



## PART 3A PERMIT

### RIVERS AND FORESHORES IMPROVEMENT ACT 1948

File: 0345213

**To:** Shellharbour City Council  
PO Box 155  
Shellharbour City Centre 2529

**To undertake earthworks and site restoration:**

**On Protected Land in or near the River known as:**  
Unnamed Watercourse to Minnamurra River

**At the Site Described as:**

Lot 11 DP 882238 and Lot 1201 DP 864021, Parish of Terragong, County of Camden, being located at Buckleys Road, Dunmore, NSW 2529.

**Permit Expires:** 7 May 2002

---

This permit is granted under Part 3A of the Rivers and Foreshores Improvement Act 1948 as amended and is subject to the following conditions:

*Area, Extent and Nature of Operations*

1. The location and nature of the operation as shown in the endorsed Environmental Management Plan (dated October 2000) shall not be altered. Endorsement of the Environmental Management Plan was made by correspondence on 29 January 2001.
2. Operations shall be undertaken in accordance with the endorsed plans and any management plans required by these conditions. Any alteration from these plans will need approval from the Department
3. No operations shall be undertaken outside the areas mapped as areas for restoration on the endorsed plan numbered GC\_LP\_61, GC-LP-62, GC-LP-63, GC-LP-64 in the Landscapes Principles Report dated August 2000. Copy held in the Wollongong Office of the Department (file No 1151166).

4. The surface of the remediated area shall be progressively graded to that required in the Landscapes Principles Report, August 2000.
5. This permit is only valid for operations on freehold land. The permit is null and void for any operation on Crown Land.

#### *Survey Information*

6. A permanent bench mark is to be established on the site and outside the area of operations to allow for the establishment of cross sections.
7. Work as executed survey plans of a satisfactory standard shall be provided to the Department on request.

#### *Site Water & Sediment Runoff and Flood Damage Management*

The aim of site water and sediment runoff and flood damage management is to minimise the amount of dirty water and sediment that reaches the river, or is exposed to river flows, that will detrimentally affect water quality, riparian vegetation and habitat and the downstream environment. All designs for the development are to follow current engineering standards and be consistent with the *Environmental Management Plan*, and the Department of Housing's "Blue Book" - *Managing Urban Stormwater - Soils and Construction - 1998*. All erosion and sediment controls are to meet the requirements of the Environmental Protection Authority.

8. Site drainage and sediment and erosion control measures, in accordance with the *Environmental Management Plan* and the "Blue Book", shall be implemented prior to commencement of, and during the course of, operations and shall be maintained in good working order. Works are not to occur or be undertaken beyond the scope of the endorsed Sediment and Erosion Control Plan October 2000 within 40 metres of a watercourse.

#### *Method of Operations*

9. The methods and staging of works, taking into account flood and storm events, shall be carried out in accordance with the endorsed Environmental Management Plan, October 2000.
10. Operations shall not damage or interfere in any way with:
  - vegetation and habitat outside the area of operations
  - the stability of adjacent or nearby river banks or bed
  - the flow of water in the river
  - the quality of water in the river
  - any pumps or structures in the vicinity
11. Operations at the site are to be under the direction and supervision of a suitably qualified person. Australand is to provide the Department with contact details of the qualified supervising person within one month of issue of this permit.
12. Surface stabilisation of the riparian zone, in accordance with the endorsed Environmental Management Plan, is to commence on a progressive basis immediately it is possible to do so, in conjunction with the progressive completion of site remediation.

13. All scrub, undergrowth and timber removed from the area of operations shall be disposed of so that the debris cannot be swept back into the river during a flood.
14. Any excess excavated material shall be transported from the area of operations. Excavated material to be used for filling shall be stored clear of the channel.
15. If any work is detrimentally affecting the river or its environment, the Department may direct all operations to cease immediately and seek remediation.
16. Should any excavation or earthworks uncover Acid Sulfate Soils, all works are to cease immediately and expert advice sought immediately regarding appropriate contingency action. The proponent shall prepare an *Acid Sulfate Soil Management Plan (ASSMP)* in consultation with and with the approval of DLWC prior to works re-commencing at the site. All subsequent works shall be in accordance with the approved ASSMP.
17. Any changes to plans/drawings are to be prepared in consultation with and with the approval of DLWC.

#### ***Site Rehabilitation***

A component of site rehabilitation is the protection of any remnant local native riparian vegetation, and the restoration of the riparian zone. Revegetation is to aim at structural and species diversity using a mix of native tree, shrub, groundcover and grass species local to the area.

18. Rehabilitation of the riparian zone along Unnamed Watercourse is to be undertaken in accordance with the Landscape Principles Report (LPR) prepared by Scott Murray and Associates dated August 2000.
19. A brief and concise report addressing the performance criteria as specified in the LPR and any problems implementing the LPR, and the means to overcome these, is to be forwarded to DLWC every six months for the duration of the maintenance period.
20. A bank guarantee from any bank licensed pursuant to the Banking Act 1959 (Cth) is to be provided in favour of DLWC, to cover the cost of completing the restoration of the riparian zone along the unnamed watercourses. The moneys will be held until such time as the restoration works and any specified maintenance period are completed according to the LPR. The sum held may be reduced on application to DLWC, subject to the satisfactory completion of stages of restoration. DLWC may at any time, and more than once and without notice to the permit holder, demand all or part of the moneys available under the bank guarantee, if in its opinion, the permit holder has failed at any time to meet the performance criteria set out in the EMP, LPR and Construction plans.
20. A The calculated sum of the bank guarantee is \$88 600, noted in correspondence to Australand Corporation on 18 January 2001.
21. Rehabilitation of the area the subject of this permit is the responsibility of the permit holder *and the owner or occupier of the land*.

#### ***Permit Breaches***

22. If any of the permit conditions have been breached, the permit holder shall restore the site in accordance with the permit conditions and as directed by the Department. If any

breach of the permit conditions requires a special site inspection by the Department, then the permit holder shall pay a breach inspection fee of \$500 (minimum) for this inspection and all subsequent breach inspections.

### *Other Approvals*

23. This permit does not allow an extractive industry at the site unless a current development consent or an existing use determination has been obtained from the relevant Council.

24. This permit does not relieve you of any obligation which may exist to also obtain permission from other authorities who may have some form of control over the site and/or the operation that you propose to undertake.

### *Miscellaneous*

25. If, in the opinion of a Departmental officer, any activity is being carried-out in such a manner that it may damage or detrimentally affect the stream or its environment, such activity shall cease immediately, and any restoration carried-out, upon oral or written direction of such officer.

26. The permit holder and the owner or occupier of the land are responsible for any works undertaken by any other person or company at the site.

27. The permit holder shall notify the Department in writing within 7 days of any change in:

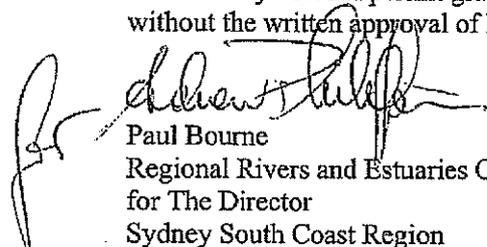
- site management
- land ownership
- land occupation

28. The Department is to be notified in writing one month in advance of the completion of works at the site and successful implementation of the LPR.

29. This permit is to be renewed on an annual basis until all works and all rehabilitation, including maintenance, have been satisfactorily completed in accordance with the permit conditions.

30. A copy of this permit must be displayed at the site office at all times or alternatively made available on site to Department officers on request.

31. Any Part 3A permit granted is not transferable to any other person or company without the written approval of DLWC and does not authorise works at any other site.

  
Paul Bourne  
Regional Rivers and Estuaries Officer  
for The Director  
Sydney South Coast Region

Address all correspondence to:

Regional Rivers and Estuaries Officer  
Department of Land & Water  
Conservation  
P O Box 651  
PENRITH NSW 2751