



NSW GOVERNMENT
Department of Planning

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Our Ref: S07/00334

Mr Mark Spencer
Lindsay and Dynan Pty Ltd
5 Newton Street
Broadmeadow NSW 2292

Dear Mr Spencer

**Director General's Requirements
Tomago Asphalt Batching Plant Project
Project Application No: 07_0031**

The Department has received your application for the Tomago Asphalt Batching Plant Project in the Port Stephens local government area.

I have attached a copy of the Director-General's requirements (DGRs) for the project. These requirements have been prepared in consultation with the relevant Government authorities, and are based on the information you have provided to date. I have also attached a copy of the government authorities' comments for your information.

Please note that under section 75F(3) of the *Environmental Planning and Assessment Act 1979*, the Director-General may alter these requirements at any time.

If your proposal is likely to have a significant impact on matters of National Environmental Significance, it will require an additional approval under the Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Department of Environment and Water Resources in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal is likely to have a significant impact on matters of National Environmental Significance, and would require an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process for assessing any impacts on matters of National Environmental Significance. As a result, if it is determined that an approval is required under the EPBC Act, please contact me immediately as supplementary Director-General's requirements will need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit your Environmental Assessment for the project to determine:

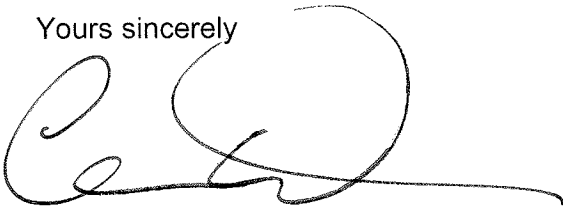
- The fees applicable to the application (see Division 1A, Part 15 of the *Environmental Planning and Assessment Regulation 2000*);
- whether the proposal requires an approval under the EPBC Act and any assessment obligations under that Act;
- the consultation and public exhibition arrangements that will apply; and
- the number of copies (hard-copy or CD-ROM) of the Environmental Assessment that will be required for exhibition purposes.

As you may know, the Department will review the Environmental Assessment in consultation with the relevant authorities to determine if it adequately addresses the Director-General's requirements. If the Director-General considers the Environmental Assessment to be inadequate, you will be required to revise it prior to public exhibition.

The Director-General's requirements will be placed on the Department's website along with other relevant information which becomes available during the assessment of the project. As a result, I would appreciate it if the documents submitted to the Department are in a suitable format for the web, and if you would arrange for an electronic version of the Environmental Assessment for the project to be hosted on a suitable website with a link to the Department's website.

If you have any enquiries about these requirements, please contact Ann-Maree Carruthers of the Department's Manufacturing and Rural Industries team (02 9228 6550).

Yours sincerely

A handwritten signature in black ink, appearing to be 'Chris Wilson', written over a horizontal line.

10.4.07

Chris Wilson

Executive Director

As delegate of the Director-General

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application Number	07_0031
Project	Construction and operation of an asphalt batching plant and associated infrastructure
Site	Lots 14 and 15 Kennington Drive, Tomago
Proponent	Asphalts Consulting and Testing Pty Ltd
Date of Issue	2 April 2007
Date of Expiration	2 April 2009
General Requirements	The Environmental Assessment must include: • an executive summary; • a detailed description of the project including the: – need for the project; – various components and stages of the project; and – the likely inter-relationship between the proposed operations existing operations on the site; • consideration of any relevant statutory provisions; • a general overview of the environmental impacts of the project, identifying the key issues for further assessment, and taking into consideration the issues raised during consultation; • a detailed assessment of the key issues specified below, and any other significant issues identified in the general overview of environmental impacts of the project (see above), which includes: – a description of the existing environment; and – an assessment of the potential impacts of the project including potential cumulative impacts that may arise from the combined operation of the project and existing activities; • a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage and/or monitor the impacts of the project; • a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures; • a conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and the benefits of the project; and • a signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading.
Key Issues	• Air Quality – including an air quality assessment focusing on dust, odour and greenhouse gas emissions, and potential cumulative impacts; • Noise – including construction, operation and traffic noise; • Traffic – including details of the traffic volumes likely to be generated during construction and operation, and an assessment of the predicted impacts of this traffic on the safety and capacity of the surrounding road network; • Water and Soils – including an assessment of the potential soil, groundwater and surface water impacts associated with the proposed development. The proposed erosion and sediment controls (during construction), the proposed stormwater and wastewater management systems (during operations) and proposed management measures for containment of pollutants and acid sulfate soils must be detailed; • Hazards and Risk – including an assessment of the potential hazards

	and risks associated with the proposed project. A preliminary risk screening must be completed in accordance with <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</i> (SEPP 33) and <i>Applying SEPP 33</i> (DUAP, 1994), and where necessary, a Preliminary Hazard Analysis.(PHA) undertaken; • Waste Management; • Flora and Fauna; and • Aboriginal heritage.
References	The Environmental Assessment must take into account relevant State Government technical and policy guidelines. While not exhaustive, guidelines which may be relevant to the project are included in the attached list.
Consultation	During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. The consultation process and the issues raised must be described in the Environmental Assessment. In particular you should consult with: • Department of Environment and Conservation; • Hunter Water Corporation; and • Port Stephens Council. The consultation process and the issues raised must be described in the Environmental Assessment.
Deemed refusal period	60 days

State Government Technical and Policy Guidelines - For Reference

Aspect	Policy /Methodology
Aboriginal Heritage	
	Draft Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DEC, 2005)
	Aboriginal Cultural Heritage Standards and Guidelines Kit (DEC, 1997)
Air Quality	
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC 2005)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC, 2005)
	Technical Framework - Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006)
	Technical Notes - Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006)
Flora and Fauna	
	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DEC, 2005)
Greenhouse Gases	
	AGO Factors and Methods Workbook (Australian Greenhouse Office, 2006)
Groundwater	
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW State Groundwater Quality Protection Policy (DLWC, 1998)
	NSW State Groundwater Quantity Management Policy (DLWC) Draft
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC, 1995)
Hazards	
	Applying SEPP 33: Hazardous And Offensive Development Application Guidelines (DUAP, 1997)
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazardous Analysis (DUAP, 1997)
	Multi-Level Risk Assessment (DUAP, 1997)
Noise	
	NSW Industrial Noise Policy (DEC, 1999)
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Environmental Noise Control Manual (DEC)
Soil and Waters	
	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC, 2001)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC, 2000)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC, 2004)
	Using the ANZECC Guidelines and Water Quality Objectives in NSW (DEC, 2006)
	Acid Sulfate Soil Manual (ASSMAC, 1998)

Traffic & Transport	
	Guide to Traffic Generating Development (RTA, 2002)
	Road Design Guide (RTA, 1996)
Waste	
	Environmental Guidelines: Assessment Classification and Management of Non-Liquid and Liquid Waste (DEC, 1999)
	Waste Avoidance and Resource Recovery Strategy (Resource NSW, 2003)