

## APPROVAL NOTICE

### Coffs Harbour Boat Maintenance and Storage Facility Upgrade

#### Consideration of the environmental impact pursuant to section 111 of the *Environmental Planning and Assessment Act 1979*

#### Proposal

The proposed works to the existing Coffs Harbour Boat Maintenance and Storage Facility located at the Port of Coffs Harbour include the construction of a new boat lift facility (for a 75T travel lift) and onshore improvements to the existing boat maintenance facility located at the former slipway site, located on Marina Drive, Coffs Harbour. The improvement works are expected to take approximately 6 months to complete and will involve the following activities:

- Detailed design
- Supply and installation of marine piles
- Supply and installation of travel lift runway beams
- Supply and installation of lay-up / access pontoon and gangway
- Supply and installation of onshore piles
- Extension to existing concrete hardstand
- Wastewater and services improvements

In association with the above works, separate projects are underway for:

- Procurement of a travel lift machine
- Engagement of a suitable person or company to operate the facility.

The project site is located within Lot 1, DP 789757, Marina Drive, Coffs Harbour, NSW.

The Port of Coffs Harbour has been serviced with a slipway since the early 1970's. In recent years, a decision was made to decommission the slipway, remediate the site and make necessary improvements to improve the handling of some 165 recreational vessels, 35 commercial fishing vessels and 8 government vessels stationed in the port. The project will deliver improved safety, efficiency and economics of servicing commercial and recreational vessels. Presently, the site relies on mobile cranes to transfer vessels to and from harbour. Relative to the travel lift, the craning method requires specialised persons, mobilisation (and demobilisation) of cranes, higher costs, lower productivity and safety, and can only handle vessels with a mass of around 50% of the proposed 75 t capacity travel lift.

Further details regarding the proposal are included in the Review of Environmental Factors (REF) appended to this approval.

## **Process**

The applicable environmental planning instrument for the proposed works is State Environmental Planning Policy (SEPP) (Infrastructure) 2007. Under this SEPP, the proposed activities are permissible without development consent and therefore the activities must be assessed under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

DPI - Lands are both the proponent and the determining authority for the proposed activities and must examine and take into account to the fullest extent possible all matters which are likely to affect the environment. The assessment is to be carried out by an REF or, where significant environmental impact is likely, an environmental impact statement (EIS).

Under Clause 13 and 16, Division 1 of *SEPP Infrastructure, 2007* a public authority must not carry out an activity (as specified by the SEPP) unless the authority has given written notice of its intention to carry out the activity and taken into consideration any response to the notice from all relevant public authorities and local council(s). The following public authorities and local businesses were contacted and results of this consultation are provided in the REF:

- Coffs Harbour City Council
- NSW Environment Protection Authority
- Office of Environment and Heritage
- DPI Fisheries
- NSW Roads and Maritime Services
- Trade and Investment (Crown Lands – Regional Services)
- Solitary Islands Marine Park
- Coffs Harbour Local Aboriginal Land Council
- Coffs Harbour Fisherman's Co-op
- Coffs Harbour International Marina
- Coffs Harbour Yacht Club

The REF was prepared in accordance with s111 of the *EP&A Act (1979)* and Part 14 s228 of the *EP&A Regulation (2000)*.

## **Environmental Assessment**

The following environmental factors were assessed with potential impacts summarised:

- Marine Habitats – no direct impacts on any sensitive habitats expected, any minor indirect impacts on marine environment (e.g. water quality) can be mitigated.
- Marine Protected Areas and Environmentally Sensitive Lands – no impacts expected.
- Threatened and Protected Marine Fauna – no significant impacts expected. Short term and minor noise impacts can be mitigated and will not be significant. Indirect impacts of water quality can be mitigated.
- Invasive Marine Species – potential introductions via construction vessels and impacts can be mitigated.
- Aquaculture – no impacts expected.

- Terrestrial Habitats and Fauna – no impacts expected.
- Sediment Quality – no impacts expected, the site has recently been fully remediated.
- Water Quality – potential water quality impacts which can be mitigated.
- Flooding and Erosion – no impacts expected.
- Aboriginal and Cultural Heritage – no impacts expected.
- Social and Recreational Use - very minor and temporary/short term impacts to local aesthetics and some recreational uses.
- Commercial Uses – very minor and temporary/short term impacts to local businesses through noise / access issues.
- Education and Scientific Value – no impacts expected.
- Noise and Vibration – short term and temporary impacts expected and will be managed in accordance with standard practice.
- Traffic and Access – short term impacts on road traffic / parking and marine navigation / traffic / berthing adjacent to the site.
- Waste - no issues expected.

## **Conclusion**

The Review of Environmental Factors (REF) undertaken provides a description of the existing environment and assesses the impacts of the construction of the facility. It has considered all factors listed under Clause 228 of the Environmental Planning and Assessment Regulation. No significant impacts on any of the above environmental factors were identified and any impacts identified are able to be mitigated / managed in accordance with standard practice.

The proposed works are not considered to result in significant detrimental environmental impacts. Therefore, it is concluded that an Environmental Impact Statement (EIS) is not required.

The proposal is unlikely to significantly affect any threatened species, populations or ecological communities or their habitats, within the meaning of the Biodiversity Conservation Act (BC Act) 2016, Fisheries Management Act (FM Act) 1994 or Environment Protection and Biodiversity Conservation Act (EPBC Act) 1999, therefore a Species Impact Statement (SIS) is not required.

The REF identified no significant impacts on any Matters of National Environmental Significance (MNES) under the EPBC Act 1999 and, accordingly, an EPBC Act Referral is not required.

In summary, no additional environmental assessments are required for this project to proceed.

It is recommended DPI - Lands proceed with the project as set out in this approval notice.

## **Statutory Approvals**

The following permits/approvals will be required to undertake the project as described in this REF:

- S138 Roads Act Approval from Coffs Harbour City Council, for any enclosure, obstruction to public access, or traffic control within the area resulting from construction works. This approval is to be obtained by the Contractor prior to works commencing.
- Any works impacting on navigation during the construction phase must seek Roads and Maritime support 21 days prior to works commencing. A full scope of works including dates is to be provided to NavigationAdviceNorth@rms.nsw.gov.au.

The following permits may be necessary for the operation phase of the travel lift and associated facilities:

- Environment Protection Licence from DECC under the POEO Act (1997) (this requirement has been noted by the EPA during consultation) – The NSW EPA noted that the proposed activity “will more than likely fall under Schedule 1 of the POEO Act, specifically the activity of ‘marinas and boat repairs’. Hence, the facility will more than likely require an Environment Protection Licence (EPL)” under the POEO Act 1997. Depending on the final design for the facility this may be required.

The following permits are not considered necessary for the proposal:

- Part 7 Fisheries Management Act 1994 (Section 198-202) Application to dredge and / or reclaim from NSW Department Primary Industries (Fisheries) (no dredging or reclamation is proposed).
- Part 7 Fisheries Management Act 1994 (Section 205) Harming marine vegetation (seagrass, mangroves and kelp) (no marine vegetation occurs in the immediate study area).
- Part 7 Fisheries Management Act 1994 (Section 218-220) Obstructing free passage of fish, in waterways (no obstruction of fish passage will occur).

## **Recommendations**

It is recommended that DPI Lands:

- Has taken into account to the fullest extent possible all matters affecting or likely to affect the environment.
- Is of the opinion that the proposal is not likely to have a significant effect on the environment or threatened species, populations or ecological communities or their habitats.
- Approve the proposed activity subject to mitigation measures identified in the REF.

Prepared by:

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Date: 24/10/18

Approved By:

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Position: Manager Coastal Infrastructure, DPI - Lands

Date: 24/10/18