

Preliminary Environmental Assessment – ABLP pipelines route modification

31st January 2008

Background

ABLP has existing development approval (DA-282-11-2004.i) for an aquaculture development in the Tweed shire, comprising Dreamtime Beach seawater intake, seawater supply pipeline from the beach to Chinderah and a production facility at 355 Cudgen Road.

The pipelines indicated in the DA carried fresh seawater from Kingscliff to Chinderah and returning pipes carried waste seawater and sewage to the existing Kingscliff Sewage Treatment Plant (STP).

Part of the route for all of these pipes is along the unnamed east-west road joining Crescent Street to the Tweed Valley Way off ramp of the new Pacific Highway.

This road was utilised as at the time the original Development Application was prepared it had the only existing road reserve leading to the STP. However, in the time that has elapsed since the ABLP DA was completed, a new STP for Kingscliff has been constructed to the north of the unnamed east-west road and road reserves for Tweed Shire Council (TSC) pipelines have been created. In addition a Development Approval has been granted for a sand mine on land to the south of the east-west road. The approval of the sand mine has led to a further application to expand the sand mine that, if successful, will result in the relocation of part of the unnamed east-west road as well as of ABLP's pipelines if they lie in that road reserve.

Since the ABLP pipelines have yet to be constructed it seems logical to change the pipelines route to avoid future difficulties for all concerned.

ABLP is seeking to change the pipeline route (as set out in DA-282-11-2004.i) by,

1. relocating an approximately 2.0 km section from the unnamed east-west road into road reserves created for the new Kingscliff STP and
2. relocating an approximately 76 metre section from the unnamed north-south road reserve on the western boundary of lot 22 DP 1082435 to the unnamed east-west road across the northern boundary of lot 2 DP 529569.

The NSW Department of Planning has determined that the sections of pipeline to be relocated must be the subject of a new Development Approval.

This document presents the preliminary environmental assessment for this Development Approval and where appropriate draws from the Statement of Environmental Effect (SEE) for the existing pipeline approval (DA-282-11-2004.i).

Introduction

The proposed development is located in the Tweed Shire (northern NSW) approximately 5 kilometres west of the township of Kingscliff, as shown on the attached map (Appendix A).

The pipeline route which is the subject of this preliminary environmental assessment consists of two parts, the main (approx. 2 kilometre) section begins at the corner of unnamed east west road and western boundary of lot 20 DP 1082482. The route then is as follows;

- north along unnamed road reserve on western boundary of lot 20 DP 1082482 (approx 480m)
- east along unnamed road reserve on northern boundary of lot 20 DP 1082482 and lot 21 DP 1082482 (approx 1200m)
- north east along same unnamed road reserve (approx 155m)
- east along same unnamed road reserve to meet Chinderah Road then under road to eastern side of Chinderah Road (approx 65m)
- north along Chinderah Road to meet pipeline route from DA-282-11-2004.i (approx 135m)

The second part (approximately 76 metres) is along the unnamed east west road, beginning at the eastern boundary of lot 1 DP 267742 and ending proximal to the western boundary of lot 22 DP 1082435. This section was part of lot 2 DP 529569 (privately owned land) when DA-282-11-2004.i was being prepared so the original pipeline route avoided this land by following an unnamed north-south road reserve on the lots eastern boundary. The northern section of lot 2 DP 529569 has since been purchased by Tweed Shire Council.

Please refer to the attached cadastral summary diagram for greater detail in this regard (Appendix A).

The site is relatively low lying and incorporates levels varying between 0.6m AHD and 1.9m AHD. Survey details are attached for review (Appendix B).

It is envisaged that the pipelines would be layed using open trenching with backhoe or excavator. The pipelines within the trench vary along the route as follows;

- Chinderah Road to new Kingscliff STP (450mm wide trench to max 1m depth)
 - o 1 x 200mm diameter pipe carrying fresh seawater from Dreamtime Beach
- new Kingscliff STP to ABLP facility, Cudgen (900mm wide trench to max 1m depth)
 - o 1 x 200mm diameter pipe carrying fresh seawater from Dreamtime Beach
 - o 1 x 140mm diameter pipe carrying recycled seawater from ABLP facility to join STP effluent pipe to Tweed River outfall
 - o 1 x 50mm diameter sewage rising main from ABLP facility to join STP process
 - o 1 x 50 mm diameter potable water main from STP to ABLP facility
 - o 1 x 90mm diameter recycled freshwater main from STP to ABLP facility

Design details of the pipeline trenching work are attached for review (Appendix C).

Planning framework and Environmental Assessment

Road reserves

The works to be required within the road reserve, trenching, pipelaying and backfilling, would generally require consent under the Roads Act, 1993 only.

Soils and Geotechnical

Acid sulphate soils

The complete length of the proposed pipeline route is identified as traveling through Class 3 Acid Sulfate Soils as indicated by the '*Acid Sulfate Soil Planning Map*'. ABLP plans to excavate to 1000mm maximum depth for laying pipeline. Accordingly, no consent from Council should be required pursuant to Clause 35 of the Tweed Local Environmental Plan (works in Class 3 soils less than 1m depth or do not lower ground water level below 1m depth).

Acid Sulphate Soil Planning Maps are provided for review in Appendix D. Details of trenching standards are provided for review (Appendix C).

Dust

Dust from the site shall be managed to prevent excessive degradation in air quality or nuisance to nearby residents and the environment.

Dust will mainly be controlled on site by:

- limiting traffic on disturbed areas
- watering spray trucks
- any material stockpiles to be covered by anchored geofabric
- dust covers provided on trucks and dumpers

Where wind speed exceeds about 10m/s (36km/hr), work shall cease unless the Site Manager certifies that dust controls are operating effectively and air quality does not cause a nuisance.

Sediment and erosion control

Erosion of the site shall be minimised and sedimentation shall be controlled so as to not adversely impact surrounding drains, creeks or surrounding areas. Generally, the only earthworks associated with the development are the excavating of trenches, bedding of pipelines and back filling of trenches.

Generally water quality from the site will be maintained by:

- limiting traffic on disturbed areas
- careful management of stockpiles
- sediment control structures such as sediment traps and sediment fencing/control

An erosion and sediment control plan will be prepared for the development.

Noise

An assessment of the development will be conducted in general accordance with the guidelines presented by the Department of Environment and Climate Change (DECC), formerly the Environmental Protection Authority (EPA), Industrial Noise Policy and Environmental Noise Control Manual.

Given the nature of the works, this will involve limiting earthmoving activity to working hours specified in the Industrial Noise Policy and Environmental Noise Control Manual and to using appropriate engine exhaust muffling to reduce sound emissions.

Indigenous and Cultural Heritage

An assessment of the indigenous and cultural heritage values of terrain to be potentially impacted by the proposed development will be required. It will be conducted within the context of;

- Environment and Heritage Legislation Amendment Act (No. 1) 2003
- Australian Heritage Council Act 2003
- Australian Heritage Council (Consequential and Transitional Provisions) Act 2003
- Aboriginal and Torres Strait Islander Heritage Protection Act 1986
- National Parks and Wildlife Act, 1974
- Environmental Planning and Assessment Act, 1979
- NSW Heritage Act 1977

It should be noted that some parts of this proposed development may have been previously assessed as part of assessment for DA-282-11-2004.i.

Flora and Fauna

A detailed flora and fauna survey will be carried out on the proposed pipeline route. The development will be subject to statutory consideration pursuant to the provisions of;

- Section 5A of the Environmental Planning & Assessment Act, 1979 (8 Part Test),
- Threatened Species Conservation Act, 1995
- Environmental Protection and Biodiversity Conservation Act, 1999.

Given that the pipeline is to be layed within existing road reserves there is unlikely to be negative consequences for flora and fauna.

Tweed LEP

The proposed pipeline is to be sited within various road reserves which are unzoned land under Tweed LEP 2000.

The objectives of Part 3 clause 13 (Development of uncoloured land on the zone map) are:

- to enable the control of development on unzoned land.
- to ensure that development of unzoned land is compatible with surrounding development and zones.

- to ensure that development of certain waters takes account of environmental impacts and other users of the waters.

In deciding whether to issue consent the consent authority must consider the following:

- (a) whether the proposed development is compatible with development permissible in the adjoining zone and the character and use of existing development in the vicinity, and
- (b) in the case of unzoned land that is below the mean high-water mark of the ocean or an estuary, bay, lake or river:
 - (i) whether or not the proposed development would alienate the use of the waters of the ocean, estuary, bay, lake or river from recreational uses or from commercial fishing and, if so, whether there is sufficient area in the locality for those uses to mitigate the adverse effect of the proposed development on those uses, and
 - (ii) the provisions of any coastal, estuary or river plan of management in force from time to time that applies to the unzoned land or land in the vicinity, and
 - (iii) any impact the proposed development may have on the natural environment.

The proposed pipeline where it is located within unzoned land will not impact upon the natural environment or the recreational use of rivers, foreshores, the ocean or surrounding waterways. It is considered the proposed pipeline does not prejudice the provisions of the clause and is therefore permissible with consent.

Justification

The proposed development, a modification to a previously approved pipeline route, is essential to the progress of the aquaculture development which it serves. The aquaculture facility is a multi million dollar investment in the Tweed Shire which will create many jobs in the agribusiness sector.

The relocation of this section of pipeline will enable connection of the aquaculture facility to the new Kingscliff STP which was envisaged in the original, successful, Development Approval for the Bay Lobster facility. Continuing with the original proposal to locate these pipelines within the previously approved route would result in their having to be relocated in the future, resulting in a disruption of production at the Bay Lobster aquaculture facility.

The pipelines will be layed within council controlled road reserves in a rural location ensuring minimal inconvenience to the public and are likely to have a minimal environmental impact.



Appendix A: Map indicating Tweed Shire (northern New South Wales) location of development

proposed route modifications in red

LEGEND
 1(a) - RURAL
 1(b2) - AGRICULTURAL PROTECTION

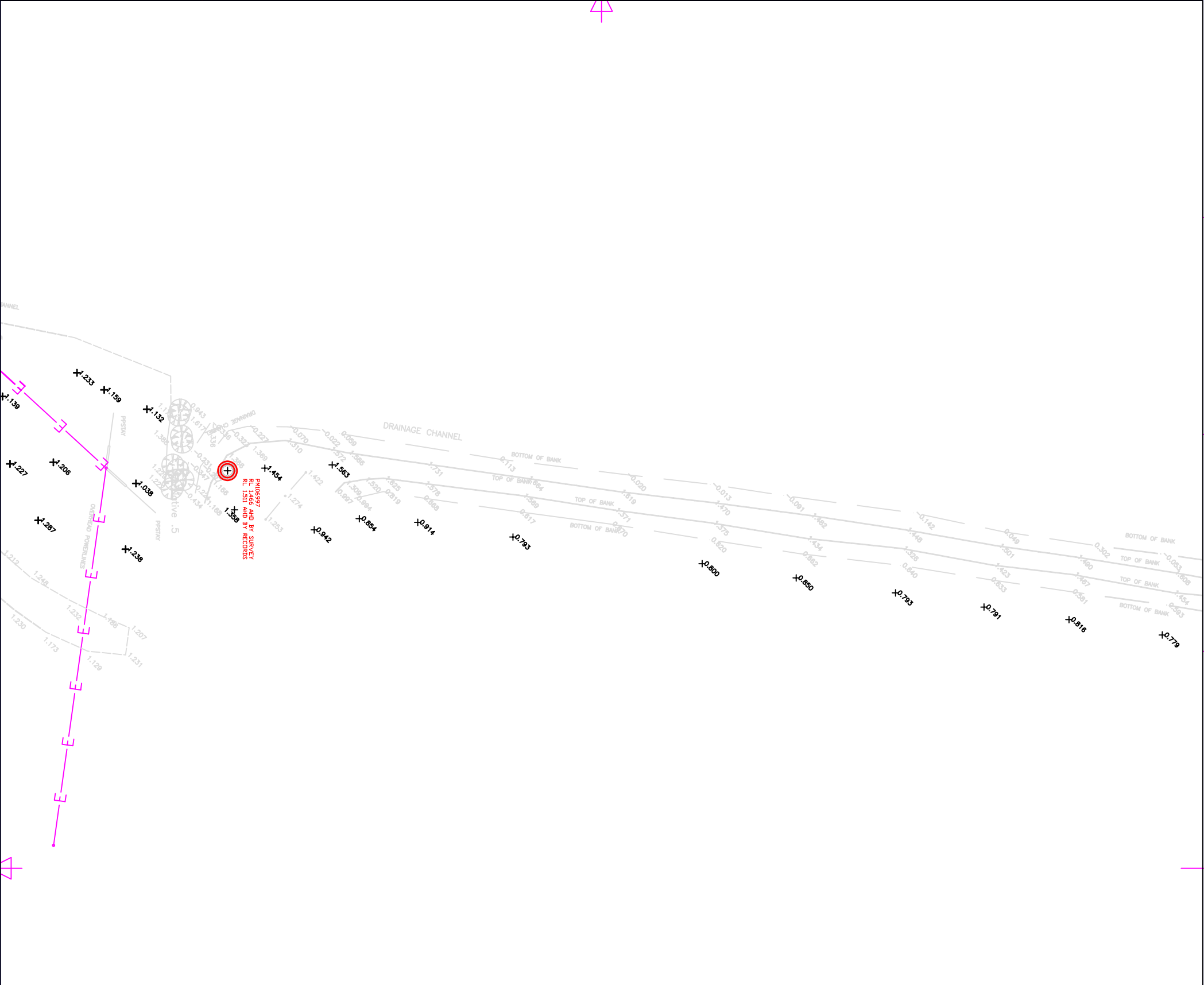
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 ROAD 1 CURRENTLY REFERRED TO AS LOT 1 IN DP 1085025. IN THE PROCESS OF ACQUISITION, APPLICATION WITH DLG.
 ROAD 2 LAND TO BE DEDICATED AS ROAD RESERVE, THIS GAZETTAL WILL OCCUR ON 23rd SEPTEMBER 2005.
 ROAD 3 COUNCIL PUBLIC ROAD DEDICATION IN DP 1082435.
 ROAD 4: CURRENTLY REFERRED TO AS LOT 1. IN THE PROCESS OF ACQUISITION, APPLICATION WITH DLG.

SCALE
 0 25 50 100 150 200 250 m

PLAN
 A1 SHEET 10500
 A3 SHEET 15000

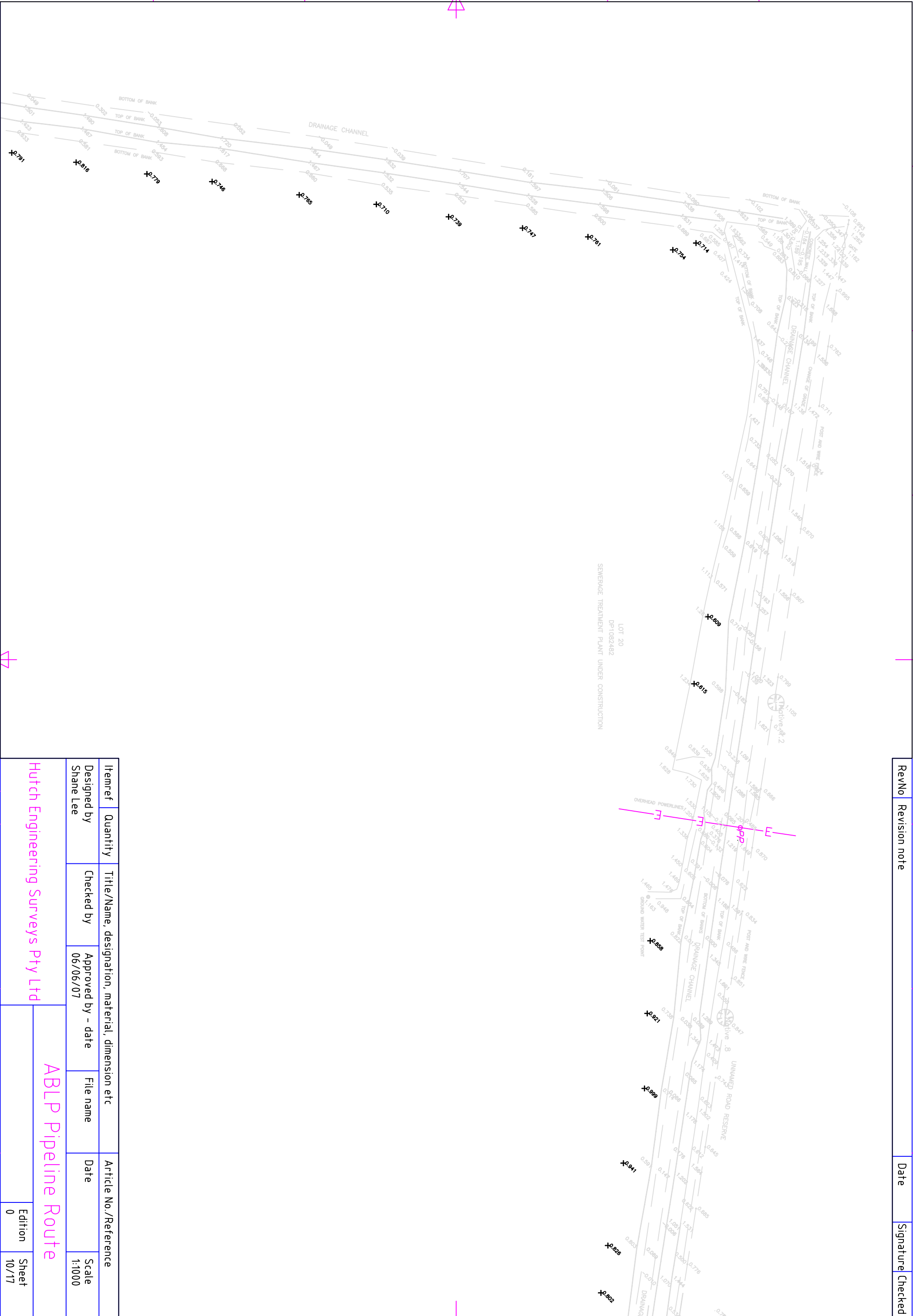
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PROPERTY DETAILS SHEET 1 OF 2		PROJECT: ABLP PROJECT	
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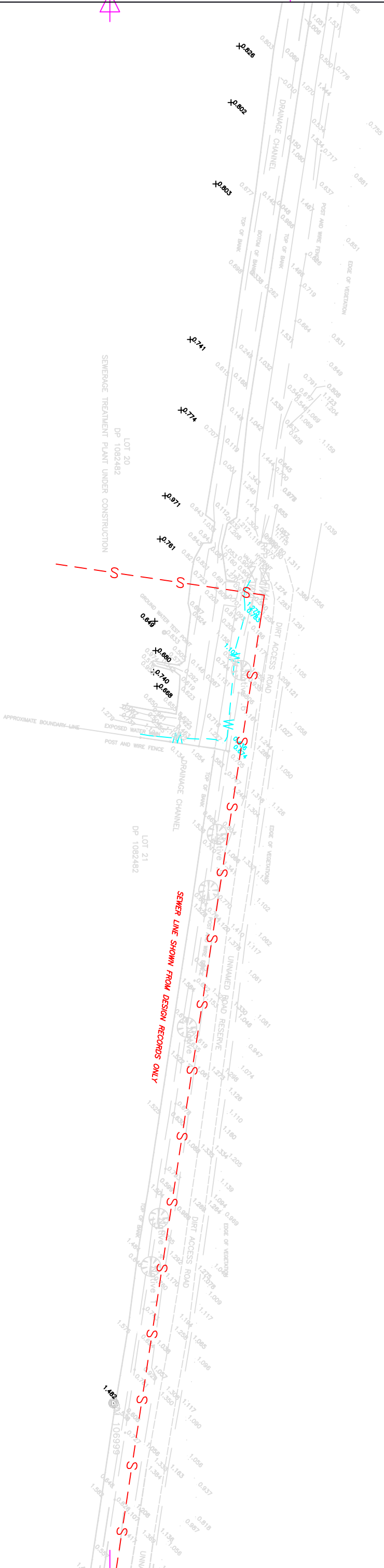
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				Edition 0	Sheet 11/17	

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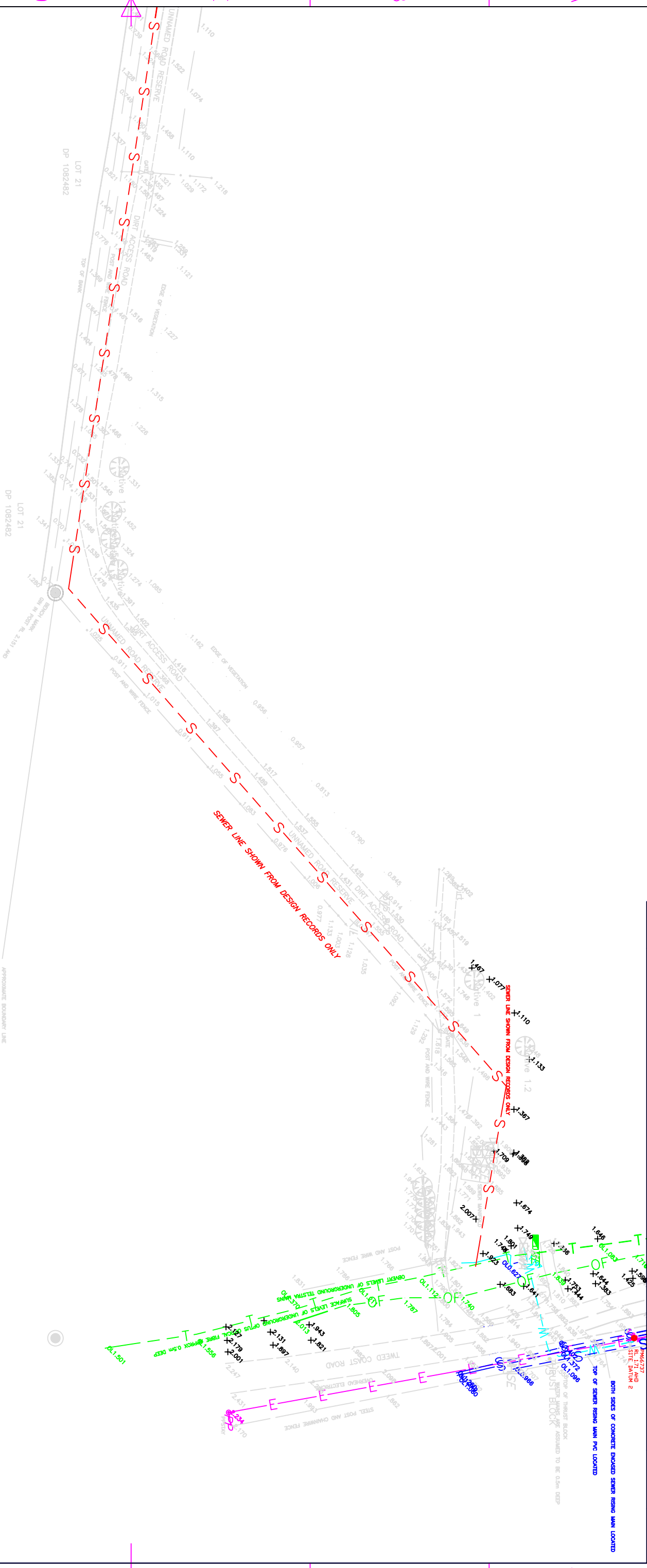
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				Edition 0	Sheet 10/17	

RevNo	Revision note	Date	Signature	Checked
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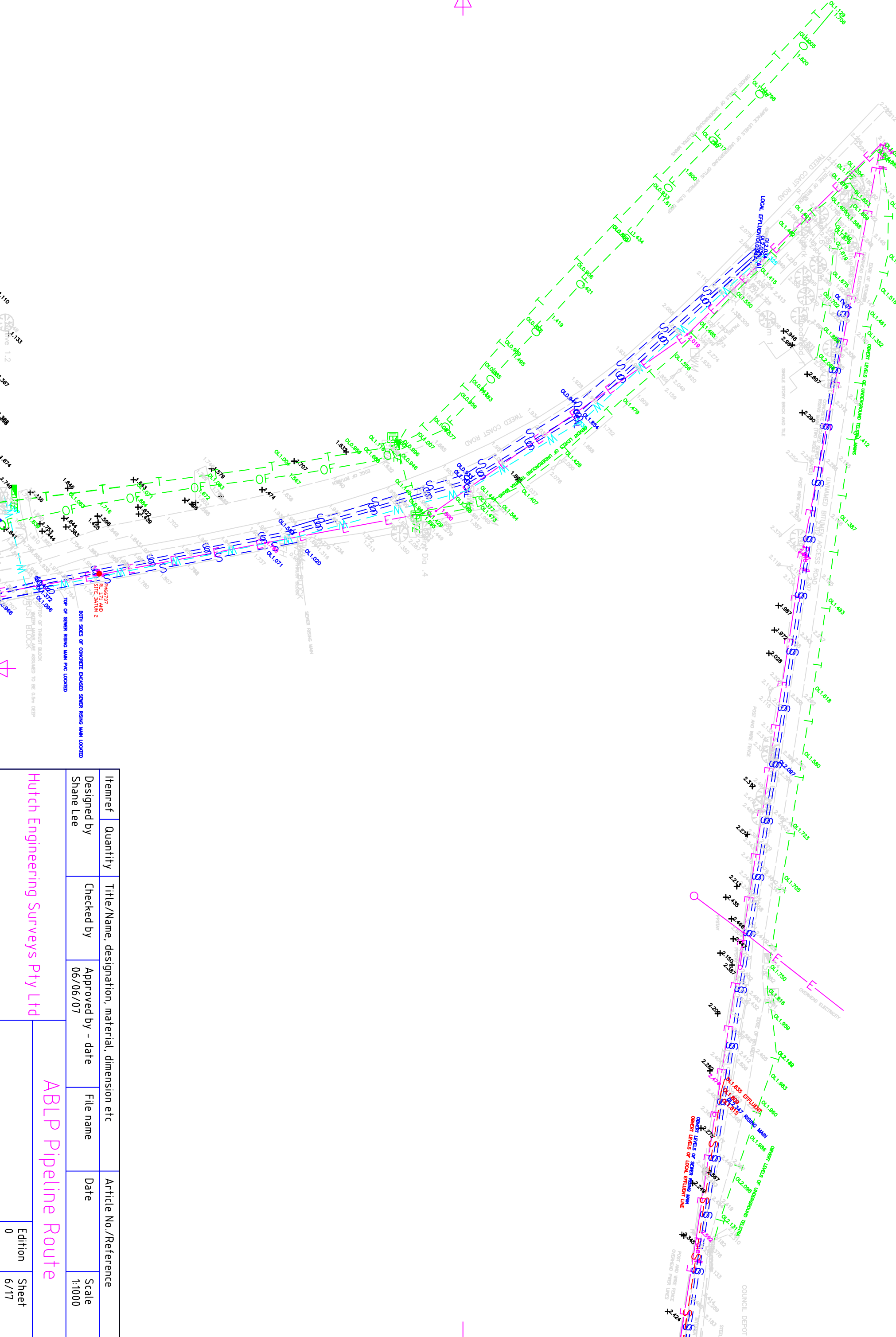


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				Edition 0	Sheet 9/17	

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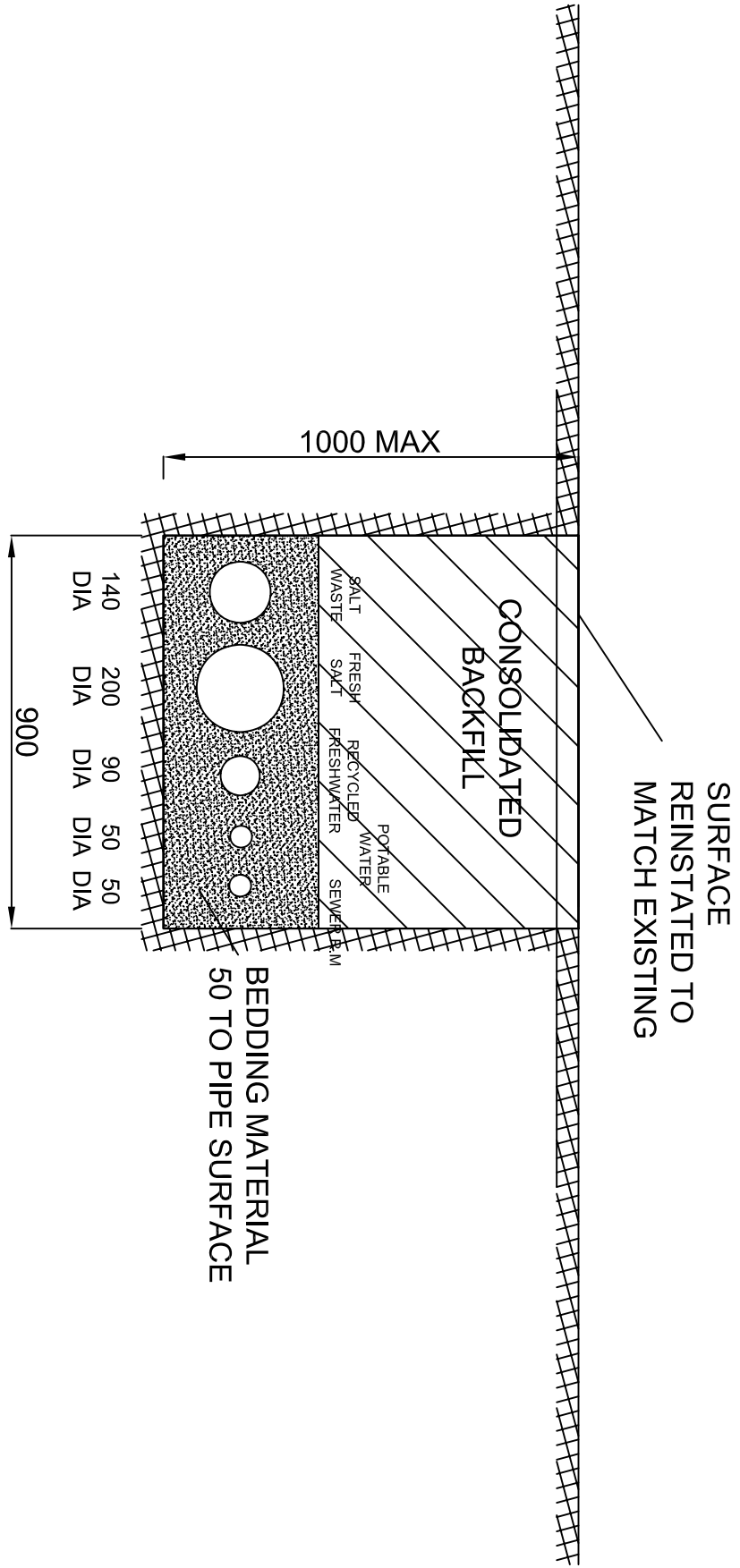
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		Edition 0		Sheet 7/17	



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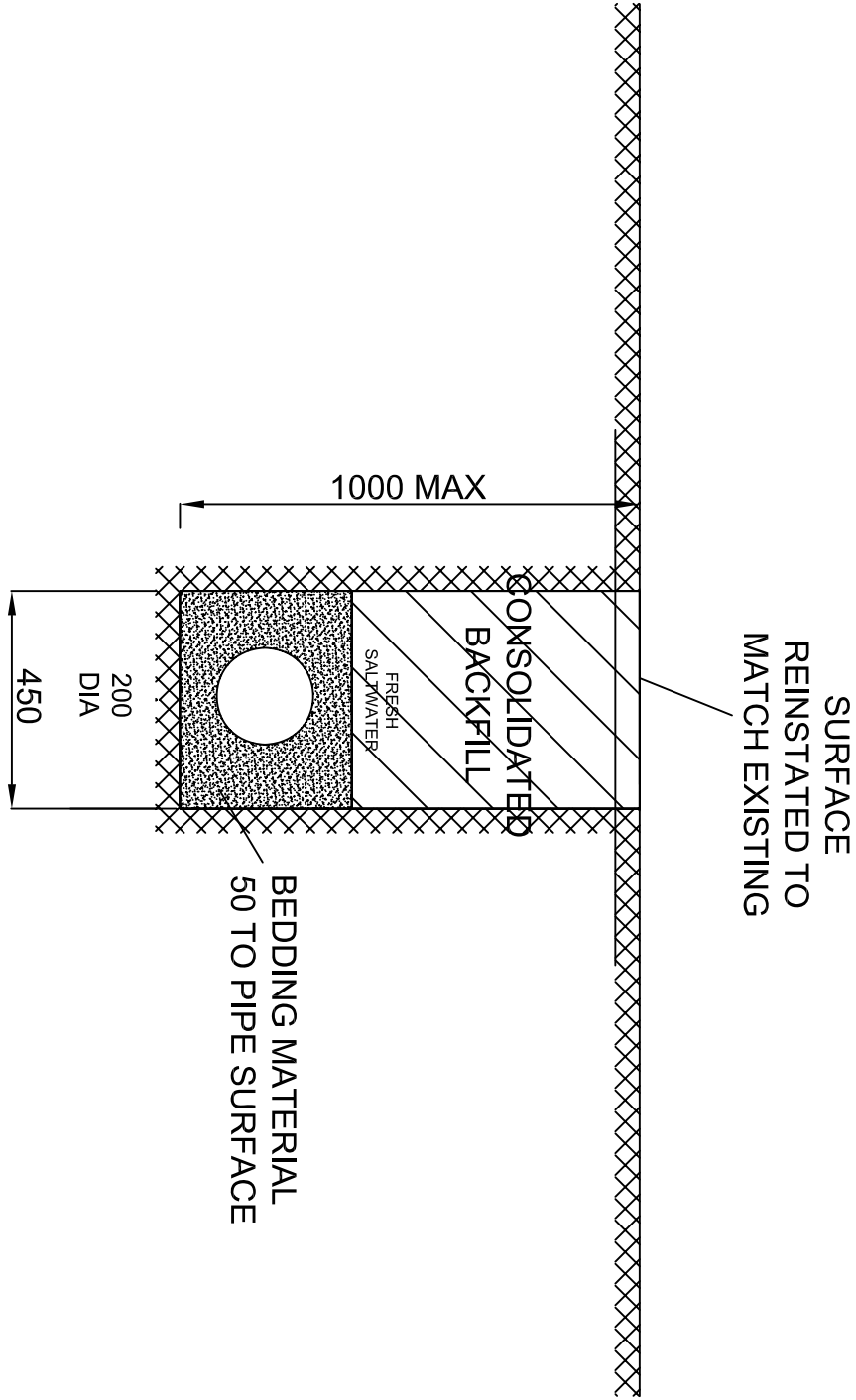
Appendix C. Details of pipe trenching, proposed pipeline

PIPE TRENCH DESIGN - KINGSCLIFF STP TO ABLP FACILITY, CUDGEN



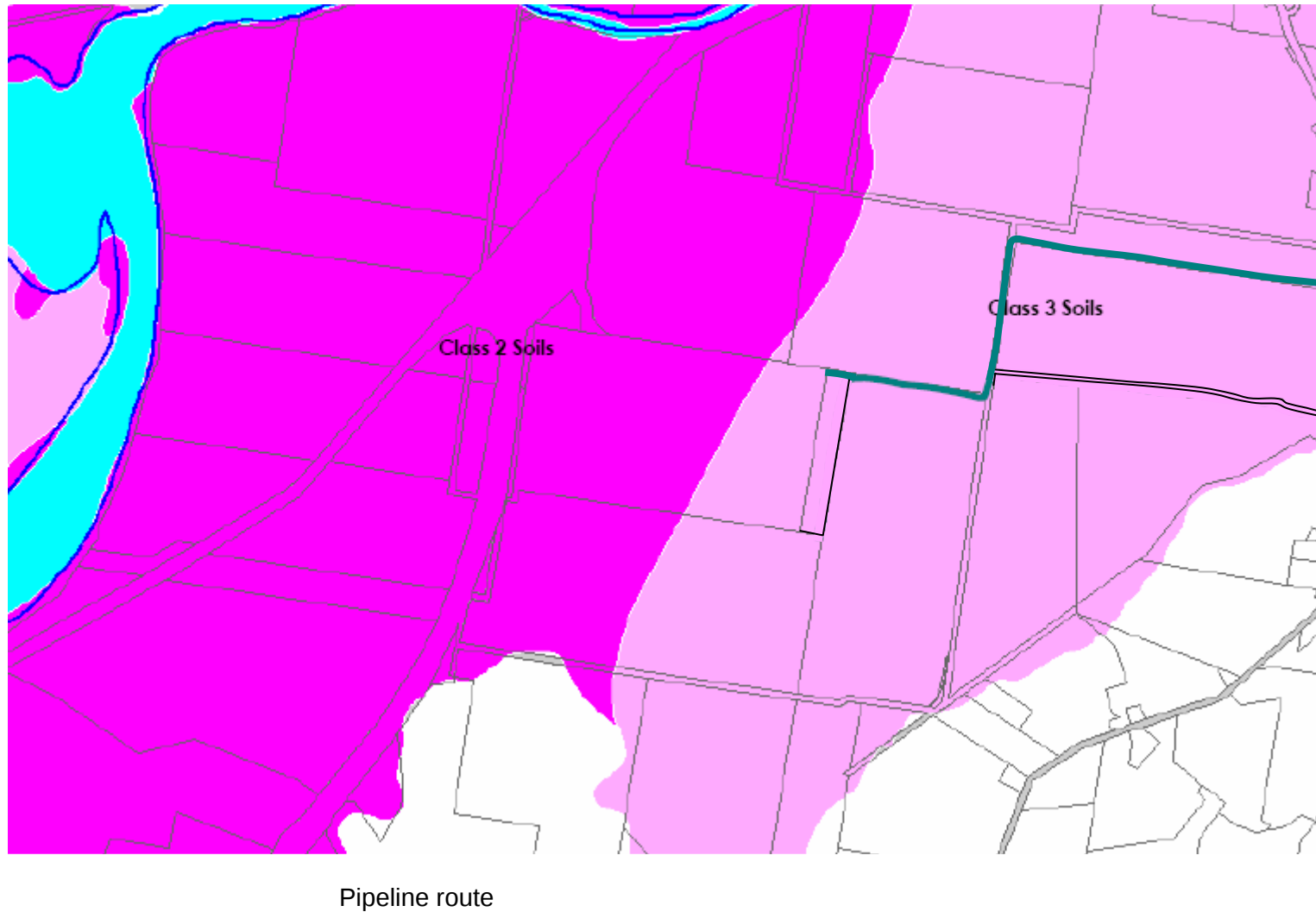
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ENGINEERS		PIPE TRENCHING STANDARDS		DATE		MC		DRAWING No.	
BRISBANE TEL/FAX 3202 6344		mm scale		7-9-04		CHECKED			

PIPE TRENCH DESIGN - CHINDERAH ROAD TO KINGSCLIFF STP



DAVID MCPHEE & ASSOCIATES ENGINEERS BRISBANE TEL/FAX 3202 6344	AUSTRALIAN BAY LOBSTER PRODUCERS Pty. Ltd.		PASSED		DATE
	PIPE TRENCHING STANDARDS mm scale		DRAWN	MC	DRAWING No.
			DATE	7-9-04	
			THICKED		
		ORDERED			
		REVIEW			

Appendix D. Acid sulphate soil planning map



Appendix D. Acid sulphate soil planning map

