Demolition works performed on buildings with materials containing asbestos or lead shall be carried out strictly in accordance with the requirements of the Workcover Authority and National OH&S Committee – *Code of Practice for the Safe Removal of Asbestos* and *Code of Practice for the Management and Control of Asbestos in Workplaces*.
- (7) (DD041) All demolition waste is to be disposed of at the Council Waste Management Facility.
- At the completion of demolition activities, Waste Management Centre weighbridge dockets are to be provided to Port Macquarie-Hastings Council to demonstrate compliance with this condition.
- (8) (DD044) A garbage receptacle for the reception of all waste materials from the site shall be provided prior to building work commencing and shall be maintained and serviced for the duration of the work.
- (9) (DD045) Should any Aboriginal objects be discovered in any areas of the site then all excavation or disturbance to the area is to stop immediately and the National Parks and Wildlife Service, Department of Environment and conservation is to be informed in accordance with Section 91 of the *National Parks and Wildlife Act 1974*. Subject to an assessment of the extent, integrity and significance of any exposed objects, applications under either Section 87 or Section 90 of the *National Parks and Wildlife Act 1974* may be required before work resumes.
- (10) (DD047) Stockpiles of topsoil, sand, aggregates, spoil or other material shall be stored clear of any natural drainage path, constructed drainage systems, easement, water bodies, or road surface and located wholly within the site with measures in place to prevent erosion or movement of sediments in accordance with the approved management plan. All spillage of materials, as a result of delivery or handling, must be removed as soon as practicable and placed into suitable receptacles for reclamation or disposal in a manner that does not cause pollution of the environment.
- (11) (DD048) Open and piped drains, gutters, roadways and access ways shall be maintained free of sediment for the duration of the work. When necessary, roadways shall be swept and drains and gutters cleaned of sediment build up.
- (12) (DD050) Noise from construction activities (measure as the L_{AeqT} noise level) shall not exceed the background noise level (measured as the L_{A90} noise level in the absence of the source), for periods of construction between 4 and 26 weeks by 10 dB(A), and for periods of construction exceeding 26 weeks by 5

dB(A), in any Octave Band Centre Frequency, when measured at any affected residence.

- (13) (DD195) Records of audits and inspections relevant to the Construction Environmental Management Plan (CEMP) must be available at all time upon request by an authorised Council Officer.

E - PRIOR TO THE ISSUE OF OCCUPATION CERTIFICATE

- (1) (DE001) The premises shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.
- (2) (DE005) Prior to the release of any bond securities held by Council for infrastructure works associated with the development, a formal written application is to be submitted to Council specifying detail of works and bond amount.
- (3) (DE037) All civil works shall be certified by a practicing Chartered Civil/structural Engineer as being constructed in accordance with approved construction plans and Council's current AUSPEC Specifications.
- (4) (DE039) Prior to 'practical completion' of the works including commissioning of new utility installations and opening to general vehicle traffic, provision to the Council of documentation from the Roads and Traffic Authority (RTA) certifying that all matters required by approval issued by Section 61 and/or Section 138 of the Roads Act have been satisfactorily completed. A copy of this is to be submitted to Council prior to the release of any engineering security bond that may be held.
- (5) (DE052) Prior to the issue of any Certificate of practical completion, submission of relevant documentation from the Water Authority confirming its acceptance of infrastructure works, including work as executed plans in accordance with Port Macquarie-Hastings Council current version of AUSPEC.
- (6) (DE056) All works shall be certified by a practicing Chartered Civil Engineer or Registered Surveyor as compliant in accordance with the requirements of AUSPEC Quality Initiatives for Provision of Public Infrastructure, prior to;
 - Release of the security bond to guarantee completion of public worksCouncil will undertake random audit of work sites to verify compliance of public works as required.
- (7) (DE071) Provision of street lighting to the new works and compliance with the requirements of the electricity authority regarding provision of electricity. Evidence by way of letter from the electricity authority, indicating compliance with this condition shall be submitted prior to the issue of any compliance Certificate of practical completion.
- (8) (DE072) Prior to the issue of an issue of any Compliance Certificate of practical completion, written advice is to be submitted from the electricity authority confirming that its requirements for the provision of electricity services (including street lighting where required) have been satisfied and/or from the telecommunications authority confirming that its requirements for the provision of telecommunication services (including fibre optic cabling where required) have been satisfied. Any alterations to or relocation of street lighting is to be approved in writing from Port Macquarie-Hastings Council.
- (9) (DE077) Prior to the issue of an Occupation Certificate, written advice is to be submitted from the electricity authority confirming that its requirements for the provision of electricity services (including street lighting where required) have been satisfied and/or from the telecommunications authority confirming that its

requirements for the provision of telecommunication services (including fibre optic cabling where required) have been satisfied. Any alterations to or relocation of street lighting is to be approved in writing from Port Macquarie-Hastings Council.

- (10) (DE095) Submission of a compliance certificate accompanying Works as Executed plans with detail included as required by Council's current AUSPEC Specifications. The information is to be submitted in electronic format in accordance with Council's "CADCHECK" requirements detailing all infrastructure for Council to bring in to account its assets under the provisions of AAS27. This information is to be approved by Council prior to issue of the Subdivision Certificate.

F - ADVICE

- (1) (DG001) Prior to preparation of any engineering design plans, the consultant preparing the design plans will need to contact Council's Water Manager regarding watermain locations on the bridge and approach works.
- (2) (DG008) Workcover require worksites to be provided with a restrictive barrier to limit access in accordance with Cl. 235 of 'The Occupational Health and Safety Regulations 2001'. Design specifications are available from Workcover. Where such barrier will encroach upon public land, an application for approval is to be lodged with Council.
- (3) (DG030) Submission of a Compliance Certificate accompanying Works as Executed plans with detail included as required by Council's current AUSPEC Specifications. The information is to be submitted in electronic format in accordance with Council's "CADCHECK" requirements detailing all infrastructure for Council to bring in to account its assets under the provisions of AAS27. This information is to be approved by Council prior to issue of the Occupation Certificate. The copyright for all information supplied, shall be assigned to Council.
- (4) (DG195) The following water mains and adjustments will be required as part of the works.

375mm AC Trunk water main

This water main is to be relocated as indicated on the plans submitted with the development application on the south side of the new bridge superstructure at the proponent's cost. In addition to the bridge crossing, the work will include an adjustment of about 60 metres of water main on the east side of the bridge and an adjustment of up to 120 metres on the west side. On the west side it will also be necessary for the new water main to cross the new road formation from south to north. Stop valves off each end of the bridge will be required as well as an air valve on the bridge structure.

2 x 150mm AC distribution water mains

Council's Water Supply Section will replace these water mains with a 450mm water main, with the bridge crossing generally as shown on the plans submitted with the development application on the north side of the bridge. The work will also include about 60 meters of additional pipe from the bridge abutment to the northeastern corner of the intersection of Ocean Drive and Bridge Street. At this point a connection will be made to the existing 200mm AC water main. On the western side of the new bridge an adjustment of about 90 metres will be required in both 450mm and 200mm water main. Stop valves off each end of the bridge will be required as well as an air valve on the bridge structure.

Existing 200mm water main across Bridge Street

The 200mm water main across Bridge Street is to be replaced with ductile iron pipe at the proponent's cost if the road works go this far.

Existing 100mm water main across Ocean Drive

The 100mm AC water main across Ocean Drive to River Street is to be replaced with ductile iron pipe at the proponent's cost.

Proposed 200mm Recycled Water Main

The provision of a 200mm diameter reclaimed water pipe on the north side of the bridge within the bridge structure as detailed on the plans submitted with the development application is noted. This will be installed by council's Water/Sewer Section.

- (5) (DG196) There may be other water supply infrastructure adjustments revealed by the final engineering plans.
- (6) (DG197) Note that the 375mm AC water main under Ocean Drive to the east of Bridge Street will be abandoned.
- (7) (DG198) Water services for the bridge construction and amenities during construction are to be applied for as temporary water services. These will be provided on conditions set by Council's Water Supply manager and will be fully metered.

G – NSW DEPARTMENT OF PLANNING

Concurrence under clause 7(3) of State Environmental Planning Policy No. 14 – Coastal Wetlands

- (1) The applicant shall undertake all actions listed in 'Section 18.3 Impacts and Mitigation Measures of the Environmental Impact Statement' (pages 169-177), including preparation of a Construction Environmental Management Plan (CEMP).
- (2) The applicant shall prepare a Compensatory Habitat Plan for this site which includes all actions listed in the Wetland Restoration Plan' of the Environmental Impact Statement (appendix E) together with a monitoring program that will cover a period of ten (10) years. The Compensatory Habitat Plan is to be forwarded for information to the Department of Planning prior to commencement of the road works.