
From: Mellor, Sonia <Sonia.Mellor@nre.tas.gov.au>
Sent: Wednesday, 30 March 2022 1:08 PM
To: Newman, Luke; TPC Enquiry
Cc: Robins, Tim; Wilson, Louise (DPIPWE); Goodsir, Ben (DPIPWE); March, Marion (NRE)
Subject: RE: Collaboration on review of proposed conditions discussed at hearing for the New Bridgewater Bridge Major Project 25 March 2022

Dear Luke,

Further to your email of 25 March the Department would like to provide the following advice to the Panel which is made without prejudice pending the issuing of our final advice following the conclusion of the Hearings.

This advice is for the information of the Panel for consideration in its final Hearing on 30 March 2022.

Following our preliminary advice to the Panel under section 60ZZB and 60ZZC of the *Land Use Planning and Approvals Act 1993*, the Department would like to clarify Condition 63.

The Department proposes to amend this Condition to allow for the uncertainty around where the exact footprint of the works is going to be located, in relation to the threatened flora locations. The Department believes that the issues potentially impacting aquatic threatened flora will be more effectively dealt with via a management plan, rather than the specific sub-conditions previously proposed. A management plan also allows for detailed mitigation measures for controlling sediment disturbance and dispersal into the water column where aquatic threatened flora plants are located to be developed prior to the start of construction, once the final bridge design is known.

The proposed DRAFT condition, subject to finalisation in our final submission as a Participating Regulator, is:

63. The Proponent (and any employees or subcontractors of a person named in this permit acting on that person's behalf on their written authority) is authorised to take the following specified aquatic threatened flora:

(a) *Ruppia megacarpa* (largefruit seatassel) – up to up to 3.53 ha of habitat from the Bridgewater Bridge direct Project footprint, contained within the Project Land identified in Figure 3.2 of the New Bridgewater Bridge Major Project Impact Statement (November 2021).

Subject to the following conditions:

1. Prior to commencement of relevant construction, in the River Derwent, an Aquatic Threatened Flora Management Plan that includes mitigation measures to prevent sediment disturbance to threatened flora outside of the direct project footprint must be submitted to the Department of Natural Resources and Environment Tasmania for approval.

The Management Plan must include, at a minimum, mitigation measures to control impacts to threatened flora including: use of barriers to limit sediment disturbance during high impact activities (such as cofferdams, silt screens, and/or silt curtains) and control of vessel movements (such as limiting total movements, timing movements to correlate with high tides, use of shallow draft boats with short shaft motors). The location of all threatened aquatic flora location on the Project land, outside of the direct project footprint, must be clearly marked on the construction environmental management plan.

2. A report detailing the numbers of individual plants taken, or the area of the population taken, along with the date and location of the works undertaken that directly impacted the specified threatened species must be provided to the Department of Natural Resources and Environment Tasmania within 30 days of the completion of the activity authorised under this permit or 30 days prior expiration of the permit, whichever is the sooner.

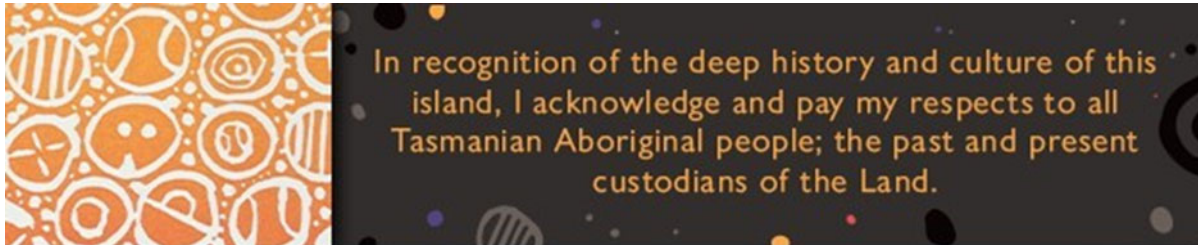
Please contact me should anything require clarification.

Kind regards

Sonia Mellor



Sonia Mellor | Policy Analyst
Strategic Projects and Policy | Strategy and Business Services
Division
Department of Natural Resources and Environment Tasmania
T: 0436 636 279 | E: Sonia.Mellor@nre.tas.gov.au
W: nre.tas.gov.au



TASMANIAN PLANNING COMMISSION

Level 3 144 Macquarie Street Hobart TAS 7000
GPO Box 1691 Hobart Tas 7001
P: 03 6165 6816
www.planning.tas.gov.au

We act with **Integrity** **Respect** **Accountability** **Our workplaces are** **Inclusive** **Collaborative**

CONFIDENTIALITY NOTICE AND DISCLAIMER: This email and any attachments are confidential and may be legally privileged (in which case neither is waived or lost by mistaken delivery). The email and any attachments are intended only for the intended addressee(s). Please notify us by return email if you have received this email and any attachments by mistake, and delete them. If this email and any attachments include advice, that advice is based on, and limited to, the instructions received by the sender. Any unauthorised use of this email and any attachments is expressly prohibited. Any liability in connection with any viruses or other defects in this email and any attachments, is limited to re-supplying this email and any attachments.

CONFIDENTIALITY NOTICE AND DISCLAIMER

The information in this transmission may be confidential and/or protected by legal professional privilege, and is intended only for the person or persons to whom it is addressed. If you are not such a person, you are warned that any disclosure, copying or dissemination of the information is unauthorised. If you have received the transmission in error, please immediately contact this office by telephone, fax or email, to inform us of the error and to enable arrangements to be made for the destruction of the transmission, or its return at our cost. No liability is accepted for any unauthorised use of the information contained in this transmission.

CONFIDENTIALITY NOTICE AND DISCLAIMER:

The information in this transmission may be confidential and/or protected by legal professional privilege, and is intended only for the person or persons to whom it is addressed. If you are not such a person, you are warned that any disclosure, copying or dissemination of the information is unauthorised. If you have received the transmission in error, please immediately contact this office by telephone, fax or email, to inform us of the error and to enable arrangements to be made for the destruction of the transmission, or its return at our cost. No liability is accepted for any unauthorised use of the information contained in this transmission.