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10 OCT 2005

Director-General
Dep. of Infrastructure, Planning
and Natural Resources



06 OCT 2005

Ms J Westacott
Director-General
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Ms Westacott

As you are aware, the Tugun Bypass project is a proposed motorway between Tweed Heads in NSW and Currumbin in Queensland. It is proposed to be approximately 7km long and involve the construction and operation of a four-lane restricted access motorway with a central median, wide enough to allow future upgrading to six lanes. Grade separated interchanges would be provided at Stewart Road in Queensland and at the Tweed Heads Bypass in NSW. At the southern end, a tunnel would be provided to enable the road to pass under an approved extension of the runway and to ensure the required level of safety for the operation of the Gold Coast Airport. A more detailed description is attached.

The proposed Tugun Bypass would be located partly within NSW and partly within Queensland. The RTA is the proponent of the part of the Tugun Bypass to be located in NSW. The Queensland Department of Main Roads is the proponent of the part of the Tugun Bypass to be located in Queensland. The environmental assessment of the parts of the Tugun Bypass in NSW has been carried out under Division 4, Part 5 of the *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act). The RTA is the proponent and nominated determining authority for the parts of the Tugun Bypass within NSW.

The environmental impact assessment which has been undertaken for the project is significantly progressed. In particular:

- The Director-General's requirements for preparation of an Environmental Impact Statement (EIS) were issued on 22 September 2004;
- An EIS (and accompanying Species Impact Statement) has been prepared in accordance with these requirements. (Note: the EIS and SIS were prepared for the entire project for the purposes of the NSW, Queensland and Commonwealth environmental impact assessment requirements);

Roads and Traffic Authority

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- The EIS and SIS were publicly exhibited between 13 December 2004 and 15 March 2005;
- Public submissions have been received and considered; and
- A Representations Report is in an advanced state of preparation.

Part 3A of the Act came into operation on 1 August 2005. At that time, the assessment of the Tugun Bypass project had not advanced to the stage of concurrence being sought from the Director-General of the Department of Environment and Conservation or an application for approval being submitted under Division 4, Part 5 of the EP&A Act.

Accordingly, it is the RTA's understanding that certain additional steps are now required to progress this project. Therefore, the RTA, by this letter:

1. applies under section 75E of the *EP&A Act* for approval from the Minister for Planning for the carrying out of the Tugun Bypass within NSW.
2. requests that you:
 - adopt the environmental assessment requirements issued for this project on 22 September 2004
 - accept the EIS and SIS published in respect of this project in December 2004
 - accept the period of public exhibition of the EIS and SIS in respect of this project between 13 December 2004 and 15 March 2005, in accordance with Clause 8j of the Environmental Planning and Assessment Regulation,
3. seeks your agreement to the RTA preparing a Submissions Report, including a statement of commitments and incorporating as necessary a Preferred Project Report, in satisfaction of the requirements of Section 75H(6) of the *EP&A Act*.

I would appreciate your early response to these matters, including your advice on any additional matters that require resolution.

Yours sincerely



Paul Forward
Chief Executive