



NSW GOVERNMENT
Department of Planning

Contact: Rohan Tayler
Phone: 02 9228 6465
Fax: 02 9228 6466
Email: rohan.tayler@planning.nsw.gov.au

Our ref: S07/00526
Your ref:

Mr Mark Daniels
Development Planner
Buldev Properties Pty Ltd
PO Box 826
NEWCASTLE NSW 2300

Dear Mr Daniels,

**Director-General's Requirements
Proposed Fullerton Cove Sand Extraction Project**

The Department has received your application for the proposed Fullerton Cove Sand Extraction Project (reference number: 07_0145).

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, based on the information you have provided to date. I have also attached a copy of the government authority 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 the Environment, Water, Heritage and the Arts in Canberra ((02) 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 draft Environmental Assessment for the project to determine:

- the fees applicable to the application;
- relevant land owner notification requirements;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessment that will be required.

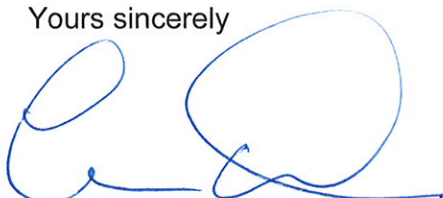
As you may know, the Department will review the draft Environmental Assessment in consultation with the relevant agencies to determine if it adequately addresses the Director-

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, the Department would appreciate it if the documents submitted to the Department are in a suitable format for the web. In addition, it would be appreciated if you would arrange for an electronic version of the Environmental Assessment for the project to be hosted on your website and provide a link to place on the Department's website.

If you have any enquiries about these requirements, please contact Rohan Tayler of the Department's Mining & Extractive Industries team (02 9228 6465).

Yours sincerely



18.12.07

Chris Wilson
Executive Director
Major Project Assessment
As delegate for the Director-General

Director-General's Requirements

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

Application number	MP 07_0145
Project	The proposed Fullerton Cove Sand Extraction project, which includes: • extracting approximately 750,000m³ of sand from the site; • constructing visual and acoustic barriers across the site; and • progressively grading the final landform, post-extraction.
Location	George Street, Fullerton Cove – approximately 11.5 kilometres northeast of Newcastle, NSW
Proponent	Buildex Properties Pty Ltd
Date of Issue	17 December 2007
Date of Expiration	17 December 2009
General Requirements	The Environmental Assessment (EA) must include • an executive summary; • a detailed description of the project including the: – need for the project; – alternatives considered; and – various components and stages of the project; including the interaction between the proposed activities and existing land uses adjacent to the site; • consideration of any relevant statutory provisions, including an assessment of the consistency of the project with the objects of the <i>Environmental Planning and Assessment Act 1979</i>; • 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, which includes: – description of the existing environment; – an assessment of the potential impacts of the project including cumulative impacts (particularly on noise and air quality) that may arise from the combined operation of the project, together with the existing levels due to the surrounding environment and land uses (including existing/approved extractive industries); and – 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 whether or not the project is in the public interest; 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; • Traffic and Transport; • Noise; • Soil & Water; including any potential impacts due to acid-sulfate soils; • Flora and Fauna – including impacts on threatened species, populations, ecological communities and native vegetation; • Heritage – both Aboriginal and non-Aboriginal;

Key Issues	• Visual; and • Rehabilitation and Final Landform – including a detailed description of the plans that are proposed for future land uses at the site following the cessation of extraction activities, and a justification for these land uses in relation to the strategic land use objectives for the area.
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 Climate Change; • Department of Water and Energy; • Department of Primary Industries (Minerals); • NSW Roads and Traffic Authority; and • Port Stephens Council.
Deemed refusal period	60 days

State Government Technical and Policy Guidelines - For Reference

Air Quality	
	Protection of the Environment Operations (Clean Air) Regulation 2002
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DECC)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DECC)
Traffic and Transport	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
Noise	
	NSW Industrial Noise Policy (DECC)
	Environmental Criteria for Road Traffic Noise (DECC – EPA)
	Environmental Noise Control Manual (DECC)
Soil and Waters	
	Design Manual for Soil Conservation Works - Technical Handbook No. 5 (DWE)
	Soil and Landscape Issues in Environmental Impact Assessment (DWE)
	Wind Erosion - 2nd Edition (DIPNR)
	NSW Coastal Policy (NSW Government)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DECC)
	the various State Groundwater Policy documents (DWE)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	The NSW State Groundwater Dependent Ecosystem Policy (DWE)
	Acid Sulfate Soil Manual (ASSMAC)
Flora and Fauna	
	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DECC)
	Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities. Working Draft (DECC)
	Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 - Guide to implementation in NSW (DOP)
	Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 - Guide to implementation in NSW (DOP)
Heritage	
<i>Aboriginal</i>	draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DECC)
	Aboriginal Cultural Heritage Standards and Guidelines Kit (DECC)
<i>Non-indigenous</i>	NSW Heritage Manual (NSW Heritage Office)
	Archaeological Assessment Guidelines (NSW Heritage Office)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)