

Appendix D

Consultation responses

Our Ref: ID 1399
Your Ref: 12542943

16th June 2021

Ms King
GHD
66 Lord Street, Suite 7A
Port Macquarie NSW 2444

Via email: Bernadette.Wood@ghd.com

Dear Ms King,

Notification under clause 15AA of the State Environmental Planning Policy (Infrastructure) 2007 in relation to the proposed Maria River Road Upgrade

Thank you for the notification under clause 15AA of the *State Environmental Planning Policy (Infrastructure) 2007* in relation to the proposed upgrade at Maria River Road, between Port Macquarie and Crescent Head.

The NSW State Emergency Service (NSW SES) has reviewed the proposed upgrade using the information provided with the proposal and the flood risk information (e.g. local flood Plan, flood studies etc.) available to the NSW SES. Based on this review the proposed works appear to have minimal risk to NSW SES response operations.

However, if the construction phase of the upgrades causes disruption to the operation of the road, this may impact the ability for emergency vehicles to use this route. The NSW SES requests that notification be provided where there are likely to be significant delays in the operation of the roads affected by the upgrades.

Please feel free to contact me on 0458 737 188 or via email at maria.frazer1@one.ses.nsw.gov.au should you wish to discuss any of the matters raised in this correspondence.

Yours sincerely,



Maria Frazer
Coordinator Planning
NSW State Emergency Service

Cc: Michael Ward - Unit Commander, Port Macquarie Unit
Petrina Hooker - Unit Commander, Kempsey Shire Unit



Our Ref: DOC21/488824
Your Ref: 12547567

GHD
66 Lord Street, Suite 7A
Port Macquarie
NSW 2444

Attention: Ms Lisa King

Dear Ms King

**Re: Request for Biodiversity and Conservation Division's Review of Environmental Factors
Environmental Assessment Requirements – Maria River Road Upgrade**

Thank you for your letter dated 4 June 2021 about the Maria River Road upgrade seeking Environmental Assessment Requirements (EARs) from the Biodiversity and Conservation Division (BCD) of the Biodiversity, Conservation and Science Directorate in the Environment, Energy and Science Group of the Department of Planning, Industry and Environment. I appreciate the opportunity to provide input.

The BCD was formerly part of the Office of Environment and Heritage, but now forms part of a Group that has responsibilities relating to biodiversity (including threatened species and ecological communities, or their habitats), National Parks and Wildlife Service estate, climate change, sustainability, flooding, coastal and estuary matters.

On 1 July 2020 Aboriginal cultural heritage (ACH) functions were transferred from the BCD to Heritage NSW in the Department of Premier and Cabinet. For ACH advice, please contact Heritage NSW at heritagemailbox@environment.nsw.gov.au.

We note that the project will be assessed in accordance with Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Review of Environmental Factors (REF) EARs provided by the Biodiversity and Conservation Division are limited to biodiversity, NPWS estate, acid sulphate soils, flooding, stormwater and coastal erosion.

The proponent should ensure that the REF will be sufficiently comprehensive to enable unambiguous assessment of all direct and indirect impacts of the proposed activity.

In particular, the REF should include consideration of:

1. The direct and indirect impacts of the proposal on the mapped coastal wetland adjoining the road in accordance with the State Environmental Planning Policy (Coastal Management) 2018.
2. The direct and indirect impacts of the proposal on the significant biodiversity values of the area including, but not limited to the following species that have been recorded to occur along the Maria River Road corridor;
 - Koala (*Phascolarctos cinereus*)
 - Spotted tailed quoll (*Dasyurus maculatus*)

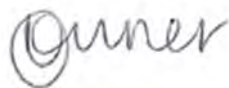
- Brush-tailed phascogale (*Phascogale topoatafa*)
 - Black-necked stork (*Ephippiorhynchus asiaticus*)
 - Eastern ground parrot (*Pezoporus wallicus wallicus*)
 - Eastern grass owl (*Tyto longimembris*)
 - Eastern osprey (*Pandion cristatus*)
 - Spotted harrier (*Circus assimilis*)
 - Australasian bittern (*Botaurus pliciloptilus*)
 - White-bellied sea eagle (*Haliaeetus leucogaster*)
 - Glossy black cockatoo (*Calyptorhynchus lathami*)
 - Dwarf heath casuarina (*Allocasuarina defungens*)
3. The direct and indirect impacts of the proposal on the population viability of koalas in the subject area given the area's status as a NSW 'Area of Regional Koala Significance'.
4. That the activity does not impact the ability of NPWS to access and use fire trails which intersect Maria River Road during and post construction.

We consider that this information is necessary for a comprehensive REF for the proposed activity.

The full list of our requirements that may need to be addressed in the REF is provided in **Attachment 1**. In preparing the REF, the proponent should refer to the relevant guidance material listed in **Attachment 2**.

If you have any further questions about this advice, please do not hesitate to contact Mr Bill Larkin, Senior Conservation Planning Officer, at bill.larkin@environment.nsw.gov.au or on 6659 8216.

Yours sincerely



9 July 2021

NICKY OWNER
A/Senior Team Leader Planning, North East Branch
Biodiversity and Conservation

Enclosures:

Attachment 1 - BCD Recommended Environmental Assessment Requirements for REF – Insert proposal name

Attachment 2 - REF Guidance Material

Attachment 1

Biodiversity and Conservation Division's Recommended Environmental Assessment Requirements (EARs)

Review of Environmental Factors

Maria River Road Upgrade

This page has been deliberately left blank.

TABLE OF CONTENTS

<u>A</u>	<u>The Proposed Activity</u>	<u>2</u>
<u>B</u>	<u>Environmental Impacts of the Proposed Activity</u>	<u>3</u>
<u>C</u>	<u>Biodiversity</u>	<u>4</u>
<u>D</u>	<u>NPWS Estate</u>	<u>7</u>
<u>E</u>	<u>Acid Sulfate Soils</u>	<u>8</u>
<u>F</u>	<u>Flooding, Stormwater and Coastal Erosion</u>	<u>9</u>
<u>G</u>	<u>Cumulative Impacts</u>	<u>10</u>

A. The Proposed Activity

The Review of Environmental Factors (REF) should fully and clearly describe the proposed activity, including any environmental impact mitigation measures, and identify all the processes and activities intended for the site during the life of the proposed activity.

The description of the proposed activity in the REF should, where relevant, include:

1. the location of the proposed activity and details of the surrounding environment;
2. appropriate land use zoning;
3. the size and type of the proposed activity and its operation;
4. the proposed layout of the site;
5. the staging and timing of the proposed activity;
6. the proposed activity's relationship to any other proposal.
7. all equipment proposed for use at the site;
8. chemicals, including fuel, used on the site and proposed methods for the transportation, storage, use and emergency management;
9. waste generation, storage and disposal;
10. the anticipated environment impacts of the proposed activity, both direct and indirect,
11. a plan showing the distribution of any threatened flora or fauna species and the vegetation communities on or adjacent to the subject site, and the extent of vegetation proposed to be cleared;
12. ownership details of any residence and/or land likely to be affected by the proposed activity;
13. maps/diagrams showing the location of residences and properties likely to be affected and other industrial developments, conservation areas, wetlands, etc. in the locality that may be affected by the proposed activity;
14. methods to mitigate any expected environmental impacts of the proposed activity;
and
15. the anticipated level of performance in meeting required environmental standards.

B. Environmental Impacts of the Proposed Activity

Impacts related to the following environmental issues should be assessed, quantified and reported:

- Biodiversity
- NPWS Estate (land reserved or acquired under the *National Parks and Wildlife Act 1974*)
- Acid Sulfate Soils
- Flooding, Stormwater and Coastal Erosion
- Cumulative Impacts

The REF should address the specific requirements outlined under each heading below and assess impacts in accordance with the relevant guidelines mentioned. A full list of guidelines is at **Attachment 2**.

C. Biodiversity

1. The REF must assess the impacts of the proposed activity on biodiversity values to determine if the proposed activity is “likely to significantly affect threatened species” for the purposes of Section 7.8 of the *Biodiversity Conservation Act 2016* (BC Act) as follows:
 - A. The REF must demonstrate whether the proposed activity is to be carried out in a declared area of outstanding biodiversity value.
 - B. If the proposed activity is not carried out in a declared area of outstanding biodiversity value, then the REF must document *the test for determining whether proposed development or activity is likely to significantly affect threatened species or ecological communities* as outlined in Section 7.3 of the BC Act, by preparing an ecological assessment that should include:
 - I. A field survey of the site of the proposed activity conducted and documented in accordance with relevant guidelines, including:
 - a. *Field survey methods for environmental consultants and surveyors when assessing proposed developments or other activities on sites containing threatened species* (OEH undated)
<https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/field-survey-method-guidelines.pdf>
 - b. *NSW Survey Guide for Threatened Frogs* (DPIE 2020)
<https://www.environment.nsw.gov.au/research-and-publications/publications-search/nsw-survey-guide-for-threatened-frogs>
 - c. *Surveying threatened plants and their habitats: NSW survey guide for the Biodiversity Assessment Method* (DPIE 2020)
<https://www.environment.nsw.gov.au/research-and-publications/publications-search/surveying-threatened-plants-and-their-habitats-survey-guide-for-the-biodiversity-assessment-method>
 - d. *“Species credit” threatened bats and their habitats*
<https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/species-credit-threatened-bats-survey-guide-180466.pdf>
 - e. *Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities - Working Draft* (DEC, 2004),
<https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/draft-threatened-biodiversity-survey-guide.pdf>

If a proposed field survey methodology is likely to vary significantly from the methods in the guidelines above, then the proponent should discuss the proposed methodology with the Biodiversity and Conservation Division prior to undertaking surveys for the REF, to determine whether the Biodiversity and Conservation Division considers the proposed methodology appropriate.

The results of recent (less than five years old) field surveys may be used. However, the results of previous field surveys should not be used if they have:

- been undertaken in seasons, weather conditions or following extensive disturbance events when the subject species are unlikely to be detected or present, or
- utilised methodologies, survey sampling intensities, timeframes or baits that are not the most appropriate for detecting the target subject species,

unless these differences can be clearly demonstrated to have had an insignificant impact upon the outcomes of the field surveys.

If the results of previous field surveys are used, then field surveys for any additional threatened entities listed under the BC Act since the previous field surveys took place, must be undertaken and documented.

The list of potential threatened species, populations, ecological communities, or their habitats for the site should be determined in accordance with:

- the *Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities - Working Draft* (DEC, 2004), and
- the Department's Threatened Species website <http://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species>, and
- the *Bionet Atlas of NSW* <http://www.environment.nsw.gov.au/wildlifeatlas/about.htm>, and
- the Vegetation Information System (BioNet Vegetation Classification) <http://www.environment.nsw.gov.au/research/Visclassification.htm>, and
- other data sources (e.g. PlantNET, Online Zoological Collections of Australian Museums (<http://www.ozcam.org/>), previous or nearby surveys etc.) may also be used to compile the list.

II. The following information as a minimum:

- a. A description, spatial data files, and geo-referenced mapping of the study area, (overlays on topographic maps, satellite images and /or aerial photos, including details of map datum, projection and zone), showing all field survey locations, vegetation communities classified in accordance with the BioNet Vegetation Classification (<http://www.environment.nsw.gov.au/research/Visclassification.htm>), key habitat features and reported locations of threatened species and ecological communities present in the subject site and study area.
- b. A description of survey methodologies used, including timing, location and weather conditions.
- c. Details, including qualifications and experience, of all staff undertaking the surveys, mapping and assessment of impacts as part of the EIS.
- d. Identification of national and state listed threatened biota known or likely to occur in the study area and their conservation status.

- e. A description of the likely impacts of the proposed activity on biodiversity values, including direct and indirect impacts and construction and operation impacts, with impacts quantified, wherever possible, such as the amount of each vegetation community or species habitat to be cleared or impacted, and/or the degree of fragmentation of a habitat connectivity.
 - f. Identification of the avoidance, mitigation and management measures that will be put in place as part of the proposed activity to avoid or minimise biodiversity impacts, including details about alternative options considered and how long-term management arrangements will be guaranteed.
 - g. A description of the residual impacts of the proposed activity.
- III. The 'test for determining whether proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats' as outlined in Section 7.3 of the BC Act undertaken in accordance with the gazetted *Threatened Species Test of Significance Guidelines* (OEH 2018) available at: <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/threatened-species-test-significance-guidelines-170634.pdf>
- 2. If the REF determines under 1 above that the proposed activity is likely to significantly affect threatened species, then in accordance with Section 7.8 of the BC Act, an Environmental Impact Statement must be prepared that is accompanied by a Species Impact Statement prepared in accordance with Part 7, Division 5 of the BC Act, or, if the proponent so elects, a Biodiversity Development Assessment Report prepared in accordance with Part 6, Division 3 of the BC Act.
 - 3. If the REF determines under 1 above that the proposed activity is unlikely to significantly affect threatened species, then the proposed activity should:
 - a. be designed to avoid and minimise impacts on biodiversity values to the fullest extent possible, and
 - b. include a biodiversity offset package to offset remaining direct and indirect impacts on biodiversity values, prepared in accordance with the Department's 13 offsetting principles available at <http://www.environment.nsw.gov.au/biodivoffsets/oehoffsetprincip.htm>:

Note:

For the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*, the REF should identify any relevant Matters of National Environmental Significance and whether the proposal has been referred to the Commonwealth or already determined to be a controlled action.

D. NPWS Estate

The REF should address the following with respect to land reserved under the *National Parks and Wildlife Act 1974*.

1. Where appropriate, likely impacts (both direct and indirect) of the proposed development on any adjoining and/or nearby NPWS estate reserved under the *National Parks and Wildlife Act 1974* should be considered, with reference to the *Developments adjacent to National Parks and Wildlife Service lands Guidelines for consent and planning authorities* (DPIE, 2020) available at:
<https://www.environment.nsw.gov.au/research-and-publications/publications-search/developments-adjacent-to-national-parks-and-wildlife-service-lands>
2. The NPWS has clear guidelines for assessing the environmental impact of developments and activities proposed within NPWS managed lands. These include guidelines for the preparation of a REF for activities proposed on land reserved under the *National Parks and Wildlife Act 1974*, including national parks and nature reserves. The *Guidelines for preparing a Review of Environmental Factors* provides information on how to determine whether certain activities are permissible, as well as specific information on matters for consideration during the preparation of an REF. The guidelines can be found at
<http://www.environment.nsw.gov.au/research-and-publications/publications-search/guidelines-for-preparing-a-review-of-environmental-factors>
3. For those proposals within NPWS managed areas that seek a lease or licence under Section 151 of the *National Parks and Wildlife Act 1974*, in addition to an REF, applications must also be accompanied by a sustainability assessment. The assessment must address the criteria adopted by the Chief Executive of the former Office of Environment and Heritage. Templates for completing a Sustainability Assessment can be found at:
<http://www.environment.nsw.gov.au/protectedareas/sustainabilityassessments.htm>

Note: Proposals which may impact marine protected areas should be referred to the Regions, Industry, Agriculture and Resources Group in the Department of Planning, Industry and Environment to determine the assessment and approval requirements.

E. Acid Sulfate Soils

The REF should address the following:

1. The potential impacts of the proposed activity on acid sulfate soils must be assessed in accordance with the relevant guidelines in the *Acid Sulphate Soils Manual* (Stone et al. 1998) and the *Acid Sulphate Soils Laboratory Methods Guidelines* (Ahern et al. 2004).
2. The mitigation and management options that will be used to prevent, control, abate or minimise potential impacts from the disturbance of acid sulfate soils associated with the proposed activity, and to reduce risks to human health and prevent the degradation of the environment, must be described, including an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.

F. Flooding, Stormwater and Coastal Erosion

The REF should include an assessment of the following referring to the relevant guidelines in Attachment 2:

1. The potential effect of coastal processes and coastal hazards including potential impacts of sea level rise:
 - a. on the proposed activity; and
 - b. arising from the proposed activity.
2. Whether the proposed activity is consistent with any coastal zone management plans.
3. Whether the proposed activity is consistent with any floodplain risk management plans.
4. Whether the proposed activity is compatible with the flood hazard of the land.
5. Whether the proposed activity will significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other proposals or properties.
6. Whether the proposed activity will significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
7. Whether the proposed activity incorporates appropriate measures to manage risk to life from flood.
8. Whether the proposed activity is likely to result in unsustainable social and economic costs to the community as a consequence of flooding.
9. The implications of flooding over the full range of potential flooding, including the probable maximum flood, should be considered as set out in the NSW Government Floodplain Development Manual. This should include the provision of:
 - a. Full details of the flood assessment and modelling undertaken in determining any design flood levels (if applicable), including the 1 in 100 year flood levels.
 - b. A sensitivity assessment of the potential impacts of an increase in rainfall intensity and runoff (10%, 20% and 30%) and sea level rise on the flood behaviour for the 1 in 100 year design flood if applicable.
10. All site drainage, stormwater quality devices and erosion / sedimentation control measures should be identified and the onsite treatment of stormwater and effluent runoff and predicted stormwater discharge quality from the proposed activity should be detailed.

G. Cumulative Impacts

The REF should include an assessment of the following:

1. The cumulative impacts, including both construction and operational impacts, from all clearing activities and operations, associated edge effects and other indirect impacts on cultural heritage, biodiversity and NPWS Estate in accordance with the *Environmental Planning and Assessment Act 1979*.
2. The cumulative impacts, including both construction and operational impacts, of the proponent's existing proposals and other proposals and associated infrastructure (such as access tracks etc.), as well as the cumulative impact of the proposed activity in the context of other proposals located in the vicinity.

Attachment 2 – EIS Guidance material

Title	Web address
<u>Relevant Legislation</u>	
<i>Biodiversity Conservation Act 2016</i>	https://www.legislation.nsw.gov.au/#/view/act/2016/63/full
<i>Coastal Management Act 2016</i>	https://www.legislation.nsw.gov.au/#/view/act/2016/20/full
<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>	http://www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/
<i>Environmental Planning and Assessment Act 1979</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N
<i>Fisheries Management Act 1994</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+38+1994+cd+0+N
<i>Marine Parks Act 1997</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+64+1997+cd+0+N
<i>National Parks and Wildlife Act 1974</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N
<i>Protection of the Environment Operations Act 1997</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N
<i>Water Management Act 2000</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N
<i>Wilderness Act 1987</i>	http://www.legislation.nsw.gov.au/viewtop/inforce/act+196+1987+FIRST+0+N
<u>Biodiversity</u>	
Biodiversity Assessment Method (OEH, 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-2020
Biodiversity Development Assessment Report	https://www.legislation.nsw.gov.au/#/view/act/2016/63/part6/div3/sec6.12
Guidance and Criteria to assist a decision maker to determine a serious and irreversible impact (OEH, 2017)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/guidance-decision-makers-determine-serious-irreversible-impact-190511.pdf

Title	Web address
Accreditation Scheme for Application of the Biodiversity Assessment Method Order 2017	https://www.legislation.nsw.gov.au/regulations/2017-471.pdf
Biodiversity conservation actions	www.environment.nsw.gov.au/resources/bcact/ancillary-rules-biodiversity-actions-170496.pdf
Reasonable steps to seek like-for-like biodiversity credits for the purpose of applying the variation rules	www.environment.nsw.gov.au/resources/bcact/ancillary-rules-reasonable-steps-170498.pdf
Threatened Species Website	www.environment.nsw.gov.au/threatenedspecies/
NSW BioNet (Atlas of NSW Wildlife)	www.bionet.nsw.gov.au/
Surveying threatened plants and their habitats NSW survey guide for the Biodiversity Assessment Method (DPIE 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/surveying-threatened-plants-and-their-habitats-survey-guide-for-the-biodiversity-assessment-method
Threatened species survey and assessment guideline information	www.environment.nsw.gov.au/threatenedspecies/surveyassessmantgdlns.htm
BioNet Vegetation Classification - NSW Plant Community Type (PCT) database	www.environment.nsw.gov.au/research/Vegetationinformationsystem.htm
NSW Survey Guide for Threatened Frogs (DPIE 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/nsw-survey-guide-for-threatened-frogs
'Species credit' threatened bats and their habitats (OEH 2018)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/species-credit-threatened-bats-survey-guide-180466.pdf
Data Portal (access to online spatial data)	http://data.environment.nsw.gov.au/
Fisheries NSW policies and guidelines	http://www.dpi.nsw.gov.au/fisheries/habitat/publications/policies,-guidelines-and-manuals/fish-habitat-conservation
List of national parks	http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx
Revocation, recategorisation and road adjustment policy (OEH, 2012)	http://www.environment.nsw.gov.au/policies/RevocationOfLandPolicy.htm

Title	Web address
Developments adjacent to National Parks and Wildlife Service lands Guidelines for consent and planning authorities (DPIE 2020)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Parks-reserves-and-protected-areas/Development-guidelines/developments-adjacent-npws-lands-200362.pdf
<u>Water and Soils</u>	
Acid sulphate soils	
Acid Sulfate Soils Planning Maps via Data.NSW	http://data.nsw.gov.au/data/
Acid Sulfate Soils Manual (Stone et al. 1998)	http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf
Acid Sulfate Soils Laboratory Methods Guidelines (Ahern et al. 2004)	http://www.environment.nsw.gov.au/resources/soils/acid-sulfate-soils-laboratory-methods-guidelines.pdf This replaces Chapter 4 of the Acid Sulfate Soils Manual above.
Flooding and Coastal Erosion	
Reforms to coastal erosion management	http://www.environment.nsw.gov.au/coasts/coastalerosionmgmt.htm
Floodplain development manual	http://www.environment.nsw.gov.au/floodplains/manual.htm
Guidelines for Preparing Coastal Zone Management Plans	http://www.environment.nsw.gov.au/resources/coasts/130224CZMPGuide.pdf
NSW Climate Impact Profile	http://climatechange.environment.nsw.gov.au/
Climate Change Impacts and Risk Management	Climate Change Impacts and Risk Management: A Guide for Business and Government, AGIC Guidelines for Climate Change Adaptation
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	www.environment.gov.au/water/publications/quality/australian-and-new-zealand-guidelines-fresh-marine-water-quality-volume-1

Title	Web address
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	http://deccnet/water/resources/AWQGuidance7.pdf
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf



Your ref: DA2023 – 181.1
Our ref: DOC25/140320-2

Chief Executive Officer
Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444

Attention: Mr Sam Bowers

Dear Dr Allen

RE: Maria River Road Upgrade – Descoping (DA2023 – 181.1)

Thank you for your letter dated 20 February 2025 about the descoping of a section of the proposed Maria River Road upgrade, seeking comments from the Conservation Programs, Heritage and Regulation Group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water. I appreciate the opportunity to provide input.

CPHR previously reviewed the revised Review of Environmental Factors and associated documents and raised issues about the project's likely significant impact on the local koala population in our letter to Port Macquarie-Hastings Council dated 20 December 2024.

Our letter identified a key koala road-strike impact area along the road corridor stretching approximately 3.3 km north of Big Hill Trail to around 300 m north of Northern Boundary Trail and recommended implementing a 60 km/h speed limit along with physical traffic calming measures in this key area of the road to mitigate this impact.

CPHR recognises the efforts of Council to reduce impacts on koalas and accepts the outcome of the secondary speed review which precludes a 60 km/h speed limit on this part of the road.

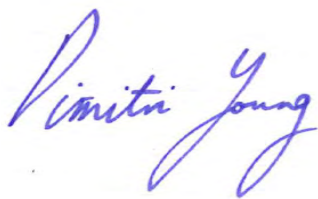
To address our recommendations and minimise the project's impact on koalas in the absence of applying a 60 km/h speed limit, we understand Council now proposes to exclude this key koala area from construction and sealing works and to include koala crossing warning signage along this part of the road.

This will maintain a 3.5 km section as an unsealed gravel road, which is likely to result in driver behaviour that reduces speeds to current levels. In addition, this amended proposal will substantially reduce the clearing of core koala habitat within the project's road corridor.

CPHR supports this revised approach and appreciates Council's continued efforts to avoid and minimise the project's direct and indirect impacts on the local koala population.

If you have any further questions about this issue, please contact Mr Bill Larkin, Team Leader Planning North East, CPHR, on 6659 8216 or at bill.larkin@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, reading "Dimitri Young". The signature is fluid and cursive, with the first name "Dimitri" and the last name "Young" clearly distinguishable.

DIMITRI YOUNG
Senior Team Leader Planning North East
Biodiversity, Conservation and Science

4 March 2025