



NSW GOVERNMENT
Department of Planning

5 September 2005

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Mr Duncan Peake
Environmental Planner
HLA –Envirosciences Pty Limited
PO Box 726
PYMBLE NSW 2073

Our ref: S04/01177
Your ref:

Dear Mr Peake

Proposed Moira Cattle Feedlot, Moira Station, Mathoura – Murray LGA

I refer to your correspondence dated 31 August 2005 and recent discussions concerning the above project and the application of *State Environmental Planning Policy (Major Projects) 2005* and the recent reforms to the *Environmental Planning and Assessment Act 1979* (the Act).

I understand that Director-General's requirements were previously issued to you on 25 August 2004 for the proposed Moira Cattle Feedlot under Part 4 of the Act. With the introduction of recent amendments to the Act and gazettal of *State Environmental Planning Policy (Major Projects) 2005*, there are a number of changes to the environmental impact assessment process which will need to be addressed should any application for the proposal be lodged with the Department.

As you have indicated, the proposed Cattle Feedlot meets the requirements of Schedule 1, Group 1, Clause 1 of the *State Environmental Planning Policy (Major Projects) 2005*, and the Minister is the relevant approval authority. As such, Part 3A of the Act applies to the project.

In accordance with Clause 8J(1) of the *Environmental Planning and Assessment Regulations 2000* (the Regulations), the Director-General has agreed to adopt the previous Director-General's requirements issued under Part 4 of the Act (dated 25 August 2004). However, the Environmental Assessment requirements will need to be slightly amended to reflect the new reporting and assessment requirements specified by Part 3A of the Act. The additional assessment requirements of the Director-General are outlined in Attachment 1 of this letter.

The Department advocates the preparation of concise, accessible and justified Environmental Assessments, focussing on the project, its likely environmental impacts and the mitigation of those impacts. All Environmental Assessments should be prepared to allow the Department, relevant government agencies (including the local council) and the public to fully comprehend the environmental implications of the project. The Environmental Assessment should avoid the duplication of information and information that is not directly relevant to the environmental impact assessment of the proposed project.

In accordance with Section 75H of the Act, the proponent will need to submit the Environmental Assessment to the Director-General. The Department should be consulted at least one week prior to this lodgement to determine the number of copies of the Environmental Assessment required for the Director-General to consider the adequacy of the application. As part of this consideration, the Department will also consult with other relevant authorities.

Should the Director-General consider that the Environmental Assessment does not adequately address the environmental assessment requirements, the Director-General may require the proponent to submit a revised Environmental Assessment to address the matters raised with the proponent. Once the Environmental Assessment has been accepted by the Director-General, the application will be publicly exhibited for at least 30 days. At this time, the proponent should again consult the Department to confirm the application arrangements and to establish the number and type (hard-copy or CD-ROM) required of the Environmental Assessment for exhibition purposes.

You should keep the contact officer for this project, Chris Ritchie ((02) 9228 6413, chris.ritchie@dipnr.nsw.gov.au), up to date with the progress of the preparation of the Environmental Assessment, and seek clarification of any issues that may be unclear or may arise during this process.

Yours sincerely



5.9.05

Chris Wilson
Director

Major Development Assessment
As delegate for the Director-General

ATTACHMENT 1

ENVIRONMENTAL ASSESSMENT REQUIREMENTS UNDER PART 3A OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Project	Construction and operation of an 80,000 head cattle feedlot, including feed pens, water storage, waste water infrastructure such as holding ponds, irrigation storage facilities and administration area.
Site	Lot 60 DP 751153, Lot 1 DP 111271, Lot 2 DP 111271, Lot 76 DP 751153, Lot 125 DP 751153, Lot 126 DP 751153, Lot 127 DP 751153, Lot 128 DP 751153, Lot 129 DP 751153, Lot 140 DP 751153, Lot 164 DP 751153, Part Lot 8 DP 751153, Part Lot 9 DP 751153, Part Lot 118 DP 751153, Part Lot 162 DP 751153, Part Lot 163 DP 751153 and Lot 1 DP 550495, Murray local government area
Proponent	Agricultural Equity Investments
Date of Issue	2 September 2005
Date of Expiration	2 September 2007
General Requirements	The Environmental Assessment must include: • an executive summary; • a description of the proposal, including construction, operation, and staging; • details of the location of the project and environmental planning provisions applicable to the site and the project; • consideration of alternatives to the project; • an assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below; • proposed mitigation/ management measures of residual environmental impacts; • justification for undertaking the project with consideration of the benefits/ impacts of the proposal, and proposed management/ mitigation/ monitoring; • a draft Statement of Commitments for environmental mitigation, management and monitoring for the project; and • certification by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.
Key Assessment Requirements	The Environmental Assessment must assess the issues specified in the Director-General's requirements previously issued to you on 25 August 2004 for the proposed Moira Cattle Feedlot under Part 4 of the Act.
Consultation Requirements	You must consult with the following parties during the preparation of the Environmental Assessment: • Murray Shire Council; • NSW Department of Environment and Conservation; • NSW Agriculture (now part of the Department of Primary Industries); • Roads and Traffic Authority; • Department of Housing; • Relevant utility providers; • Local Aboriginal community; and • affected residents and relevant community groups.
Peer Review	Not required
Application Fee	Pursuant to clause 8H of the <i>Environmental Planning and Assessment Regulation 2000</i> , the following fees must accompany any application for the project:

	• an application fee (GST-free), calculated based on the capital investment of the project, in accordance with clause 246 of the <i>Environmental Planning and Assessment Regulation 2000</i>; and • an advertising fee of \$1831.50 (including GST of \$166.50), in accordance with clause 252 of the <i>Environmental Planning and Assessment Regulation 2000</i>; A reduction in the application fee payable under clause 246 may be sought from the Director-General, in writing and no later than 10 working days prior to making an application for the project. Any such application must be accompanied by details of why a reduction would be appropriate, having regard to the scope and magnitude of environmental impacts associated with the project. The Director-General's decision on any request for a reduction in application fees is discretionary and final.
Deemed refusal period	Pursuant to clause 8E(2) of the <i>Environmental Planning and Assessment Regulation 2000</i> , the deemed refusal period for the project will be 60 days.