



NSW GOVERNMENT
Department of Planning

**Manufacturing & Rural Industries
Major Development Assessment**
Phone: (02) 9228 6550
Fax: (02) 9228 6466
Email: ann-maree.carruthers@planning.nsw.gov.au
Level 4 Western Gallery
23-33 Bridge Street
GPO Box 39
SYDNEY NSW 2001

Michael Bolton
Australian Bay Lobsters Producers Ltd
42 Campbell Street
Bowen Hills QLD 4006

Our ref: 9036247

Dear Mr Bolton

**Director-General's Requirements
Australian Bay Lobsters Producers Aquaculture Project
Application No. 08_0038**

The Department has received your application to amend the pipeline route for the Australian Bay Lobsters Producers aquaculture project at Cudgen.

I have attached a copy of the Director-General's requirements for the project.

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 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, Water, Heritage and the Arts in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal requires 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 may 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 (see Division 1A, Part 15 of the *Environmental Planning and Assessment Regulation 2000*);
- consultation and public exhibition arrangements that will apply; and
- 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 all the documents subsequently 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 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 on 9228 6550.

Yours sincerely

DKitto 21/4/08

David Kitto
Acting 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	08_0038
Project	Amended pipeline route for the Australian Bay Lobsters Producers' aquaculture project at Cudgen.
Location	A 1.8km pipeline route commencing at the western boundary of Lot 20 DP 1082482 and ending at Chinderah Road.
Proponent	Australian Bay Lobsters Producers
Date of Issue	April 2008
Date of Expiration	April 2010
General Requirements	The Environmental Assessment (EA) must include • an executive summary; • a detailed written description and graphical representation of the project including the: – need for the project including its relationship to the approved aquaculture facility (DA-282-11-2004-i); – alternatives considered; – plans of any building or engineering works; and – various components and stages of the project. • consideration of any relevant statutory provisions, including whether the project is consistent 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, 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; – an assessment of the potential impacts of the project including cumulative impacts; – 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 project, the suitability of the site, and any social, economic and/or environmental benefits that may arise as a result of the project; • a table indicating where each of the Director-General's requirements have been addressed in the EA and appendices; 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	• Construction – including: – details of the construction methodology/activities and scheduling; – erosion and sediment control; – surface water/groundwater management; – soils including management of acid sulfate soils; – traffic management; – noise and air quality management; – waste;

	- procedures to protect, relocate or repair any public infrastructure damaged during the construction of the pipeline; and - procedures to consult with the community during the construction period • Operation – including details of maintenance requirements and ongoing management and monitoring during operation.
References	The Environmental Assessment should 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 Water and Energy; and • Tweed Shire Council.
Deemed refusal period	60 days

State Government Technical and Policy Guidelines - For Reference

Aspect	Policy /Methodology
Soil and Water	
<i>Acid Sulfate Soils</i>	Acid Sulfate Soil Manual (ASSMAC)
<i>Erosion and Sediment Control</i>	Managing Urban Stormwater: Soils & Construction (Landcom)
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	NSW State Groundwater Policy Framework Document (DLWC)
	NSW State Groundwater Quality Protection Policy (DLWC)
	NSW State Groundwater Quantity Management Policy (DLWC) Draft
	The NSW State Groundwater Dependent Ecosystem Policy (DLWC)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
<i>Stormwater</i>	Managing Urban Stormwater: Soils and Construction (Landcom)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Strategic Framework. Draft (EPA)
	Managing Urban Stormwater: Source Control. Draft (EPA)
Traffic and Transport	
	Guide to Traffic Generating Development (RTA)
	RTAs Road Design Guide (RTA)
Noise	
	Environmental Noise Control Manual (DEC)
Air Quality	
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
	Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW (DEC)
	Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW (DEC)
	Protection of the Environment Operations (Clean Air) Regulation
Waste	
	Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (DEC)
	Waste Avoidance and Resource Recovery: Strategy and Performance Report 2006. Consultation Draft (DEC)
	Technical guidelines: Bunding and Spill Management (DECC)
Environmental Management	
	Guideline for the Preparation of Environmental Management Plans (DIPNR)

