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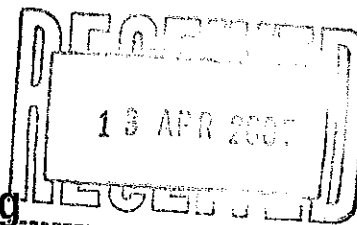
APPENDIX L - Threatened Species Assessment

APPENDIX A

Director- General's Requirements & Responses from Relevant Public Authorities



NSW GOVERNMENT
Department of Planning



Contact: Ann-Maree Carruthers
Phone: (02) 9228 6550
Fax: (02) 9228 6466
Email: Ann-Maree.Carruthers@planning.nsw.gov.au

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:

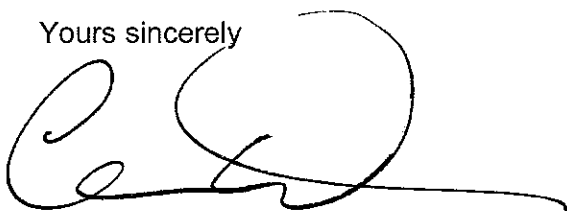
- The fees applicable to the application (see Division 1A, Part 15 of the *Environmental Planning and Assessment Regulation 2000*);
- whether the proposal requires an approval under the EPBC Act and any assessment obligations under that Act;
- the consultation and public exhibition arrangements that 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)

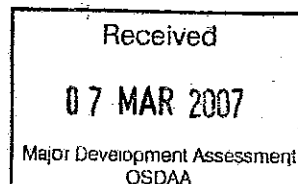
Road Design Guide (RTA, 1996)

Waste

Environmental Guidelines: Assessment Classification and Management of Non-Liquid and Liquid Waste (DEC, 1999)

Waste Avoidance and Resource Recovery Strategy (Resource NSW, 2003)

Our reference : DOC07/6957 FIL06/925 Part 3A
Contact : Bill George, 49 086821



Department of Planning
GPO Box 39
SYDNEY NSW 2001

2 - MAR 2007

Attention: Ann-Marie Carruthers

Dear Ms Curruthers

Proposed Asphalt Plant at Tomago, Port Stephens Local Government Area - Part 3A

I refer to your request for the Department of Environment and Conservation (DEC) to identify key requirements for the environmental assessment (EA) in regard to the above proposal received by the DEC on 23 February 2007.

The DEC has identified the information it requires to assess the project in Attachment A. The proponent should ensure that the EA is sufficiently comprehensive and detailed to allow the DEC to determine the extent of the impacts of the proposal.

In summary, from the information presented to the DEC, the key issue which the EA must focus on are:

- Cumulative impact on air quality, including potential odours;
- The potential impact on noise amenity of the local area from the operation of plant and equipment and increased traffic movements;
- Greenhouse Gas Emissions;
- Impacts on water quantity and onsite use of wastewater;
- The potential impacts on Threatened Species, Flora, Fauna and Endangered Ecological Communities and their habitats;
- The potential impacts on Aboriginal Cultural Heritage; and
- The handling of all stored chemicals and oil and the disposal of waste.

Based upon the information provided to the DEC, the applicant will require an environment protection licence to both carry out scheduled development work; and to carry out scheduled activities. The applicant will need to make a separate application to the DEC to obtain this licence if planning consent is granted.

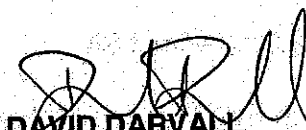
In carrying out the assessment, the proponent should also refer to the relevant guidelines in Attachments B.

The proponent should be aware that any commitments made in the EA may be formalised as approval conditions. Consequently pollution control or conservation measures should not be proposed if they are impractical, unrealistic or beyond the financial viability of the development. It is important that all conclusions are supported by adequate data.

DEC requests that three (3) copies of the EA are provided for assessment. These documents should be lodged at the DEC's Hunter Regional Office, 117 Bull Street, Newcastle West, NSW 2302.

If you have any further enquiries please contact Bill George at the Newcastle Office on 02 4908 6821.

Yours sincerely



DAVID DARVALL
Head Regional Operations Unit
North East Branch
Environment Protection and Regulation

Attachment A - DEC's EA Requirements
Attachment B - General Guidance Material

Attachment A – DEC's EA requirements

1. Environmental Impacts of the Project

- a) The following environmental impacts of the project need to be assessed, quantified and reported:
- i. Cumulative Impacts;
 - ii. Air Quality ;
 - iii. Greenhouse Gas Emissions;
 - iv. Noise and vibration;
 - v. Water quantity and effluent disposal;
 - vi. Waste management; and
 - vii. Chemicals.

These should be assessed in accordance with the relevant guidelines listed in Attachment B.

- b) For both the construction and operation phases if the proposal, describe mitigation and management options that will be used to prevent, control, abate or mitigate identified environmental impacts associated with the project and to reduce risks to human health and prevent the degradation of the environment. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.
- c) Details are required on the location of the proposed development including the affected environment in its local and regional environmental context including surrounding land uses, planning zonings and potential sensitive receptors.
- d) Details regarding any proposed buffer zone to minimise potential existing and future land use conflicts.

i. Cumulative Impacts

The EA must consider the cumulative impact (and specifically in terms of air and noise quality) of the proposed Batching Plant on the environment and potential sensitive receptors. The consideration of cumulative impacts must include assessment of future industrial and other development in the area.

ii. Impacts on Air Quality

The goal of the project must be to maintain the existing rural air quality and protect sensitive receptors, both on and off site, from adverse impacts of emissions, dust and odour. The assessment should identify all potential sensitive receptors within a minimum 5 km radius of the proposed development and should consider any proposed new developments.

An assessment of air quality must be undertaken in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants 2005*.

Emissions from plant must meet the requirements of the *Protection of the Environment Operations (Clean Air) Regulation 2002*. Details must be provided on the proposed air pollution control techniques, including proposed measures to manage and monitor efficiency and performance to ensure compliance with the requirements of Schedule 4 of the *Protection of the Environment Operations (Clean Air) Regulation 2002*. Contingency plans for potential system failures should be identified in the EA.

The design of the proposed plant and equipment for the batching plant must be benchmarked against international best practice, including emission performance.

The assessment needs to include modelling of emissions based on start up and shut down operations as well as normal operating conditions.

iii. Greenhouse Gas Emissions

The DEC requires the following in relation to greenhouse emissions:

1. A comprehensive assessment of and report on the project's predicted greenhouse gas emissions (tCO₂e), including emissions on:
 - (a) a tonnes per unit of production basis;
 - (b) a total annual emissions basis; and
 - (c) a total project lifetime basis.
2. The emissions associated with the project should include direct emissions, indirect emissions (eg those associated with electricity use) and any significant upstream and/or downstream emissions associated with the project.
3. The emissions should be estimated using an appropriate methodology (eg The Australian Greenhouse Office (AGO) Factors and Methods Workbook 2006, Department of Environment and Heritage,
4. Annual emissions should be compared against:
 - (a) 'best practice' emissions for the activity; and
 - (b) total annual NSW emissions, so the impact of the proposal on NSW emission reduction targets can be evaluated.
5. The proponent should evaluate and report on the feasibility of measures to reduce emissions

iv. Impacts of Noise and Vibration

The goal of the project should be to ensure the facility is designed, constructed, operated and maintained so that there are no adverse impacts from noise. The development should be assessed and designed in accordance with the 'NSW Industrial Noise Policy' (DEC, 2000).

The noise assessment should also consider the significance of temperature inversions.

The proposed development will result in an increase in traffic movements to the proposed site and the potential noise impacts associated with increased traffic along the access route needs to be assessed in accordance with the 'Environmental Criteria for Road Traffic Noise' (DEC, 1999).

v. Impacts on Water Quality

The environmental outcomes for the project in relation to water should be:

- There is no pollution of waters (including surface and groundwater) during the construction and operational phases of the development; and

- Polluted water (including process waters, wash down waters, polluted stormwater or sewage) is captured on the site for reuse or directed to Hunter Water Corporations Waste Water Treatment Plant.

The EA should document the measures that will achieve the above outcomes in both the construction and operational phases of the development. Proposed water pollution controls should be identified.

vi. Waste Management

The goal of the development should ensure:

- It is in accordance with the principles of the waste hierarchy and cleaner production;
- The handling, processing and storage of all materials used at the premises does not have any negative environmental or amenity impacts;
- The beneficial reuse of all wastes generated at the premises are maximised where it is safe and practical to do so; and,
- No waste disposal occurs on site except in accordance with an Environment Protection Licence.

The EA should describe the management strategies for the treatment and disposal/utilisation of all liquid and solid wastes generated by the proposed activities.

vii. Chemicals

The goal of the project should ensure that environmental risks from hazardous chemicals, fuels and other chemicals waste are minimised. The EA needs to identify the proposed type, quantity and location of chemicals to be stored on site. Spill management measures, including items such as bunding, and emergency procedures should be clearly outlined.

2. Impacts of the Project on Threatened Species, Populations, Communities and Their Habitats

The EA must follow the DEC's 'Draft Guidelines for Threatened Species Assessment, July 2005'. These guidelines deal specifically with applications under Part 3A of the EP&A Act:

- a. A field survey should be conducted and documented in accordance with the guidelines.
- b. Likely impacts on threatened species and their habitat need to be assessed, evaluated and reported on. The EA should specifically report on the considerations listed in Step 3 of the draft guidelines.
- c. The EA must describe the actions that will be taken to avoid impacts, or to mitigate unavoidable impacts of the project on threatened species and their habitat. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.
- d. Step 4 of the draft guidelines requires that where measures to avoid or mitigate are not possible, offset strategies need to be considered.
- e. The EA must clearly state whether it meets each of the key thresholds set out in Step 5 of the draft guidelines.

The EA must consider the corridor values or connective importance of any vegetation on the subject land.

3. Impacts of the Project on Aboriginal Cultural Heritage Values

1. The EA should address and document the information requirements set out in the draft "Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation" involving surveys and consultation with the Aboriginal community.
2. Identify the nature and extent of impacts on Aboriginal cultural heritage values across the project area.
3. Describe the actions that will be taken to avoid or mitigate impacts or compensate to prevent unavoidable impacts of the project on Aboriginal cultural heritage values. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.
4. The EA needs to clearly demonstrate that effective community consultation with Aboriginal communities has been undertaken in determining and assessing impacts, developing options and making final recommendations.

Attachment B – General Guidance Material

1. Assessing Environmental Impacts

Air quality

- Protection of the Environment Operations (Clean Air) Regulation 2002
- Approved Methods for the Sampling and Analysis of Air Pollutants in NSW, August 2005
- Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in New South Wales
- (Draft) Assessment and Management of Odour from Stationery Sources in NSW

Greenhouse Emissions

- Green Offsets for Sustainable Regional Development: Concept Paper (NSW Government, May 2002).
- AGO Factors and Methods Workbook, December 2006, Department of Environment and Heritage, Australian Greenhouse Office.
- Draft "Guidelines: Energy and Greenhouse in EIA", (SEDA, Planning 2002)

Noise and vibration

- NSW Industrial Noise Policy (EPA, 1999)
- NSW Environmental Criteria for Road Traffic Noise (EPA, 1999)
- Assessing Vibration: a technical guideline (DEC, 2006)
- Environmental Noise Control Manual: Chapter 171 - Construction Site Noise (DEC, 1994)

Water and Soils

Water quality

- National Water Quality Management Strategy: Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC 2000)
- NWQMS Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC 2000)
- EPA technical guidelines '*Bunding and Spill Management*'.

Waste water

- National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC 1997)
- National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC 2000)
- Environmental Guidelines for the Utilisation of Treated Effluent by Irrigation (NSW DEC 2004)

Stormwater

(note: some of these documents are currently being revised)

- Managing Urban Stormwater: Soils and Construction (Dept of Housing/DLWC 1998)
- Managing Urban Stormwater: Source Control (EPA 1998)
- Managing Urban Stormwater: Treatment Techniques (EPA 1998)

Groundwater

- State Groundwater Policy Framework Document (DLWC 1997)
- The NSW State Groundwater Quality Protection Policy (DLWC 1998)
- (Draft) NSW State Groundwater Quantity Management Policy
- NSW State Groundwater Dependent Ecosystems Policy (DLWC, 2002)
- National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ & ANZECC, 1995)

Waste

- Environmental Guidelines: Solid Waste Landfills (NSW EPA 1996)
- Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes
- Draft Environmental Guidelines - Industrial Waste Landfilling (April 1998)
- Guideline for the Use and Disposal of Biosolids Products (NSW EPA 1997)

2. Assessing Threatened Species Impacts

- Threatened Biodiversity Survey and Assessment: Guidelines for Development and Activities' [Nov 2004] http://www3.environment.nsw.gov.au/pdfs/tbsa_guidelines_draft.pdf
- Draft Guidelines for Threatened Species Assessment - Available from the Department of Planning.

3. Assessing Aboriginal Cultural Heritage Impacts

In carrying out the assessment the proponent may wish to refer to the following guidelines:

- Interim Community Consultation Requirements for Applicants, available at: http://www3.environment.nsw.gov.au/PDFs/interim_consultation_guidelines.pdf
- Aboriginal Cultural Heritage Standards and Guidelines Kit, available at: http://www3.environment.nsw.gov.au/PDFs/aboriginal_heritage_guidelines_kit_final.pdf
- Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation - Available from Dept., of Planning.

Fire

- *Planning for Bushfire Protection; A Guide for Councils, Planners, Fire Authorities, Developers and Home Owners* [December 2001].



NSW GOVERNMENT
Department of Planning

7 March 2007

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

Stamp: 13 MAR 2007
Contact: Ann-Maree Carruthers
Phone: (02) 9228 6550
Fax: (02) 9228 6466
Email: Ann-Maree.Carruthers@planning.nsw.gov.au

Our ref: S07/00334

Dear Mr Spencer

Notification of Major Project – Asphalt Plant, Tomago - Port Stephens Local Government Area

I refer to your correspondence to the Department, dated 30 January 2007, in which you sought confirmation on whether the above project is a development of a kind described in *State Environmental Planning Policy (Major Projects) 2005* and consequently, a Major Project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies.

I wish to advise you that your request has been considered and on 21 February 2007, the Director-General of the Department of Planning, as delegate of the Minister for Planning, formed the opinion that the proposed asphalt plant is a Major Project to which Part 3A of the Act applies (copy attached).

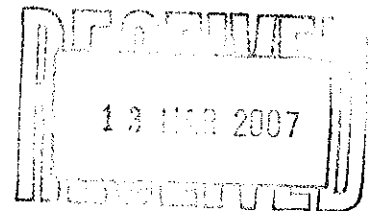
Should you have any questions in relation to this or any other matters relating to the major project, please do not hesitate to contact me on 9228 6550 or via email (Ann-Maree.Carruthers@planning.nsw.gov.au).

Yours sincerely

Ann-Maree Carruthers
Senior Environmental Planning Officer,
Manufacturing and Rural Industries



NSW GOVERNMENT
Department of Planning



Record of Minister's opinion for the purposes of Clause 6(1) of the State Environmental Planning Policy (Major Projects) 2005

I, the Director-General of the Department of Planning, as delegate of the Minister for Planning under delegation executed on 31 October 2005, have formed the opinion that the development described in the Schedule below, is development of a kind that is described in Schedule 2 of *State Environmental Planning Policy (Major Projects) 2005* – namely Clause 1(e) development for the purposes of a bitumen pre-mix industry that is designated development and within the coastal zone - and is thus declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies for the purpose of section 75B of that Act.

Schedule

The development proposed by Asphalts Consulting and Testing Pty Ltd for the construction and operation of a asphalt batching plant , Lot 14 and 15 Kennington Drive, Tomago, as generally described in a letter dated 30 January 2007 from Lindsay and Dynan Pty Ltd on behalf of Asphalts Consulting and Testing Pty Ltd to the Department of Planning.

SHaddad

Sam Haddad
Director-General

Date: 21/2/2007.



LINDSAY & DYNAN PTY LIMITED

ABN 57 050 541 127

CONSULTING CIVIL STRUCTURAL & MECHANICAL ENGINEERS

5 Newton Street
BROADMEADOW NSW 2292

Telephone 02 4957 7377
Facsimile 02 4957 7507
Email mail@lindsaydynan.com.au

29/08/2006

Project No. 00006511

Josh Gibson
Dept of Environment & Conservation
PO Box 488G
Newcastle West NSW 2302

Dear Mr Gibson

**TROPIC ASPHALT
ASPHALT PLANT AT TOMAGO
Lots 14 &15 Kennington Drive
TOMAGO, NSW 2322**

Our company is preparing an Environmental Impact Statement for this expansion. Could you please advise of any specific issues you wish to see addressed within that Environment Impact Statement?

The proposed plant is a typical asphalt plant. We enclose a location plan for your information and if you require any further details please do not hesitate to contact us.

We look forward to your early response.

Yours faithfully
LINDSAY & DYNAN PTY LIMITED

Mark Spencer



MEMBER ASSOCIATION OF
CONSULTING ENGINEERS AUSTRALIA

PRINCIPALS
M C LINDSAY BSC(Eng) FIEAust CPEng
K F DYNAN BE(Civil) MIEAust MIStructE CPEng

Our reference : NEF20259, 270147A38
Contact : Bill George, 02 49 086821

LINSAY & DYNAN PTY LTD
5 Newton Street
BROADMEADOW NSW 2292

23 OCT 2006

Attention: Mark Spencer

Dear Sir

RE: PROPOSED ASPHALT PLANT AT TOMAGO – TROPIC ASHPHALT

I refer to your letter to the Department of Environment and Conservation (DEC) seeking advice on the preparation of an Environmental Impact Statement (EIS) for the above proposal. I also refer to telephone conversations between DEC's Bill George and myself, with Mr Mark Spencer of Lindsay & Dynan Pty Ltd regarding the proposal.

DEC does not usually provide EIS requirements until such time as the appropriate consent authority has received an application for the proposed development. However, as you are requiring preliminary information to identify a suitable asphalt plant supplier, the following advice is provided. It should be noted that the information provided in this letter is a guide and further information may be required during the development application stages.

In summary, DEC's key information requirements for the proposal are:

- emissions to air, including dust generation;
- noise impacts;
- water pollution, including stormwater management systems and surface water control;
- waste management;
- impacts on threatened species and Aboriginal cultural heritage; and
- actions that will be taken to avoid or mitigate environmental impacts.

The EIS must provide sufficient information to enable a full assessment of the development against the DEC's statutory responsibilities and to enable DEC to provide appropriate general terms of approval.

To assist DEC in assessing the impacts of any proposal, the EIS should where relevant include, but not be limited to, the information detailed in **Attachment A**.



If you require any further information, please contact Bill George in our Newcastle Office on (02) 4908 6821.

Yours sincerely,



28/10/16

JOSH GIBSON
Head Regional Operations Unit
North East Branch
Environment Protection and Regulation

Encl:



LINDSAY & DYNAN PTY LIMITED

ABN 57 050 541 127

CONSULTING CIVIL STRUCTURAL & MECHANICAL ENGINEERS

5 Newton Street
BROADMEADOW NSW 2292

Telephone 02 4957 7377
Facsimile 02 4957 7507
Email mail@lindsaydynan.com.au

29/08/2006

Project No. 00006511

Peter Johns
Department of Natural Resources
PO Box 2213
Dangar NSW 2309

Dear Mr Johns

**TROPIC ASPHALT
ASPHALT PLANT AT TOMAGO
Lots 14 &15 Kennington Drive
TOMAGO, NSW 2322**

Our company is preparing an Environmental Impact Statement for this expansion. Could you please advise of any specific issues you wish to see addressed within that Environment Impact Statement?

The proposed plant is a typical asphalt plant. We enclose a location plan for your information and if you require any further details please do not hesitate to contact us.

We look forward to your early response.

Yours faithfully
LINDSAY & DYNAN PTY LIMITED

Mark Spencer

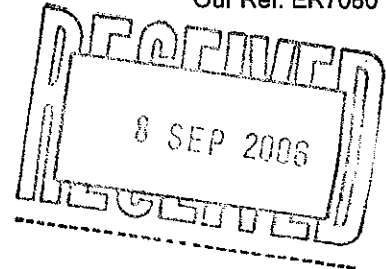


MEMBER ASSOCIATION OF
CONSULTING ENGINEERS AUSTRALIA

PRINCIPALS
M C LINDSAY BSC(Eng) FIEAust CPEng
K F DYNAN BE(Civil) MIEAust MIStructE CPEng



Your Ref: 6511
Our Ref: ER7080



5 September 2006

Lindsay & Dynan Pty Limited
5 Newton Street
BROADMEADOW NSW 2292

Attention: Mark Spencer

Dear Sir

**Requirements for the Preparation of an Environmental Impact Statement
Proposed Asphalt Plant
Proposed Lots 14 & 15 Kennington Drive (Subdivision of Lot 1 DP 1043561), Tomago**

I refer to your letter of seeking requirements for the preparation of an Environmental Impact Statement (EIS) for the proposed development. The NSW Department of Planning (DoP) coordinate the referral of proposal/s for Director-General's Requirements (DGR) for the preparation of an EIS. The Department of Natural Resources (DNR) Newcastle has no record of a DGR referral in this matter.

Generally, DNR does not provide requirements for the preparation of an Environmental Impact Statement (EIS) directly to an applicant &/or consultant however, the following advice is furnished for your information:

General Advice

Preliminary review of information supplied indicates that:

- No permit required under Part 3A of the *Rivers and Foreshores Improvement Act 1948*;
- No consent required under Section 256 of the *Water Management Act 2000 (WMA)*, as land is not within a declared floodplain;
- The land is not within an area administered under the *Hunter Water (Special Areas) Regulation 2003*; and
- The proposed development lies within the Water Sharing Plan (WSP) for the Tomago Tomaree Stockton Groundwater Sources under the *WMA*. Any proposal to access groundwater needs to satisfy the rules of the WSP.

For information in relation to approval requirements under the *WMA*, please contact Hemantha De Silva, Senior Natural Resource Officer (Licensing Coastal) on 4904 2525.

If you require clarification of any issue raised in this letter, please contact me on 4904 2538.

Yours sincerely

Peter Johns
NRPO (Licensing Coastal)
Newcastle



LINDSAY & DYNAN PTY LIMITED

ABN 57 050 541 127

CONSULTING CIVIL STRUCTURAL & MECHANICAL ENGINEERS

5 Newton Street
BROADMEADOW NSW 2292

Telephone 02 4957 7377
Facsimile 02 4957 7507
Email mail@lindsaydynan.com.au

29/08/2006

Project No. 00006511

The Town Clerk
Port Stephens Council
PO Box 42
Raymond Terrace NSW 2324

Dear Sir / Madam

**TROPIC ASPHALT
ASPHALT PLANT AT TOMAGO
Lots 14 &15 Kennington Drive
TOMAGO, NSW 2322**

Our company is preparing an Environmental Impact Statement for this expansion. Could you please advise of any specific issues you wish to see addressed within that Environment Impact Statement?

The proposed plant is a typical asphalt plant. We enclose a location plan for your information and if you require any further details please do not hesitate to contact us.

We look forward to your early response.

Yours faithfully
LINDSAY & DYNAN PTY LIMITED

Mark Spencer



MEMBER ASSOCIATION OF
CONSULTING ENGINEERS AUSTRALIA

PRINCIPALS
M C LINDSAY BSC(Eng) FIEAust CPEng
K F DYNAN BE(Civil) MIEAust MStructE CPEng



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Email mail@lindsaydynan.com.au

29/08/2006

Project No. 00006511

The Officer in Charge
Roads & Traffic Authority
Locked Bag 30
Newcastle NSW 2300

Dear Sir / Madam

**TROPIC ASPHALT
ASPHALT PLANT AT TOMAGO
Lots 14 &15 Kennington Drive
TOMAGO, NSW 2322**

Our company is preparing an Environmental Impact Statement for this expansion. Could you please advise of any specific issues you wish to see addressed within that Environment Impact Statement?

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Yours faithfully
LINDSAY & DYNAN PTY LIMITED

Mark Spencer



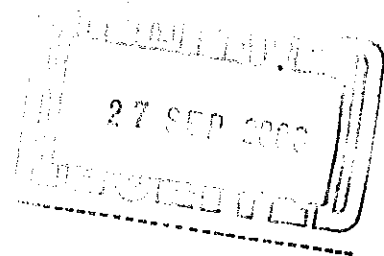
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PRINCIPALS
M C LINDSAY BSC(Eng) FIEAust CPEng
K F DYNAN BE(Civil) MIEAust MIStructE CPEng

362.564;2
06/2059
Natasha Waeger



Lindsay & Dynan Pty Ltd
5 Newton Street
BROADMEADOW NSW 2292



Attention: Mr Mark Spencer

PROPOSED ASPHALT PLANT, PROPOSED LOTS 14 & 15 (KENNINGTON DRIVE) OFF LOT 1 DP 1043561, OLD PUNT ROAD, TOMAGO

Dear Mr Spencer

I refer to your letter dated 29 August 2006 (Your reference: 6511) regarding your request for issues to be considered in the preparation of an Environmental Impact Statement.

In accordance with the *Roads Act 1993*, the RTA has powers in relation to road works, traffic control facilities, connections to roads and other works on the classified road network. The Pacific Highway (H10) and Tomago Road (MR302) are classified roads, and RTA consent is required for traffic control facilities under section 87 of the Act and RTA concurrence, with Council consent, is required for other works within the road reserve. Council is the roads authority for all public roads in the area.

The proposed development site would have access via unclassified local roads in the area which connect to the classified state roads of the Pacific Highway (H10) and Tomago Road (MR302). The RTA's involvement in this site would be dependant upon the nature and scale of the proposed development and its traffic generation impact on the State road network. In this regard, the following guidelines would apply:

- DIPNR (Department of Infrastructure, Planning and Natural Resources) EIS Guidelines
 - *Roads and Related Facilities* (Transportation and Traffic Issues)
- Roads and Traffic Authority's *Guide to Traffic Generating Developments*
- EPA's *Environmental Criteria for Road Traffic Noise*

The RTA's primary interests in relation to the road network are to:

- Maintain an efficient and safe road system (includes *SEPP 11* considerations).
- Facilitate the integration of land use and transport (includes consideration of the intent of draft *SEPP 66*).
- Maintain the integrity and security of the road network, property and assets.

Roads and Traffic Authority
ABN 64 480 155 255



59 Darby Street
Newcastle NSW 2300

Locked Bag 30 Newcastle NSW 2300
DX 7813 Newcastle

T 02 4924 0240

www.rta.nsw.gov.au

A traffic study should be undertaken in accordance with the RTA's *Guide to Traffic Generating Developments* considering the above issues and in particular the impact on the Pacific Highway and Tomago Road intersections with Old Punt Road.

The RTA would comment further on the requirements of this development upon referral of a development application from Council.

If you have any further queries please contact me on (02) 4924 0240.

Yours sincerely



David Young
Manager, Land Use Development
Hunter Operations & Services

26 September 2006

Cc The General Manager
Port Stephens Council



LINDSAY & DYNAN PTY LIMITED

ABN 57 050 541 127

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BROADMEADOW NSW 2292

Telephone 02 4957 7377
Facsimile 02 4957 7507
Email mail@lindsaydynan.com.au

6/11/2006

Project No. 00006511

Angus Seberry
Hunter Water
PO Box 5171
HRMC 2310 NSW

Dear Mr Seberry

**TROPIC ASPHALT
ASPHALT PLANT AT TOMAGO
Lots 14 &15 Kennington Drive
TOMAGO, NSW 2322**

Our company is preparing an Environmental Impact Statement for this expansion. Could you please advise of any specific issues you wish to see addressed within that Environment Impact Statement?

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We look forward to your early response.

Yours faithfully
LINDSAY & DYNAN PTY LIMITED

Mark Spencer



MEMBER ASSOCIATION OF
CONSULTING ENGINEERS AUSTRALIA

PRINCIPALS
M C LINDSAY BSC(Eng) FIEAust CPEng
K F DYNAN BE(Civil) MIEAust MIStructE CPEng

Mark Spencer

From: Seberry Angus [angus.seberry@hunterwater.com.au]
Sent: Monday, 6 November 2006 3:10 PM
To: Mark Spencer
Subject: RE: Proposed Asphalt Plant at Tomago



proposed asphalt
plant at Toma...

Mark,

I took a look at the information you sent me. The proposed plant actually lies outside the Tomago Sandbeds 'special area' however it is very close to the boundary and hence I have noted some key issues that would be of interest to Hunter Water.

I won't send a formal response.

Regards

Angus Seberry

-----Original Message-----

From: Mark Spencer [mailto:mspencer@lindsaydynan.com.au]
Sent: Monday, 6 November 2006 1:41 PM
To: Seberry Angus
Subject: Proposed Asphalt Plant at Tomago

Angus

As discussed please find attached letter, location plan and general arrangement for the proposed asphalt plant at Tomago. Please note that the GA may change somewhat as Port Stephens Council require a 6 metre setback from the front boundary and therefore the office and carpark will have to be relocated.

If you have any questions or comments please contact me

Regards

Mark Spencer
B.E. (Civil)(hons) B.Surv(hons) Grad IE Aust Lindsay and Dynan Pty.
Limited Consulting Civil, Structural and Mechanical Engineers
Ph: 02 49577377
Fax: 02 49577507
email: mspencer@lindsaydynan.com.au
<<06 11 06 - Letter to Hunter Water.pdf>> <<Tomago Asphalt Plant -
Location Map.pdf>> <<Tomago Asphalt Plant - Preliminary Layout &
Elevations 28-9-06.pdf>>

The subject land is located in very close proximity of the Tomago Sandbeds Special Area which supplies 20 to 25% of drinking water to the Lower Hunter and also plays an important strategic function in HWC's Drought Management Plan and source substitution capabilities. In accordance with our role within the *Hunter Water (Special Areas) Regulations* regarding special areas, the ongoing ecological health of this resource is of paramount importance to the corporation.

The issues of primary interest to HWC are;

Sewerage Facilities

Given the sensitivity of the site with regard to the underlying aquifer Hunter Water would be interested in the sewerage facilities to be provided to the facility.

Aquifer Interference

Hunter Water would be concerned about any construction or operational activities that could interfere with the aquifer.

Airborne Pollutants

Any airborne pollutants that could settle on the ground and find their way into the aquifer would be a concern to Hunter Water.

Safe Storage and Handling of Fuels/Chemicals

Stormwater and Surface Runoff Management

HWC expects that appropriate stormwater planning measures are undertaken to ensure any runoff into the surrounding sandbeds does not impact upon the quality of the groundwater.

Mark Spencer

From: Mark Spencer
Sent: Monday, 14 May 2007 5:43 PM
To: 'andrew@worimi.org.au'
Subject: Aboriginal Heritage in Industrial Subdivision in Tomago

Andrew

As discussed please find attached archaeological survey for the original subdivision where the proposed asphalt plant is located.

What we need from Worimi Local Aboriginal Land Council is a response in writing outlining what, if any, requirements they may have with respect to the development of this site.

The client has stated that perhaps a representative from Worimi be present during any excavation works on site. If you have any further requirements please specify them in your response

Any questions, please call me on the number below

Regards

Mark Spencer
B.E. (Civil)(hons) B.Surv(hons) Grad IE Aust
Lindsay and Dynan Pty. Limited
Consulting Civil, Structural and Mechanical Engineers
Ph: 02 49577377
Fax: 02 49577507
email: mspencer@lindsaydynan.com.au

-----Original Message-----

From: Mark Spencer
Sent: Monday, 7 May 2007 3:22 PM
To: 'andrew@worimi.org.au'
Subject: Aboriginal Heritage in Industrial Subdivision in Tomago

Andrew,

As discussed, we are seeking advice regarding Aboriginal heritage at the site of a proposed asphalt plant in the Hunter Industrial Park subdivision in Tomago.

I am currently preparing the Environmental Assessment for the project. The Department of Environment and Conservation require us to address impacts on Aboriginal Cultural Heritage Values.

The original subdivision was done in 2003 and there was a Statement of Environmental Effects undertaken. In this SOEE, Aboriginal cultural heritage was addressed and has been summarised in the attached document.

Also attached is a locality plan.

The development is on two lots (lots 14 & 15 Kennington Drive, Tomago) totaling approximately 5000m² of an approved constructed subdivision with land clearing, earthworks, roads, drainage and services installed. The subdivision consists of a total of 70 lots. The subdivided land was part of an original parcel of land totaling 48.3 hectares bounded by the Pacific Hwy, Tomago road and Old Punt Road, and known as Lot 3 DP 531358, Parish of Stockton, and County of Gloucester.

The excavation work onsite will be limited to basically just the footings. A receival hopper onsite will require approximately 1m excavation (from current filled levels). The first flush tank will require a similar depth.

I have spoken to the developer (Domaine Tomago Pty Ltd) and have been informed that during construction of the subdivision no Aboriginal heritage items were discovered. In fact, the subdivision was mostly imported fill to raise the level above the existing flood plain.

Please provide a response in writing outlining what, if any, further requirements Worimi Local Aboriginal Land Council have.

Any questions, please contact me

Regards

Mark Spencer
B.E. (Civil)(hons) B.Surv(hons) Grad IE Aust

Lindsay and Dynan Pty. Limited

Consulting Civil, Structural and Mechanical Engineers

Ph: 02 49577377

Fax: 02 49577507

email: msspencer@lindsaydynan.com.au



Tomago Asphalt SUBDIVISION-SEE-
Plant - Locatio... Archaeological...



WORIMI LOCAL ABORIGINAL LAND COUNCIL

Our Ref: AS/GM/Land Issues/Tomago/Asphalt Plant 0107.doc

ABN 51 352 201 603

16th May 2007

2163 Nelson Bay Rd
Williamtown NSW 2318

Mr. Mark Spencer
Lindsay and Dynan Pty. Limited
Consulting Civil, Structural and Mechanical Engineers
Via Fax: 02 49577507
Via email: m Spencer@lindsaydynan.com.au

PO Box 56
Tanilba Bay NSW 2319

Phone: 02 4965 1500
Fax: 02 4965 1799

reception@worimi.org.au

Re: Aboriginal Heritage in Industrial Subdivision in Tomago

I write in response to your correspondence in relation to the above mentioned development.

Thank you for following protocols that allow for the Worimi Local Aboriginal Land Council ("WLALC") to make comment and/or recommendations in relation to the development that in turn ensures the ongoing protection of our Culture.

Recommendation:

Having read carefully though the information it is agreed upon and imperative that WLALC Sites Officers are invited to participate in all earth moving activities.

Additionally, although Mr. Len Anderson no longer works for this establishment he is still heavily involved in works of this nature. Given his extensive involvement in this development, it may be prudent for you to also make contact with him. This is simply a suggestion for your consideration.

Given current work commitments, WLALC Sites officers are not available to commence any earlier than Wednesday 24th May 07. We expect that there will be no earthmoving activities commencing prior to this time. It is essential that adequate notification is given in order that our officers are available to participate.

If you have any further enquiries, please do not hesitate to contact me on the numbers listed above, I look forward to speaking with you soon.

Yours sincerely,

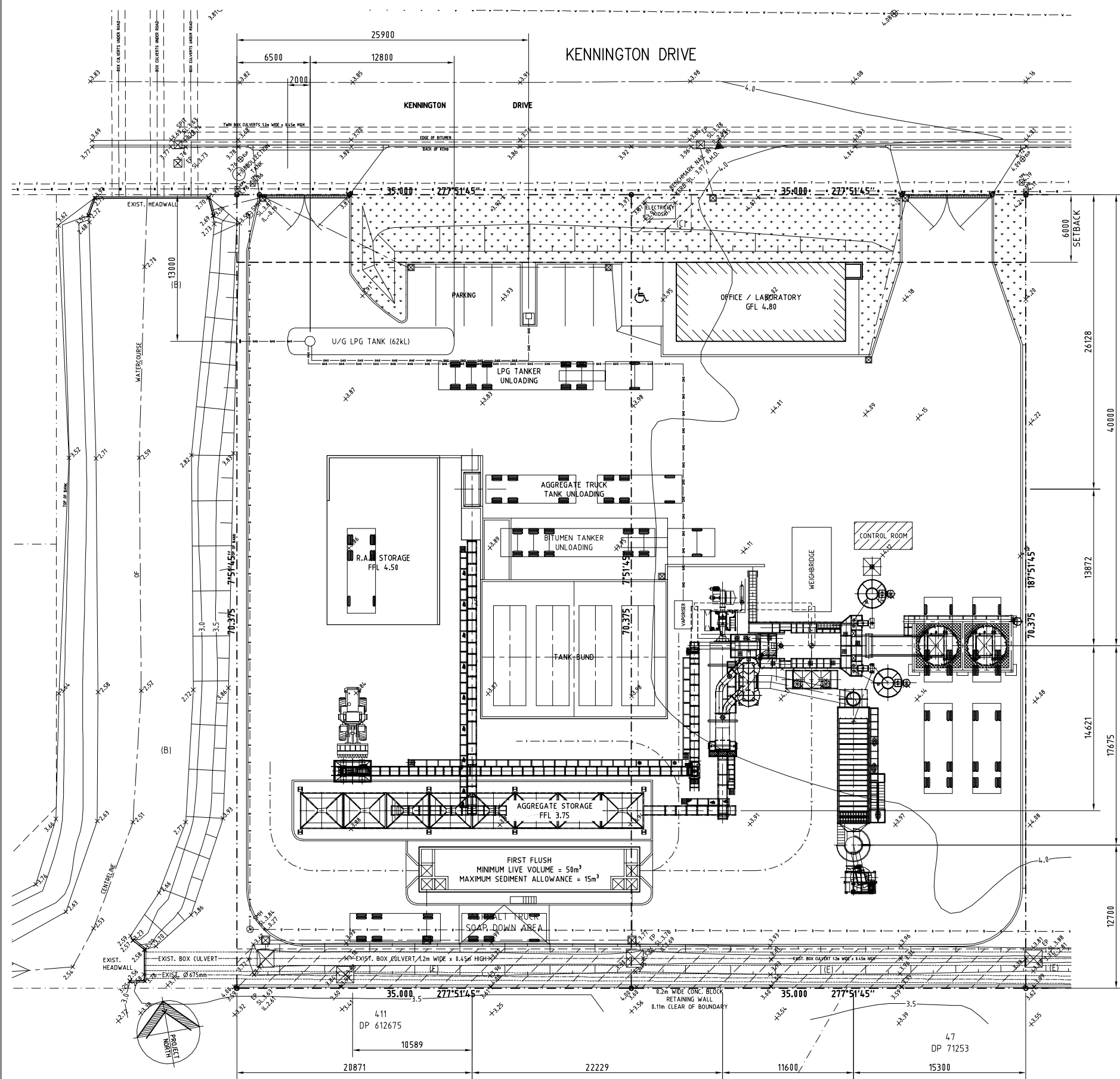
Andrew Smith
General Manager

Worimi Local Aboriginal Land Council

APPENDIX B

Site Layout and Elevations

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SITE PLAN
(SCALE 1:200)

LEGEND

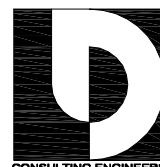
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- ▲ DENOTES EXISTING BENCH MARK
- - - DENOTES EXISTING TELSTRA LINE
- DENOTES EXISTING TELSTRA PILLAR
- - - DENOTES EXISTING U/G ELECTRICITY LINE
- DENOTES EXISTING ELECTRICITY PILLAR
- DENOTES EXISTING LIGHT POST
- - - DENOTES EXISTING SEWER LINE
- DENOTES EXISTING SEWER MANHOLE

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Web - lindsaydynan.com.au
Email - mail@lindsaydynan.com.au

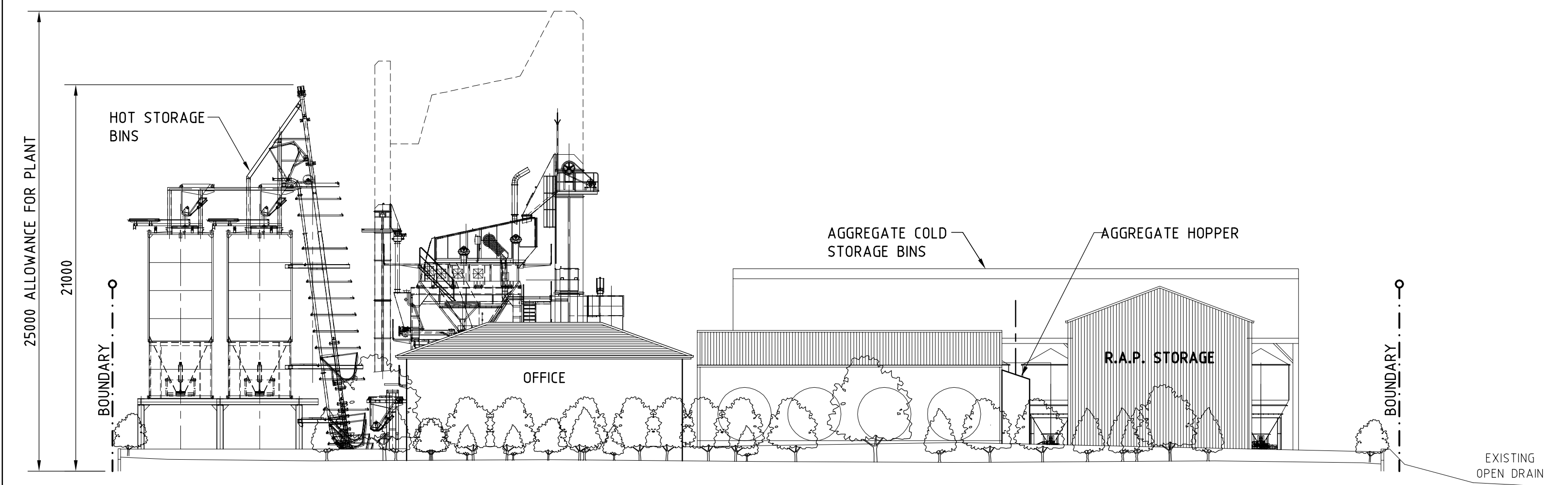
CLIENT
TROPIC ASPHALT

TITLE
SITE PLAN

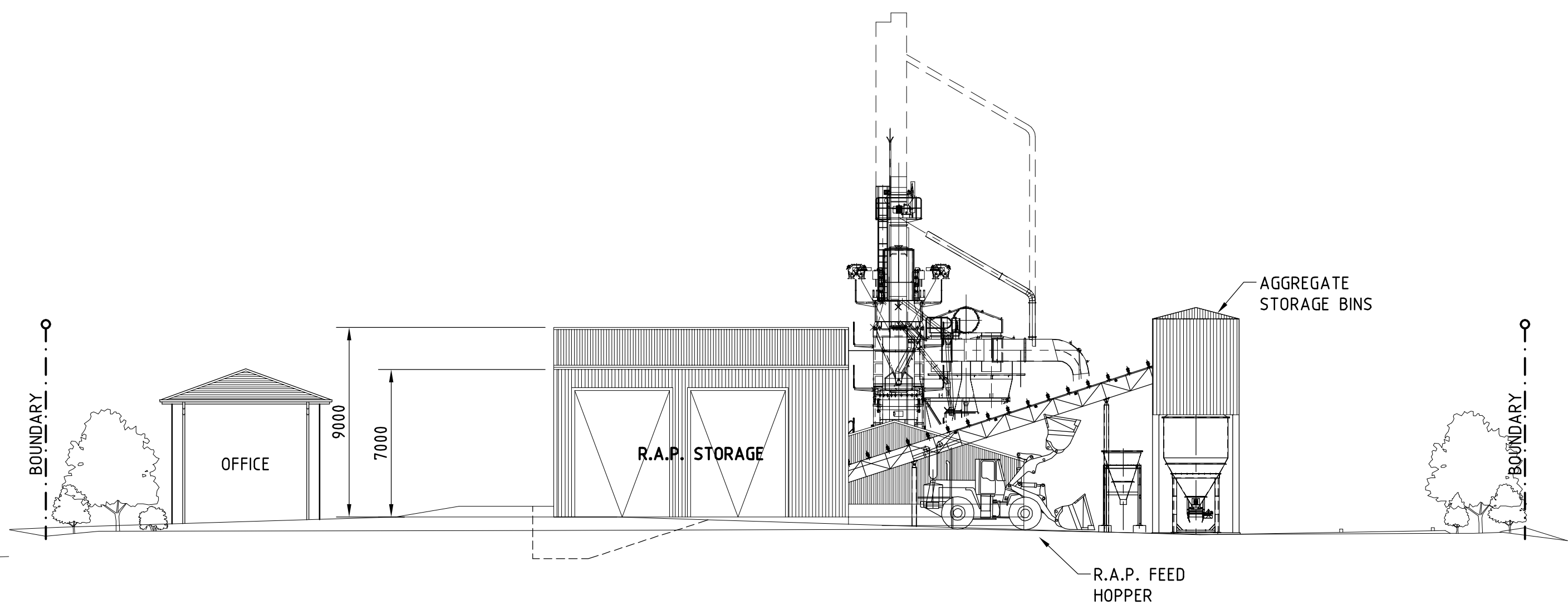
PROJECT
**PROPOSED ASPHALT PLANT
LOTS 14 & 15 KENNINGTON DRIVE
TOMAGO N.S.W.**

NOT FOR CONSTRUCTION

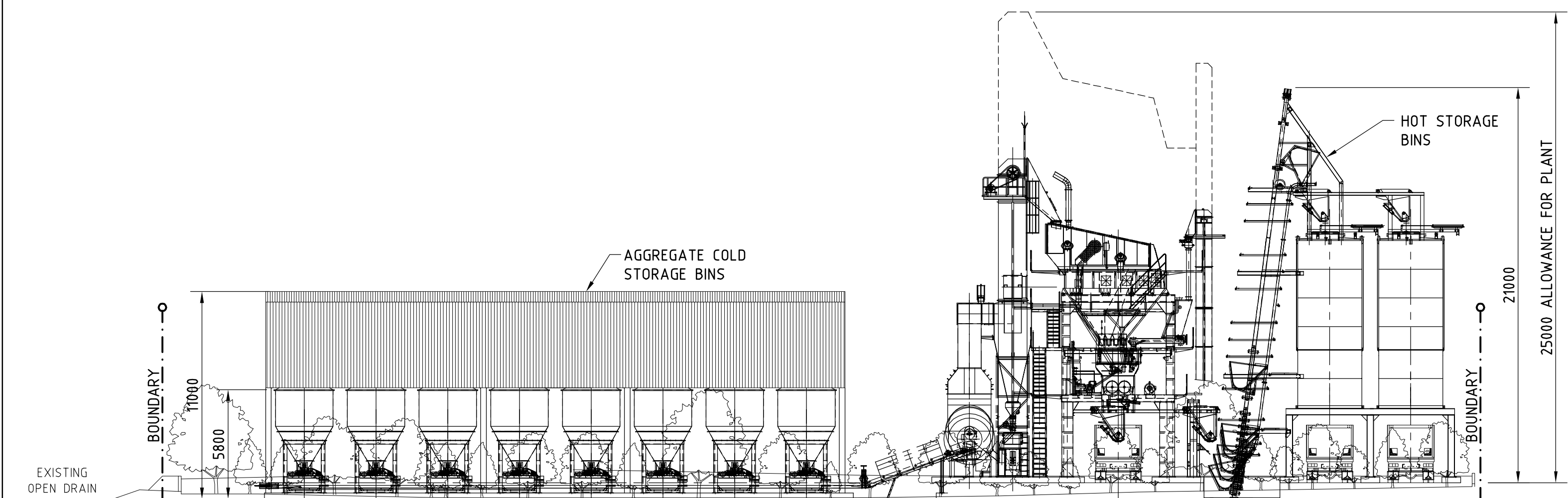
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PROJECT No. 6511		DRAWING No. DA01	



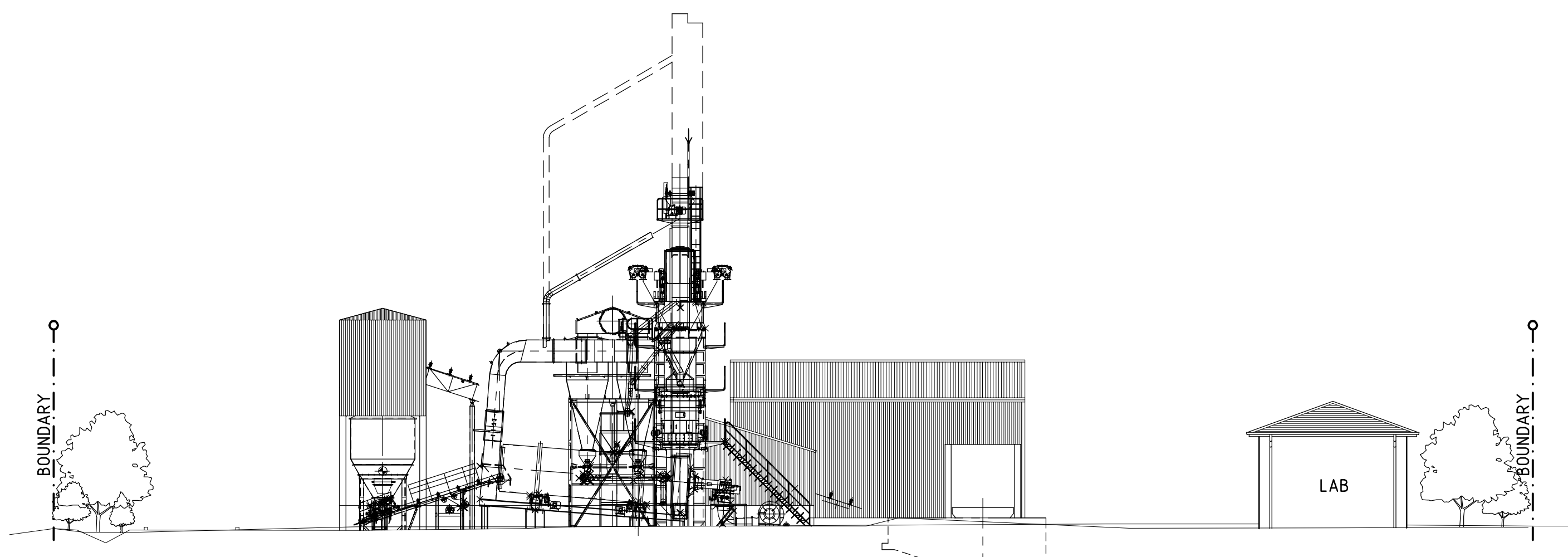
NORTH ELEVATION - VIEW FROM KENNINGTON DRIVE
(SCALE 1:200)



EAST ELEVATION
(SCALE 1:200)



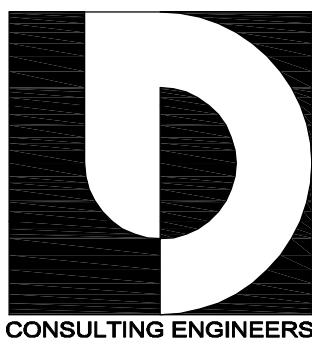
SOUTH ELEVATION
(SCALE 1:200)



WEST ELEVATION
(SCALE 1:200)

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Web - lindsaydynan.com.au
Email - mail@lindsaydynan.com.au

CLIENT
TROPIC ASPHALT

TITLE
SITE ELEVATIONS

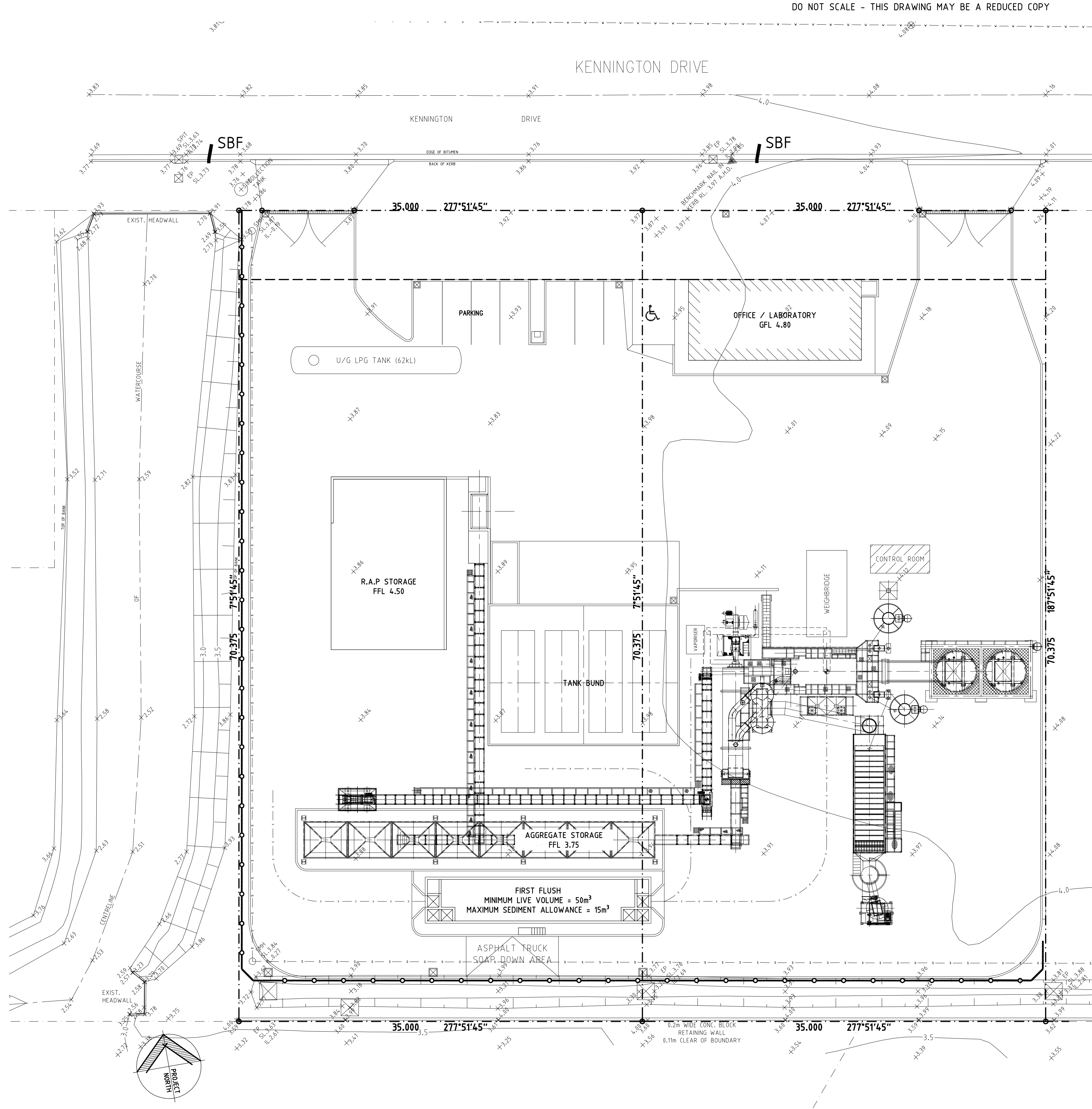
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**PROPOSED ASPHALT PLANT
LOTS 14 & 15 KENNINGTON DRIVE
TOMAGO N.S.W.**

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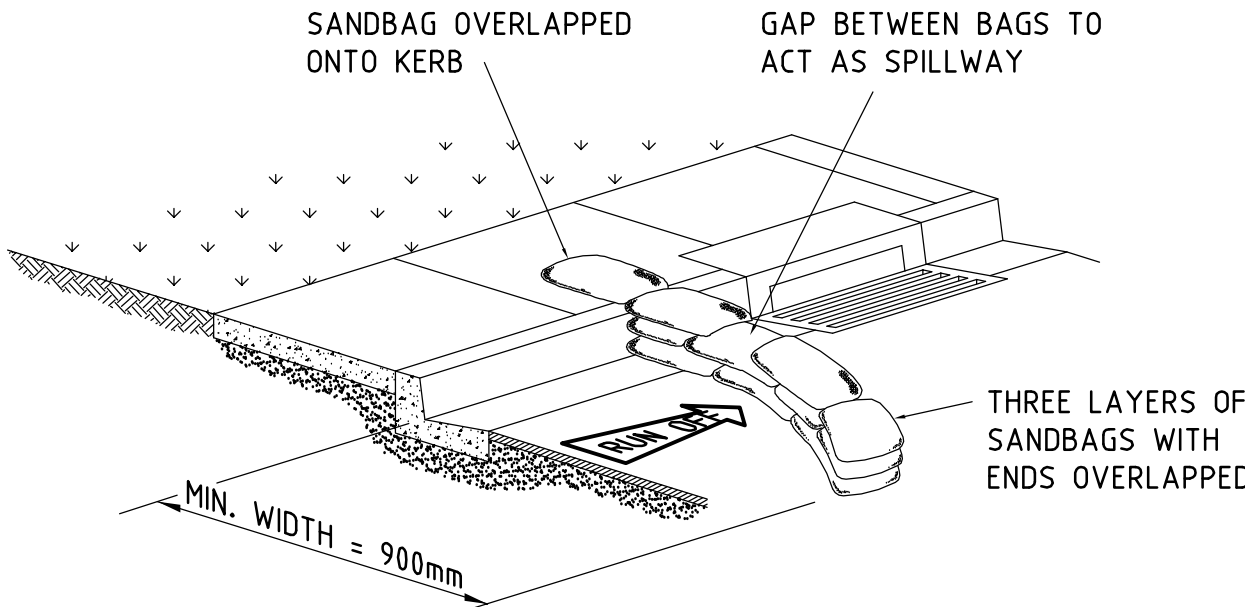
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A1 - 1:200	MARCH 2007		
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6511		DA02	A

APPENDIX C

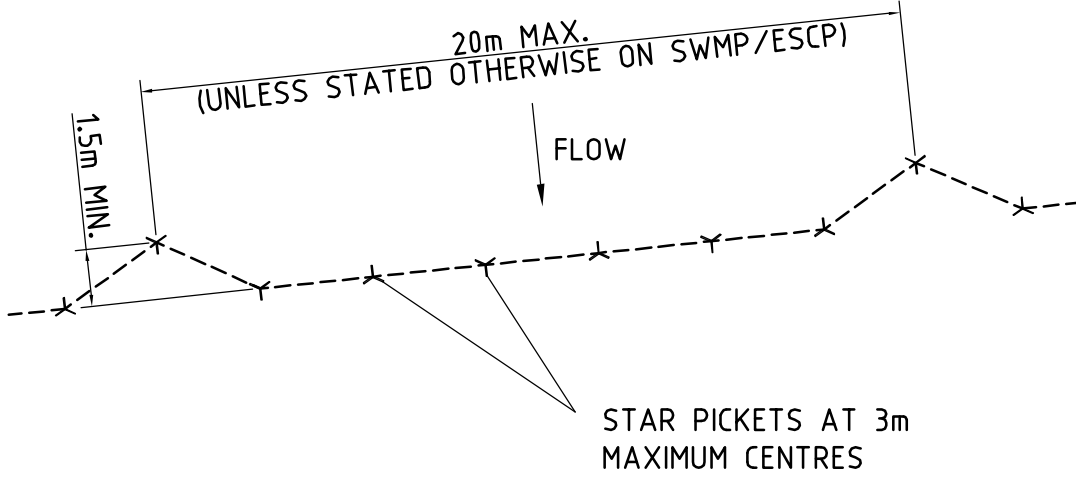
Erosion and Sediment Control Plan



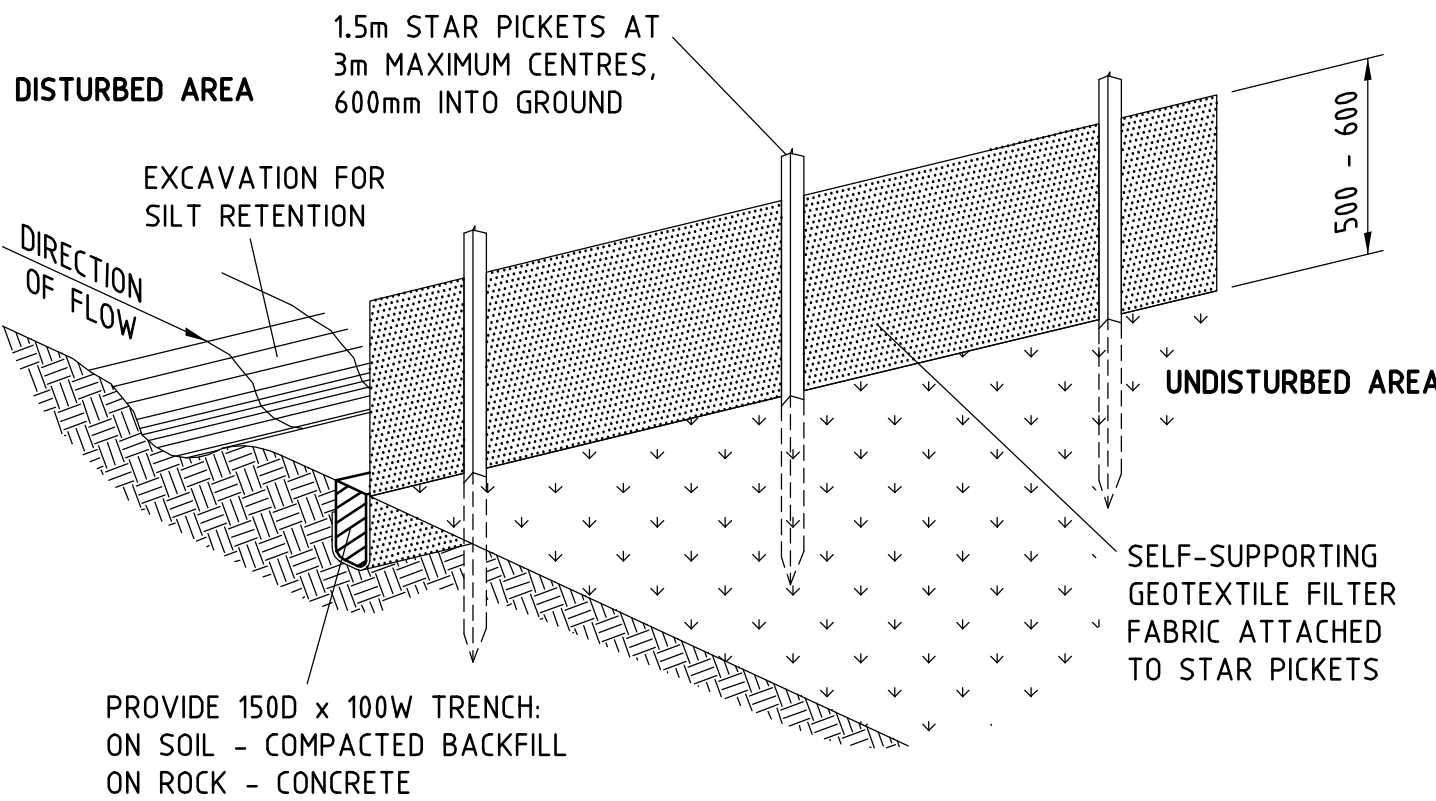
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	DENOTES EXISTING LIGHT POST
	DENOTES EXISTING SEWER MANHOLE
	DENOTES SANDBAG KERB INLET SEDIMENT TRAP
	DENOTES SILT FENCE



SAND BAG KERB INLET SEDIMENT TRAP
(NOT TO SCALE)



PLAN

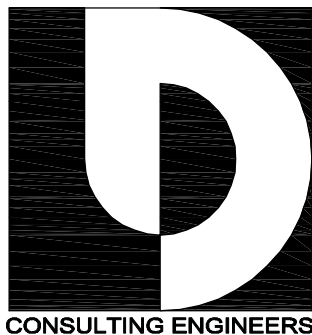


TYPICAL SILT FENCE DETAILS
DENOTED ON PLAN

SEDIMENT & EROSION CONTROL PLAN
(SCALE 1:200)

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Suite 28 / 33 Waterloo Road, North Ryde NSW 2113
Phone - : 02 9885216 Facsimile - 02 98871888
Web - lindsaydynan.com.au
Email - mail@lindsaydynan.com.au

CLIENT	TROPIC ASPHALT
TITLE	SEDIMENT & EROSION CONTROL PLAN

PROJECT
PROPOSED ASPHALT PLANT
LOTS 14 & 15 KENNINGTON DRIVE
TOMAGO N.S.W.

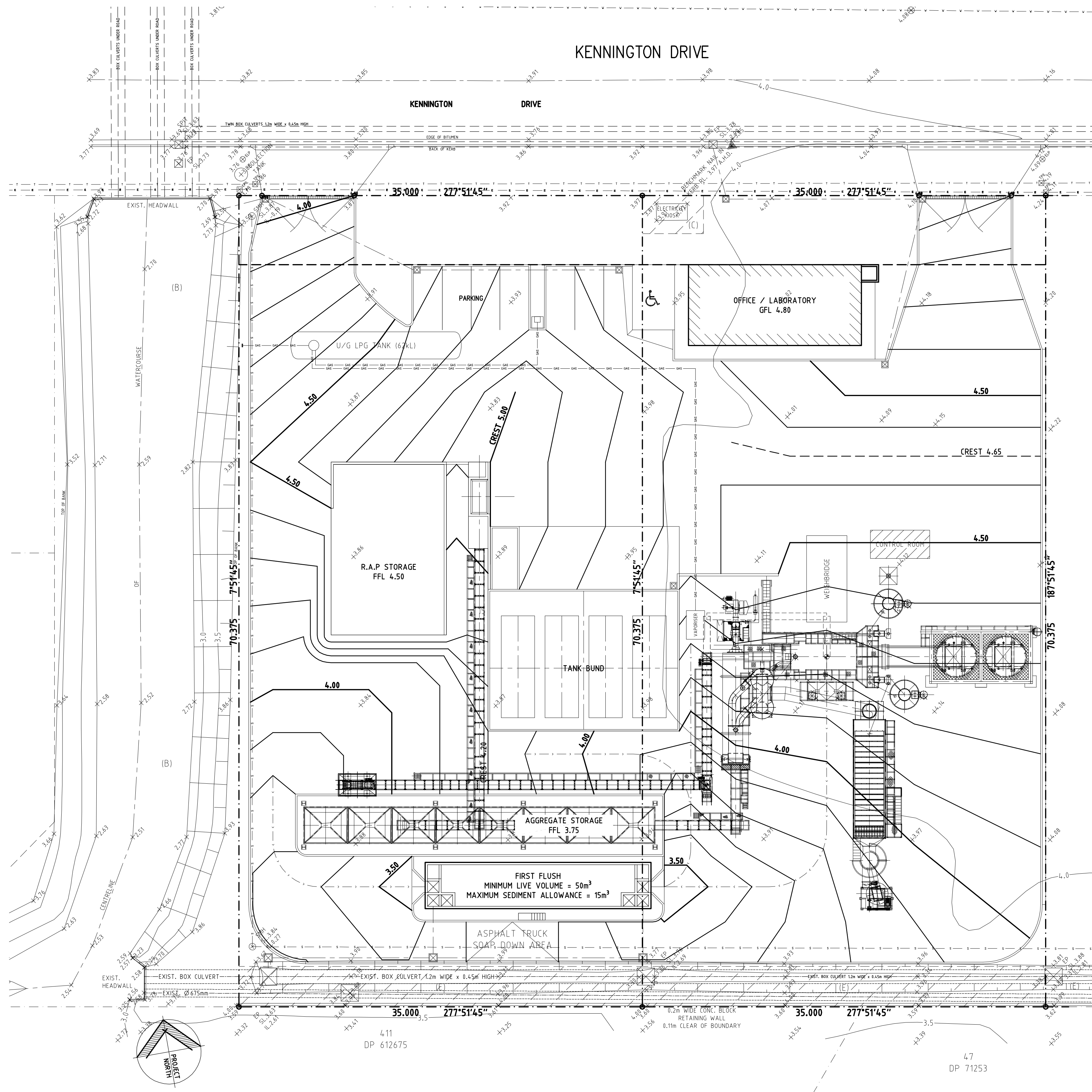
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APPENDIX D

Drainage Concept Plan

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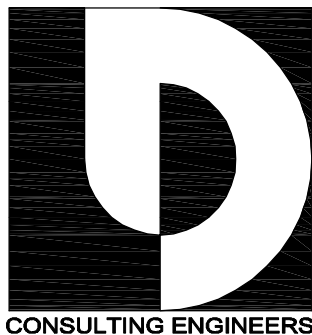
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CONCEPT DRAINAGE PLAN
(SCALE 1:200)

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CLIENT
TROPIC ASPHALT

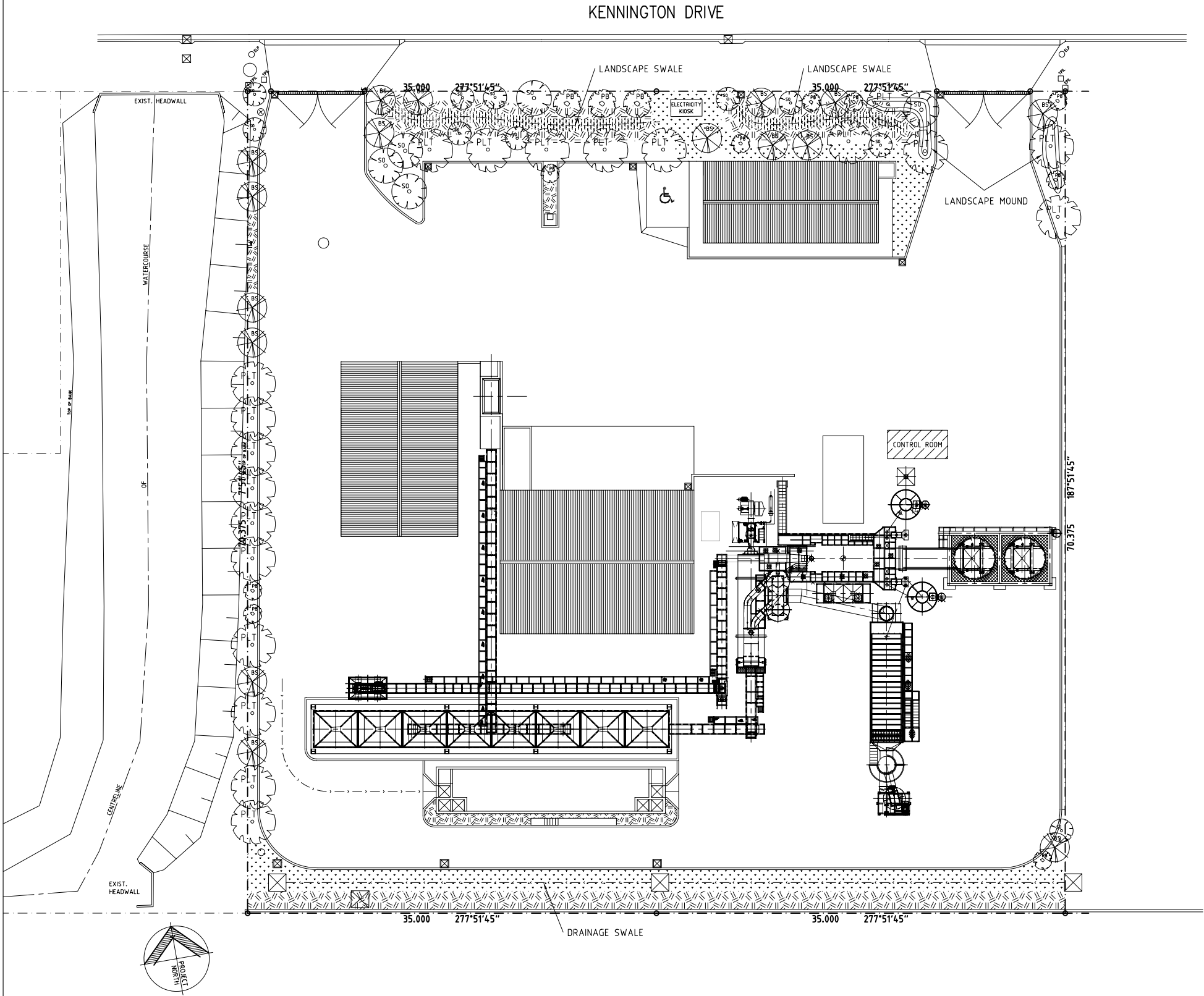
TITLE
CONCEPT DRAINAGE PLAN

PROJECT
**PROPOSED ASPHALT PLANT
LOTS 14 & 15 KENNINGTON DRIVE
TOMAGO N.S.W.**

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SCALE A1 - 1:200	DATE MARCH 2007	APPROVED	
PROJECT No. 6511	DRAWING No. DA03	REVISION A	

APPENDIX E

Landscape Plan



LANDSCAPE PLAN
(SCALE 1:200)

LANDSCAPE SCHEDULE				
	BOTANICAL NAME	COMMON NAME	SPACINGS	SIZE
TREES	CASUARINA GLAUCA	SWAMP OAK	3m	6L
	ALLOCASUARINA LITTORALIS	BLACK SHE-OAK	3m	6L
	MELALEUCA QUINQUINERVIA	PAPERBARK	5m	6L
	MELELEUCA STYPHELOIDES	PRICKLY-LEAVED TEA-TREE	5m	6L
REEDS (SWALE CENTRE)	LOMANDRA LONGIFOLIA	SPINY HEADED MAT-RUSH	2/m ²	
REEDS (SWALE SIDES)	CAREX APRESSA	TALL SEDGE	10/m ²	
	JUNCUS KRAUSSII	SEA RUSH	2/m ²	
NATIVE GRASS/GROUND COVER	GAHNIA SIEBERIANA	RED FRUITED SAW SEDGE	1/m ²	
	DIANELLA CULTIVAR	BLUE FLAX LILY	3/m ²	
	THERMADA AUSTRALIS	KANGAROO GRASS	3/m ²	

L E G E N D	
	DENOTES REEDS (SWALE CENTRE)
	DENOTES REEDS (SWALE SIDES)
	DENOTES TURFED AREA
	DENOTES NEW SWAMP OAK TREE REFER TO LANDSCAPE SCHEDULE
	DENOTES NEW BLACK SHE-OAK TREE REFER TO LANDSCAPE SCHEDULE
	DENOTES NEW PAPER BARK TREE REFER TO LANDSCAPE SCHEDULE
	DENOTES NEW PRICKLY-LEAVED TEA TREE REFER TO LANDSCAPE SCHEDULE

- NOTES
- L1. ALLOW TO MULCH ALL PLANTER BEDS
 - L2. PROVIDE H5 TREATED EDGEBOARD BETWEEN TURF AND PLANTER BEDS / BOUNDARY
 - L3. MASS PLANT NATIVE GRASSES / GROUND COVERS TO PLANTER BEDS

REVISIONS			
No.	DATE	APP.	AMENDMENTS
A	21.06.07	N.I.	ISSUED FOR DA

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CLIENT
TROPIC ASPHALT

TITLE
LANDSCAPE PLAN

PROJECT
**PROPOSED ASPHALT PLANT
LOTS 14 & 15 KENNINGTON DRIVE
TOMAGO N.S.W.**

DRAWN N.I.	DESIGNED M.L.	CHECKED	SHEET SIZE A1
SCALE A1 - 1:200	DATE MARCH 2007	APPROVED	
PROJECT No. 6511		DRAWING No. DA05	REVISION A

APPENDIX F

Traffic Assessment Report

TRAFFIC ASSESSMENT REPORT

FOR

PROPOSED DEVELOPMENT

OF

ASPHALT PLANT

KENNINGTON DRIVE

TOMAGO

13 JUNE 2007

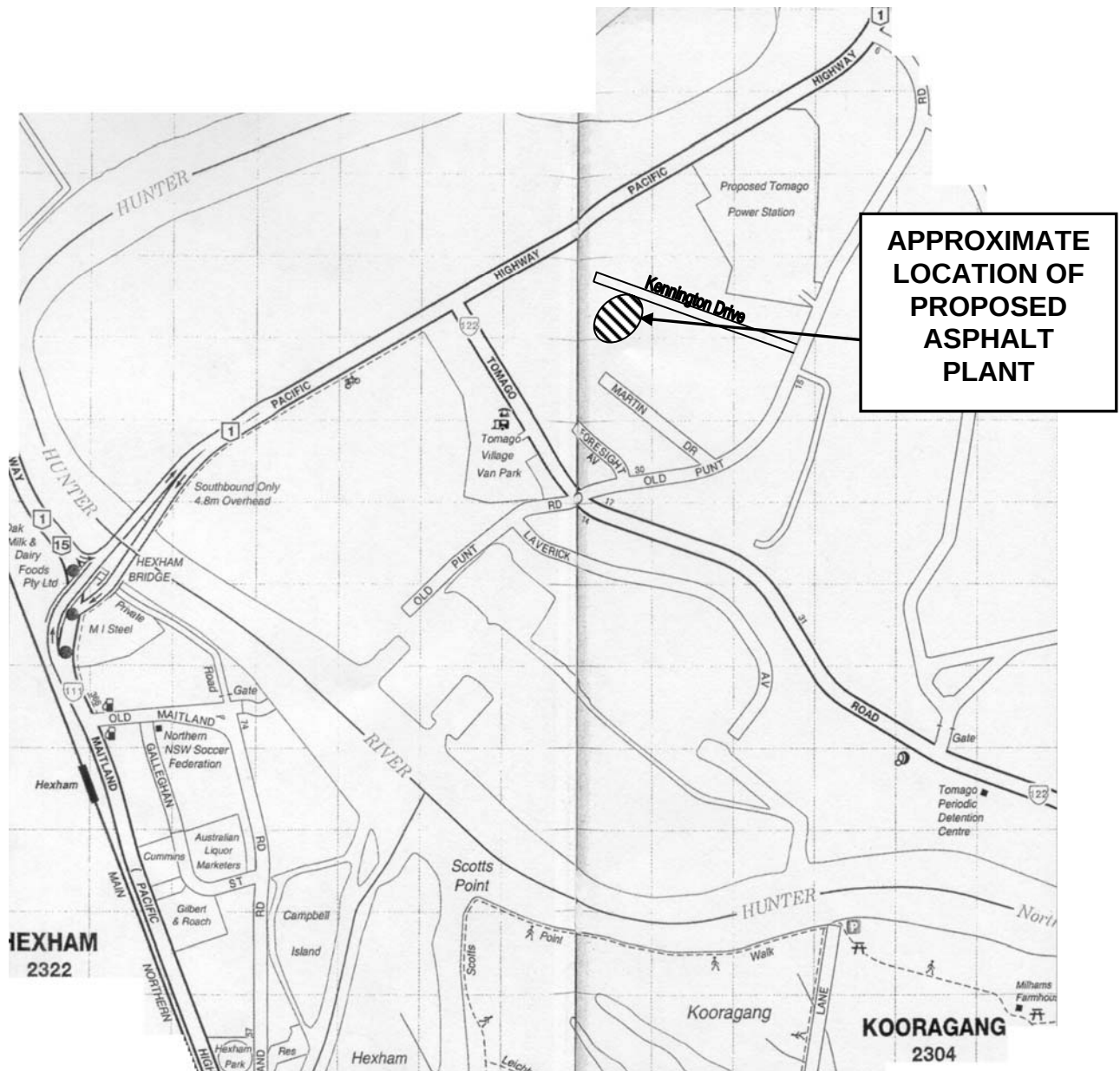
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1.0 INTRODUCTION

This Traffic Assessment Report examines the potential traffic impact of a proposed development of a new asphalt plant at Tomago.

The site is on the southern side of Kennington Drive, Tomago, in a recently developed industrial subdivision.

2.0 LOCALITY DIAGRAM



3.0 EXISTING USE OF SITE

The existing site is cleared land on the southern side of Kennington Drive which is on the western side of Old Punt Road, Tomago.

The site is cleared and grassed, with relatively level gradients.

4.0 ADJACENT DEVELOPMENTS

The proposed asphalt plant site is located in a new industrial subdivision located near the northern extremity of existing industrial developments in the Tomago, Industrial Estate. Many of the new industrial lots along Kennington Drive are currently undeveloped.

There are existing commercial developments along Old Punt Road in this area, with the Tomago Aluminium plant located just east of the Kennington Drive estate.

5.0 TRAFFIC VOLUMES

AADT data is available on the following roads in the area surrounding the proposed asphalt plant.

The available counting stations are as follows:

Tomago Road – MR 302

RTA Counting Station No. 05.590 (east of Pacific Highway)

Pacific Highway

RTA Counting Station No. 05.001 (1km north of Hexham Bridge)

AADT at the above counting stations are tabulated below:

RTA Counting Station 05.590	AADT	Average Annual Traffic Growth Rate (%)
1998	8,147	}
2001	8,323	
2004	9,343	
RTA Counting Station 05.001		
1998	31,688	}
2001	33,275	
2004	37,781	

6.0 PROPOSED DEVELOPMENT

The proposed development will provide a new asphalt manufacturing plant. The proposed plant will have a capacity as follows:

Maximum hourly capacity	150 tonnes
Typical daily output	200 – 500 tonnes
Peak Daily capacity	1,000 tonnes

In exceptional circumstances, the plant could produce up to approximately 1,500 tonnes per day, if a 24-hour shift were employed.

The proposed development has frontage to Kennington Drive. Vehicular access is available only to Kennington Drive.

7.0 TRAFFIC GENERATION

RTA Guidelines for Traffic Generating Developments do not specifically include reference to asphalt plants similar to that proposed in the subject development.

RTA Guidelines for Traffic Generating Developments suggest that surveys of similar developments provide a more useful guide to traffic generation.

A similar plant with slightly lower capacity in New Zealand provides the likely potential traffic generation from this plant. The estimated generation figures are as follows:

Vehicular Usage	Demand	Quantity Delivered (Tonnes)	Total daily trips	Estimated Peak Hourly Generation – trips per hour (based on 500 tonnes per day)
Employee Cars	7 cars Daily	Not applicable	7 in / 7 out	7
Recycled Material delivery	6 trucks daily	75	6 in / 6 out	3
Bitumen Delivery	2 trucks daily	25	2 in / 2 out	2
Filler Delivery	1 truck daily	10	1 in / 1 out	2
Aggregate Delivery	32 trucks	390	32 in / 32 out	10
LPG Delivery	38 trucks per year	(750 tonnes per annum)	Nil in peak hour	0
Mixed Deliveries	1 truck per week		1 in / 1 out (nil in peak hour)	0
Product Delivery	42 trucks per day	500	42 in / 42 out	14
TOTAL ESTIMATED PEAK HOUR TRIPS				38

Material deliveries would not all be delivered at one time. Aggregate deliveries would generally be delivered relatively uniformly throughout the day. LPG deliveries will

involve approximately 38 trucks per year which will not normally take place in the weekday peak periods.

The above estimates are based on an average output of 500 tonnes per day, on an 8-hour shift.

It is understood that the plant will have the potential to operate 24 hours a day. This is not expected to be the normal period of operation and indeed is likely to be an exceptional occurrence such as an emergency requirement. However, road authorities are increasingly demanding maintenance works be undertaken at night to minimise traffic disruption.

Night-time operation would place lower demands on the road system because traffic volumes are much lower at night.

The estimated peak traffic generation for average operating conditions is 7 car trips, and 31 truck trips.

Maximum potential operation on a daily basis would be for 24 hours of operation. Although the potential output in such exceptional circumstances would be up to approximately 1,500 tonnes per day, the peak hour generation would not be significantly affected. Maximum hourly deliveries are limited by the maximum hourly plant output. The majority of product deliveries for the maximum-demand circumstances would be over longer periods of approximately 14 hours.

The estimated evening peak hour generation during maximum potential output is 14 car trips (shift change) and approximately 39 truck trips.

The additional movements represent a negligible increase in traffic volumes on surrounding streets such as Old Punt Road, Tomago Road and the Pacific Highway.

8.0 ORIGIN / DESTINATION CONSIDERATIONS

Material deliveries to the plant would tend to be from consistent suppliers and the origins and destinations would be generally uniform.

Trucks delivering aggregates will generally arrive via the Pacific Highway, Tomago Road and Old Punt Road. Few deliveries will arrive via Nelson Bay Road and Cabbage Tree Road / Tomago Road.

Trucks delivering product to work sites would be much more random in nature. They may be uniform for several days or weeks for very large jobs. It is therefore difficult to predict average destinations and trip patterns.

Destinations involving areas serviced by the Pacific Highway generally north of the proposed plant would be accessed by travelling north along Old Punt Road and turning right onto the Pacific Highway.

Destinations involving areas serviced by the Pacific Highway generally south of the proposed plant and also areas serviced by the New England Highway or the F3

Freeway would be accessed by travelling south along Old Punt Road, turning right onto Tomago Road and then left onto the Pacific Highway.

Destinations involving areas serviced by Tomago Road and Nelson Bay Road generally east of the proposed plant would be accessed by travelling south along Old Punt Road, turning left onto Tomago Road

The traffic generated by the proposed development for normal operating conditions is assumed to be as follows, during the peak periods:

AM Peak

Inwards:

7 car trips, 16 truck trips

Outwards:

15 truck trips

PM Peak

Inwards:

15 truck trips

Outwards:

7 car trips, 16 truck trips

The assumed splits are based on delivery of materials being equally received from both directions on Old Punt Road.

It is also assumed that employee movements will be distributed equally in both directions along Old Punt Road.

9.0 SIGHT DISTANCES

The sight distances at the existing intersection of Kennington Drive and Tomago Road, are as follows:

Kennington Drive: right (generally south) along Old Punt Road ≈270 metres

Kennington Drive: left (generally north) along Old Punt Road ≈280 metres

Sight distance requirements in Section 3.2.3 of AS2890.1 – 2004 for a frontage road speed 80km/h are as follows:

105 metres minimum

111 metres desirable.

Sight distances at the junction of Kennington Drive and Old Punt Road are in excess of the desirable figure and are acceptable.

10.0 TRAFFIC ENVIRONMENT ON KENNINGTON DRIVE

Kennington Drive runs generally east-west on the western side of Old Punt Road, terminating prior to the Pacific Highway. Kennington Drive has a relatively level gradient along its entire length. There is no speed limit signposted on Kennington Drive. It is expected that because it is a relatively short industrial street, the appropriate speed zone would be 50 km/h.

Kennington Drive has a single travel lane in each direction adjacent to the proposed development.

Kennington Drive adjacent to the proposed asphalt plant has a carriageway width of approximately 12 metres between kerb faces.

There are no centrelines or other pavement markings along Kennington Drive adjacent to the proposed development.

There are no parking restrictions along Kennington Drive.

There is street lighting along Kennington Drive.

11.0 TRAFFIC ENVIRONMENT ON OLD PUNT ROAD

Old Punt Road is a relatively short local street oriented generally north-south. Old Punt Road connects Tomago Road and the Pacific Highway.

Old Punt Road has kerb and gutter along both sides in the vicinity of Kennington Drive, and for the majority of its length between Kennington Drive and Tomago Road. Old Punt Road narrows to a sealed width of approximately 6.6 metres just north of the Kennington Drive estate.

Old Punt Road has a relatively level vertical alignment in the vicinity of Kennington Drive. Old Punt Road has gently undulating terrain along most of its length.

There is street lighting along Old Punt Road

There are no parking restrictions along Old Punt Road.

The speed zone signposted on Old Punt Road when entering from the Pacific Highway is 80km/h.

12.0 TRAFFIC ENVIRONMENT ON TOMAGO ROAD

Tomago Road is a State Road, Main Road No. 302 that links the Pacific Highway at Tomago and Nelson Bay Road at Williamtown. Tomago Road becomes Cabbage Tree Road east of Masonite Road.

Tomago Road and Cabbage Tree Road have relatively level gradients along its length.

Tomago Road is generally rural in nature, with variable speed limits along its length. The existing speed zoning near Old Punt Road is 80km/h.

There is a roundabout at the intersection with Old Punt Road that provides safe turning movements.

13.0 PEDESTRIAN FACILITIES

There are no footpaths along either side of Kennington Drive at present.

Pedestrian activity along Old Punt is minimal because of the absence of pedestrian attractions in the area.

There are no pedestrian crossings or refuges along Old Punt Road and it appears that none are warranted.

14.0 PARKING PROVISION

Council's DCP PS2 – Parking and Traffic Guidelines does not provide specific parking requirements for asphalt plants. Asphalt plants require parking for employees - visitors to such plants are minimal.

Car parking spaces are only required for employees operating the plant. It is assumed that the plant would operate normally with up to 7 employees.

It is proposed that 8 car spaces be provided on-site, including 1 disabled space. This number of spaces would be adequate for employees and the occasional visitor to the plant.

15.0 ACCESS ON KENNINGTON DRIVE

It is proposed that two driveways be provided on Kennington Drive to service the proposed development. The eastern driveway will be an entry and the western driveway will be an exit.

Driveways will be designed to comply with AS2890.2 - 2002 for use by articulated vehicles with suitable splays incorporated.

The site provides sufficient room for turning movements in accordance with Figure B5, Tangential Curve Template – Articulated Vehicle (AV), in AS 2890.2.

All movements would be in a one-way direction because of the operational nature of the proposed plant.

16.0 POTENTIAL TRAFFIC IMPACTS

The proposed development is unlikely to have a significant impact on the operation of Kennington Drive, Old Punt Road, Tomago Road or the Pacific Highway.

The potential peak hour traffic generation of 38 trips would be relatively evenly distributed in the peak periods, as discussed in Section 8.0 of this Report.

Delays for vehicles exiting the site are expected to be negligible. Traffic volumes on Kennington Drive past the proposed development will be minimal.

The junction of Tomago Road and the Pacific Highway is about to be upgraded by the RTA as advised in its Community Update of October 2006. The revised junction will provide two (2) right-turn lanes from the Pacific Highway into Tomago Road. Traffic signal control will be provided to regulate those right-turn movements and also the southbound through-movements on the Pacific Highway. Right turns out of Tomago Road will be prevented. The upgraded junction will satisfactorily cater for the additional traffic generated by the proposed development. Pedestrian signals will also provide safe crossing of the northbound carriageway.

The junction of Old Punt Road and the Pacific Highway is also about to be upgraded by the RTA as advised in its Community Update of October 2006. Traffic signal control will be provided to regulate right-turn movements into Old Punt Road and also the southbound through movements on the Pacific Highway. Right turns out of Old Punt Road will be retained and controlled by the traffic signals. The upgraded junction will satisfactorily cater for the additional traffic generated by the proposed development. An extended merge lane will be provided for traffic turning right out of Old Punt Road.

A copy of the RTA Community update is attached as Appendix B to this report.

The potential impact of the additional trips generated onto these junctions would be negligible.

The intersection of Cabbage Tree Road and Nelson Bay Road has a two-lane circulating roundabout which provides safe turning manoeuvres for all movements.

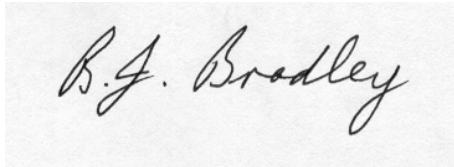
17.0 SUMMARY

- a) The proposed development is compatible with existing developments on Kennington Drive, Tomago. There will be no residential development along Kennington Drive.
- b) Traffic generation is expected to be approximately 38 trips (7 car trips and 31 truck trips) during the peak traffic periods, based on production capabilities of the proposed plant, and generation rates from a similar plant in New Zealand.
- c) Maximum daily output (1,500 tonnes per day) is expected to generate up to 39 truck movements and 14 car movements during the evening peak, in unusual circumstances.
- d) Eight off-street parking spaces will be provided for employees and visitors.
- e) Access to the development will be via separated driveways on Kennington Drive.
- f) The junctions of Pacific Highway and Tomago Road, and also Pacific Highway and Old Punt Road are to be reconstructed by the RTA with signalisation of the southbound carriageway and right turns into each road. Right turns will be prevented at the Tomago Road Junction but will be retained at the Old Punt Road junction.
- g) There is a roundabout at the intersection of Old Punt Road and Tomago Road that provides safe turning manoeuvres in all directions.
- h) Approval to the proposed development at Kennington Drive would result in negligible impact on the level of service, capacity, vehicular and pedestrian safety of Kennington Drive and Tomago Road.
- i) The proposed location of the asphalt plant enables all deliveries of raw materials and transport of finished product to be via arterial roads and Old Punt Road which services the industrial estate, with minimal impact on residential areas remote from the development site.

18.0 RECOMMENDATION

The proposed development is sympathetic with other developments in the area and will have a negligible effect on the level of service, level of safety or capacity of Tomago Road, Kennington Drive, Old Punt Road or the Pacific Highway.

I recommend that the proposed development be approved on the basis that it will have a negligible impact on the existing street system in the industrial area around the proposed site.

A handwritten signature in black ink, reading "B.J. Bradley", is centered within a light gray rectangular box.

B J Bradley BE Grad Dip Man MIEAust CEng

19.0 APPENDICES

20.1 APPENDIX A – SITE PHOTOGRAPHS



Photo No. 1: Looking generally west along Kennington Drive showing the site of the proposed asphalt plant on the left.



Photo No. 2: Looking generally east along Kennington Drive adjacent to the site of the proposed asphalt plant showing the existing traffic environment on Kennington Drive



Photo No. 3: Looking right (generally south) along Old Punt Road showing the existing traffic environment and available sight distance.



Photo No. 4: Looking right (generally south) along Old Punt Road showing the existing traffic environment and available sight distance.



Photo No. 5: Looking left (generally south) along the Pacific Highway from Old Punt Road showing the existing traffic environment and available sight distance. This junction will soon be upgraded by the RTA to provide traffic signal control on the southbound carriageway.



Photo No. 6: Looking right (generally north) along the Pacific Highway from Old Punt Road showing the existing traffic environment and available sight distance.

APPENDIX B

RTA COMMUNITY UPDATE – OCTOBER 2006

PACIFIC HIGHWAY, TOMAGO



A New South Wales Government Initiative



Pacific Highway, Tomago

Intersection improvements

COMMUNITY UPDATE
OCTOBER 2006

The Roads and Traffic Authority (RTA) proposes to undertake improvement works at the intersections of the Pacific Highway and Tomago Road, and the Pacific Highway and Old Punt Road, Tomago. Construction is expected to begin in early 2007.

Background

Approximately 40,000 vehicles travel through the Pacific Highway and Tomago Road intersection each day.

The RTA proposes to install traffic control signals and undertake other traffic improvements at both Tomago Road and Old Punt Road intersections with the Pacific Highway. The works will improve traffic flow and safety for motorists.

Key features of the proposal

At the Tomago Road intersection the following traffic improvements are proposed:

- Install traffic control signals with provision for pedestrians.
- Provide paved area for cyclists.
- Provide two right-turn lanes on the Pacific Highway for traffic turning into Tomago Road.
- Tomago Road widened to two lanes eastbound near the highway.
- Relocate bus stop facilities.
- Right-turn exit from Tomago Road to the highway will be removed.

At the Old Punt Road intersection the following traffic improvements are proposed:

- Install traffic control signals.
- Provide an improved left-turn lane from Old Punt Road to the Pacific Highway.
- Lengthen the merge lane on the Pacific Highway from Old Punt Road.

Benefits of the proposal

- Improved access to Tomago industrial area and Newcastle airport.
- Improved safety for vehicles/cyclists accessing the Pacific Highway.
- Improved access for pedestrians and bus commuters on the Pacific Highway at Tomago Road.

How to comment on the proposal

Written submissions will be received until Monday 27 November 2006 and should be sent to:

David Uphill
RTA Project Manager
Locked Bag 30
Newcastle NSW 2300

Or email your comments to: David_Uphill@rta.nsw.gov.au



For further information

Contact the project manager, David Uphill



(02) 49 240 647



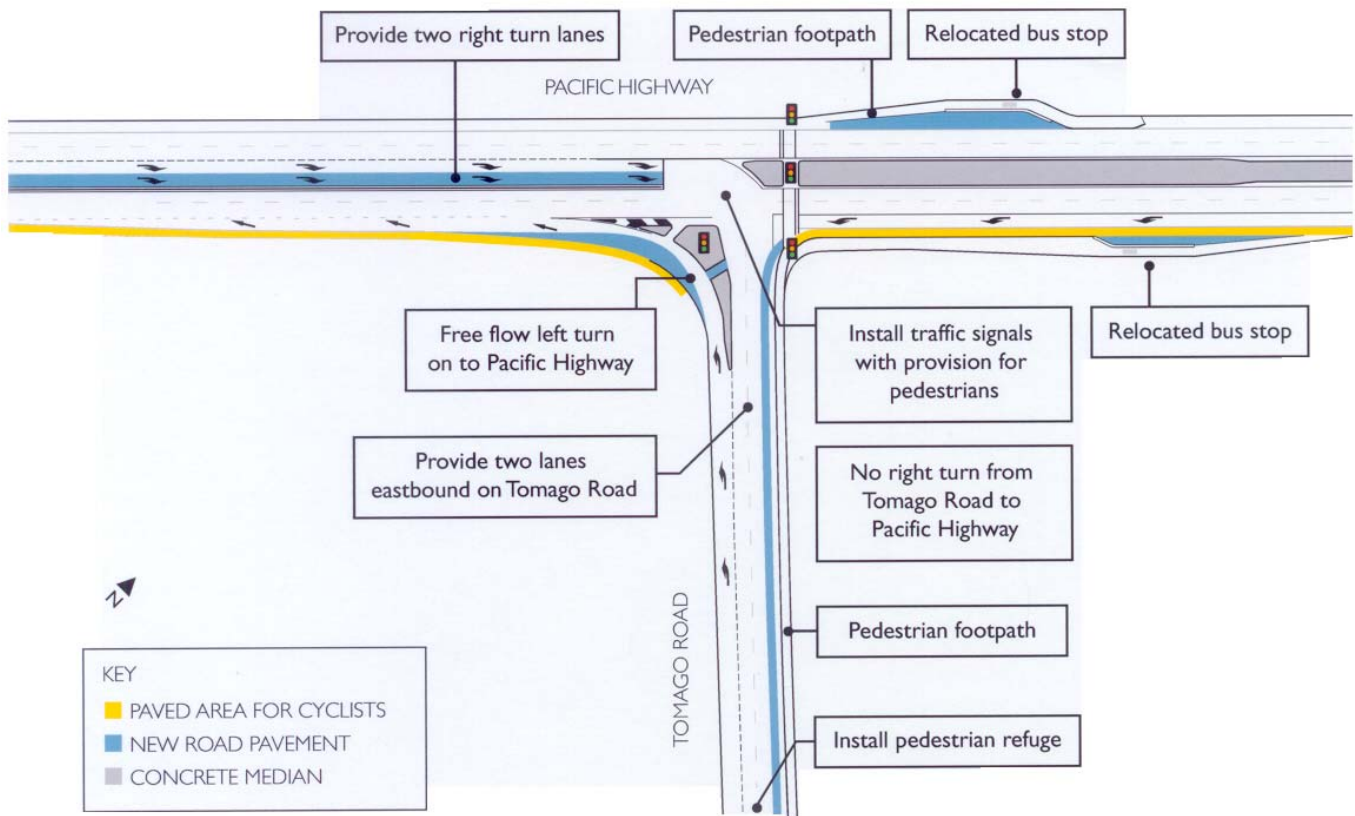
David Uphill, Roads and Traffic Authority
Locked Bag 30, Newcastle NSW 2300



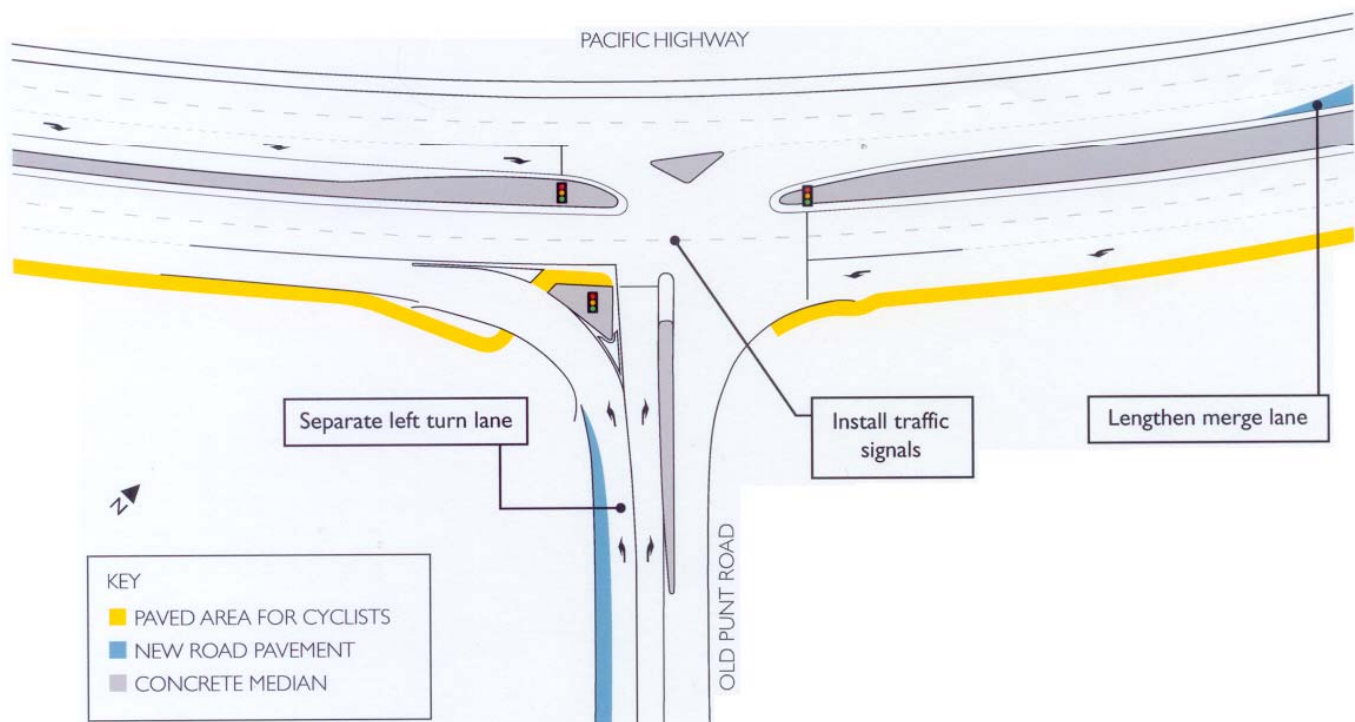
A copy of the community update is available from the RTA website at www.rta.nsw.gov.au

All information in correspondence is collected for the sole purpose of assisting in the assessment of this proposal. The information may be used by the RTA and/or the RTA's project contractors. All information received, including names and addresses of respondents, may be published in subsequent documents unless clear indication is given in the correspondence that all or part of that information is not to be published.

TOMAGO ROAD INTERSECTION



OLD PUNT ROAD INTERSECTION



RTA/Pub 06.270