



Department of
Infrastructure, Planning and Natural Resources

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Our ref: S99/01179
Your ref: ltr of 22 Sept 2004

Attention: Mr R Higgins

Dear Sir

Subject: Proposed Environmental Impact Statement for Tugun Bypass

Thank you for your letter of 22 September 2004 seeking Director-General's Requirements DGRs) for the Tugun Bypass Environmental Impact Statement (EIS). It is noted that the Roads and Traffic Authority (RTA) proposes to prepare the EIS under Part 5 of the *Environmental Planning and Assessment Act 1979* (the Act). DGRs were previously issued for this proposal to the consultants Parsons Brinckerhoff on behalf of the Queensland Department of Main Roads. Those DGRs were issued under Part 4 of the Act which is a different statutory process to that now proposed. This letter provides the DGRs for the proposal as requested by the RTA.

Attachment No 1 outlines the statutory matters that must be included in any EIS under clauses 229 and 230 of *Environmental Planning and Assessment Regulation 2000* (the Regulation). Under Clause 231 of the Regulation the Director-General requires that the EIS address:

- ☐ issues raised at the Planning Focus Meeting in Coolangatta on 19 June 2000
- ☐ issues raised during consultation for the proposal
- ☐ the Department's EIS Guidelines for *Roads and Related Facilities*. The Guidelines are available for purchase from the Department's Information Centre, 20 Lee St, Sydney (phone 02 9762 8044), and
- ☐ the key issues identified below. This is not an exhaustive list of issues but an initial identification of key issues.

Issues addressed in the EIS should be prioritised according to their importance in the decision making process. The level of analysis of issues should reflect the significance of their impacts and relevance for the proposal.

You should note that clause 231 of the Regulation requires that you re-consult the Director-General about the EIS preparation should the EIS not be exhibited within two years of the date of this letter.

Key Issues

Planning and Strategic

The EIS should:

- ❑ identify land use and planning instruments (local, regional, State and Commonwealth) relevant to areas affected by, and adjoining, the proposal including the North Coast REP, Tweed LEP 2000 and the Gold Coast Airport. This should include an assessment of the proposal's compatibility with those land uses and instruments
- ❑ analyse the proposal's interaction with local and regional planning aims and strategic implications for population growth and future urban expansion and identify potential land use conflicts
- ❑ identify and assess direct and indirect property impacts. Details should be provided for any land which may require acquisition or an easement
- ❑ identify and assess direct and indirect impacts upon Crown Land including a review of any Native Title claims
- ❑ describe the objectives of the proposal including predicted traffic volumes on the new road and effects on traffic volumes through Tugun, Coolangatta and Tweed City and on the Pacific Highway
- ❑ consider the cumulative impacts of the proposal with other local and regional road projects including proposals to upgrade the Pacific Highway, and
- ❑ discuss broad indicators of sustainability such as reduced car mode journeys, reduced car travel distance, reduced air pollution and reduced energy consumption.

Alternatives

The EIS should include an analysis of alternatives to the proposal including:

- ❑ identifying the alternatives considered, including doing nothing, alignment and design standard options, demand management and traffic management and combinations of these
- ❑ identifying alternative interchange arrangements between the Bypass and the Pacific Highway in NSW, and
- ❑ evaluating the alternatives against community, environmental and economic considerations.

The alternatives discussion should include a separate section on the comparative evaluation of the options referenced as options "B4" (wholly within Queensland) and "C4".

Construction

A description of all construction activities and their impacts should be provided including:

- ❑ the extent of clearing
- ❑ a description of construction methods including:
 - road construction techniques
 - spoil management and the source of construction materials including fill and road pavement materials
 - methods of crossing and constructing within or over waterways and wetlands
- ❑ locations and use of ancillary facilities such as works compounds and batch plants
- ❑ identification of partial or complete road closures and their duration. Traffic and access management methods for closures should be outlined
- ❑ identification of the temporary use of public reserves including the area occupied and duration of occupation
- ❑ soil and water management including acid sulfate soils, and

- ❑ a construction program. This should include specific identification of the duration of activities through or adjoining residential areas.

Ecology - General

The EIS should contain an assessment of impacts to flora and fauna (terrestrial and aquatic), particularly critical habitats, threatened species, populations, ecological communities, and their habitats listed under the *Threatened Species Conservation Act 1995* (TSC Act) and the *Fisheries Management Act 1997* (FM Act). The assessment should involve the following steps:

- i. conduct baseline surveys, and consult relevant databases and listings by scientific committees established under the TSC Act and FM Act
- ii. identify any applicable assessment guidelines issued and in force under Section 94A of the TSC Act or, subject to Section 5C of the EP&A Act, and Section 220ZZA of the FM Act
- iii. describe the types and condition of habitats in, and adjacent to, the land affected by the proposal
- iv. prepare a list of species and vegetation communities that were recorded in the study area. Also identify which threatened species, populations and ecological communities are likely to occur based on the presence of suitable habitat and/or previous sightings
- v. apply an Assessment of Significance (under section 5A of the EP&A Act) to each threatened species, population or ecological community, or their habitats, that may be affected by the proposal. The EIS must justify any decision to not apply this test to all of the threatened species, populations or ecological communities identified in step iv), and
- vi. prepare a Species Impact Statement (SIS) for any critical habitats and threatened species, populations or ecological communities, or their habitats that are likely to be significantly affected by the proposal. A SIS must be prepared in accordance with any requirements of the Director-General of the Department of Environment and Conservation and/or Director-General of NSW Fisheries.

The assessment should include a full description of any compensatory habitat package developed for loss of flora and fauna habitats as a result of the proposal and how it relates to the species, populations or communities affected.

Ecology – SEPP 14 Wetlands

Where the proposal affects SEPP 14 – Coastal Wetlands:

- ❑ identify the wetland habitats including:
 - a vegetation survey map (preferably at a scale of 1:4000) to indicate any rare or threatened plant species
 - an assessment of the conservation status of each mapped wetland vegetation community including their conservation status within the State's reserve system
 - adjoining wetland habitats (including those not mapped under SEPP 14)
 - the extent of any weed infestation
 - a fauna survey describing the fish, birds (both indigenous and migratory), reptiles, amphibians and mammals (including bats) etc. of the area and the occurrence of any rare or threatened and protected species
 - a description of surface and groundwater quality and the hydrologic regime
- ❑ discuss the environmental impacts of the proposal including:
 - an assessment of changes to plant and animal species composition
 - design features that guard against disturbance to vegetation, fauna, water quality and the hydrologic regime
 - design measures that address any likely public use impacts expected from the development (e.g. increased litter and gross pollutants)

- ❑ describe the measures proposed to offset losses in wetland values or other environmental impacts, such as the preparation of a management plan to maintain or enhance wetlands not affected by the proposal, and
- ❑ assess the need to provide compensatory habitat for SEPP 14 wetlands in accordance with DIPNR's SEPP 14 – Coastal Wetlands – Compensatory Wetlands Policy (Attachment No. 2).

Water Quality, Hydrology and Flooding

Water quality and hydrology (surface and groundwater) and flooding should be assessed including:

- ❑ measures to avoid or minimise construction and operation impacts on water quality, particularly in the Cobaki Broadwater and associated wetlands
- ❑ erosion and sedimentation control including the design and location of sedimentation basins and any associated effects on groundwaters and acid sulfate soil management
- ❑ construction and operation effects of the road on surface and groundwater flows including the tunnel and any associated dewatering and re-injection proposals
- ❑ the management of acid sulfate soils with particular reference to ASSMAC "Acid Sulfate Soil Manual" (1998) including impacts on aquatic species of increased acidity in waterways
- ❑ the need for a licence(s) under the *Water Act 1912* or the *Water Management Act 2000*
- ❑ an assessment of any alterations to flooding characteristics, and
- ❑ the level of flood protection provided to the tunnel and the effects of flooding on the tunnel.

Traffic and Transport

Traffic and transport impacts during construction and operation should be assessed including:

- ❑ truck movements during construction and impacts on local roads
- ❑ the traffic capacity of the proposal and its ability to cater for predicted growth
- ❑ issues associated with the proposed tunnel, including risks and limitations (if any) on dangerous loads, and
- ❑ a description of facilities for cyclists and pedestrians including a clear assessment against NSW policy and practice for provision for cyclists on major roads. Any alternatives to provision for cyclists on the bypass must include a consideration of relative times and safety issues.

Noise

The EIS should contain a detailed assessment of noise and vibration impacts during construction and operation with reference to the NSW EPA's *Environmental Criteria for Road Traffic Noise*. The assessment should include:

- ❑ a description of the existing noise environment and identification of sensitive receptors
- ❑ identification of construction noise and vibration impacts
- ❑ identification of operation noise and vibration impacts, and
- ❑ a description of reasonable and feasible mitigation measures for both construction and operation and their associated effects. The EIS should state how it would be decided which noise mitigation measures to implement.

Other

- ❑ The need for specific management measures for road construction and operation in areas adjoining the existing landfill should be discussed, including leachate management.