



**STATEMENT OF ENVIRONMENTAL EFFECTS TO
ACCOMPANY A DEVELOPMENT APPLICATION FOR THE
ERECTION OF A DEMOUNTABLE OFFICE AND AMENITIES
BUILDING FOR THE ADSTEAM TUG BOAT OPERATION AT
BROTHERSON DOCK, PORT BOTANY**

Prepared for

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1. INTRODUCTION

This Statement of Environmental Effects ("SEE") has been prepared for Durant Associates on behalf of Adsteam to accompany a development application ("DA") for development associated with the erection of a demountable building to contain offices and amenities for tug boat operators at Brotherson Dock Port Botany.

Adsteam currently operate from an existing two storey building adjacent to the edge of the head of the dock at its eastern end. Buildings and structures currently housing these functions are to be demolished and the functions relocated to the proposed demountable building to be located in an adjoining area on Brotherson Dock approximately 30 metres to the north of the existing buildings. The land currently occupied by the buildings will be used for other purposes by Sydney Ports.

The development comprises the relocation of existing functions over a short distance and the demolition of existing buildings. There are no other changes to the operations of the tug services and no change in traffic generation, staffing levels or the nature of use.

The proposed facility is well removed from the nearest residential properties and operates within the context of an operational port.

Only minor excavation is required for services and for the extension of pavement. However the proposed development is integrated development because it involves minor excavation of land near a waterway.

In the preparation of this DA consideration has been given to relevant Council planning instruments and development control plans including: -

- Botany Local Environmental Plan, 1995;
- Botany Development Control Plan No. 8 - Energy Efficiency;
- Botany Development Control Plan No. 32 – Landscape;
- Botany Development Control Plan Exempt and Complying Development;
- Botany Development Control Plan No. 29 – Waste Minimisation and Management Guidelines.

The Minister for Planning is the consent authority for the proposed development.

This Statement of Environmental Effects ("SEE") forms part of the DA for the proposed development. It has been prepared for the applicant and addresses the matters referred to in Section 79C of the Environmental Planning and Assessment Act 1979 ("the EPA Act").

The purpose of this SEE is to:

- describe the land to which the DA relates;
- describe the characteristics of the surrounding locality;
- define the statutory planning framework within which the DA is to be assessed and determined;



- describe the proposed development; and
- assess the proposed development in the light of all relevant heads of consideration.



2. THE SITE

2.1 Location

The land to which this DA relates is located at Port Botany approximately 13 kilometres from Sydney's central business district. The existing tug facilities are located at the head of Brotherson Dock between the two main container terminals on the northern and southern side of the dock (see Figure 1).

2.2 The Site

The land to which the DA relates (the site) forms part of Lot 6 in DP 1053768. It is an L-shaped parcel of land at the dock edge extending approximately 23 metres from the dock edge on the eastern and northern part of the dock. It extends along the northern face of the dock for a distance of approximately 80 metres and along the eastern face for a distance of approximately 43 metres. It has a total land area of approximately 3,000 square metres. The site is shown on Figure 2.

2.3 Land Owner

The site is owned by Sydney Ports Corporation.

2.4 Access

Access to the site is from the Inter-terminal Access Road which connects to Penrhyn Road and Foreshore Road to the north and Friendship Road to the south. Parking and buildings are accessed directly from this road with a number of existing 90° parking spaces off the road and entry to the building from the road. The proposed facility will be accessed from an existing entry gate. No change to access arrangements is required to serve the demountable building.

2.5 Site Features

2.5.1 Natural Environment

The site was formed in the early 1970s by sands dredged Botany Bay to create Brotherson Dock. The site is devoid of any natural features with the exception of a row of Casuarina trees along the northern side of the dock for a distance of approximately 70 metres. Similar trees are located along the rear (northern) boundary adjoining the Patrick's site. There are also some small feature trees around the entrances to the existing buildings.



The trees along the northern edge of the dock range in height and age with the more mature trees being approximately 10 years old. These trees are to be removed as part of this development.

The site is generally flat.

2.5.2 Contamination

No specific contamination investigations of the site have been undertaken to our knowledge. Since the site was formed through reclamation in the early 1970's there have been no other known uses other than the present. The buildings on the site are amenities and administration buildings with outside garages and storage sheds and a fuel dispensing unit. Most of the site is paved in asphalt or concrete with the northern part of the site on which the demountable building is proposed to be located being used on the past for parking. The possible sources of soil or groundwater contamination resulting from previous known uses are limited.

Buildings and structures on the southern part of the site will be demolished and removed to make way for a new use by Sydney Ports Corporation. This will include the fuel dispensing area. The lease over this area will be relinquished by Adsteam and testing of the area around the fuel dispensing facility will be undertaken to identify any leakages. The area will be remediated as required.

A Hazardous Building Materials investigation is underway and a report will be prepared to ensure that the existing buildings will be demolished in accordance with NSW WorkCover requirements.

No change of use is proposed and the amount of site disturbance will be limited to trenches of shallow depth (up to 500mm generally) for services.

The history of use on the site does not suggest potential for significant contamination and it is considered that further investigations at this stage are unwarranted. It is recommended that the contractor be advised that in the event that any contamination is detected during construction that appropriate action is taken.

2.5.3 Acid Sulfate Soils

The maps which accompany Botany Local Environmental Plan 1995 (Draft Amendment No. 24) – Acid Sulfate Soils, show the site as being located within Acid Sulfate Soil Class 2.

Sydney Ports Corporation undertook an acid sulphate soils study in 2003 for the Port Botany area which found that acid sulfates would not be likely at depths of less than 1 metre. Soil disturbance will be limited to trenching for services generally to depths less than 500mm and the formation of surface area adjoining the northern edge of the dock ready for paving for the proposed car parking. It is unlikely that this work would disturb soils containing acid sulfates.



2.6 Availability of Services

The site is fully serviced. Adjustments to servicing will be required to provide water, sewerage, electricity and communications supply to the proposed building. Services to the existing building to be demolished will be removed and capped at the site boundary.

Existing services, including stormwater are shown on Drawing S3.00 with more detail contained in Appendix 3.



3. SURROUNDING LOCALITY

The site is centrally located within Port Botany. As can be seen from the aerial photo (Figure 2, the site is within a working waterfront environment, totally suited to the nature of the use.

The site is adjoined to the south by other Sydney Ports port administrative buildings and beyond this to P&O Ports container terminal. To the north is Patrick Stevedores container terminal. Immediately to the north of the location of the proposed demountable building are other demountable office buildings on the Patrick site. These demountable buildings can be seen on the aerial photo at Figure 2 and on Drawing S3.00.

To the east is the Inter-Terminal Access Road parallel to which is the railway line. Further to the east are other port service operations, mainly container handling.

4. THE PROPOSAL

4.1 Introduction

The space currently occupied by the Adsteam building and structures is required by Sydney Ports for other purposes. The existing building and structures are to be demolished and removed from the site to provide a clear site to Sydney Ports. A new demountable building will be constructed to the north of the existing building in the northern part of the site and the functions transferred to this building from the existing building.

Plans of the proposed development accompany the application. A description of works follows. Consent is sought for all works required to be undertaken for this development proposal.

4.2 Demolition

The demolition of the existing buildings and structures on the site will take place once the new demountable building is in constructed.

The existing building to be demolished is a two storey amenities and office building having a total floor space of approximately 300 square metres. This building is of masonry construction erected in the 1980's. The associated fuel dispensing unit and car port will be removed also.

The demolition will be in accordance with the requirements of Australian Standard AS2601 – 2001: The Demolition of Structures which is incorporated into the Occupational Health and Safety Act 2000 administered by WorkCover NSW.

Demolition will include:

- the removal of all improvements;
- breaking down and removing all foundations and footings;
- breaking up and removing surplus pavements not required for redevelopment;
- removal of debris and rubbish.

Barriers will be erected around the work area to protect the public.

A Hazardous Building Materials Report is in the course of preparation. This report will document the construction materials of the building and structures to be demolished and the mechanism for controlling and managing the demolition and disposal of possible hazardous materials. Methods used to safely demolish and dispose of any hazardous materials will be provided. The demolition process will be controlled by specific guidelines including the Occupational Health and Safety Regulation 2001 and all WorkCover NSW requirements.



Erosion and sediment control measures will be implemented to control run off during the demolition process.

A Waste Management Plan will be prepared prior to demolition commencing. Where possible demolition materials will be sent for recycling preferably to recyclers located within the Botany area.

All utility services will be sealed at relevant site entrance points according to the relevant utility standard.

Testing will be undertaken in the vicinity of the fuel dispensing unit to determine if any contamination has been caused by fuel leaks.

Demolition will be undertaken in accordance with statutory requirements.

4.3 Building Work

Consent is sought for the erection of a single storey demountable building in the northern part of the site as shown on the accompanying DA drawings. This building has a total floor space of 228 square metres and dimensions of 38 metres by 6 metres. The office component of this building is approximately 108 square metres. The remainder of the building will provide amenities for tug boat workers.

The building will be moved to the site in sections and placed on concrete pad supports into the existing paved area.

The building contains amenities facilities for tug linesmen and office space for the administration of the tug services. These services are currently provided in the existing building to be demolished.

The building will have colorbond cladding with insulation to walls and roof. Stairs and ramps will provide access to the building from ground level.

The building will be connected to existing services most of which are located in the Inter-Terminal Access Road. Stormwater will be connected to the existing stormwater drainage system.

A small workshop and storage shed will also be constructed and a car port canopy will be relocated on the site.

A self contained transportable fuel dispensing facility will be constructed on the site with dimensions of 3 metres x 2.4 metres. It will be self bunded and designed in accordance with AS 1940 and AS 1692. It will have a capacity to store 10,800 litres of diesel fuel.

Tanks are designed and manufactured in compliance with AS1692 *Tanks for flammable and combustible liquids* and AS1940 *The storage and handling of flammable and combustible liquids*.



The tanks are designed to be stored on a level surface. They are made up of an internal fuel storage tank (rectangular design) surrounded by an external tank (or skin) providing the 'self bunded' functionality of the design. The tank fill point is located at the top of the tank. A visual indication system is provided to monitor the interstitial space between the inner and outer walls for leakage from the inner tank. All openings to the tank are at the top of the tank.

A plan of the proposed tank is included in Appendix 2.

4.4 Ancillary Paving and Car Parking

External works include the removal of Casuarina trees located along the edge of the dock and paving the remaining unsealed areas adjoining the northern side of the dock within the site. The area to be paved is approximately 280 square metres and currently contains footpaths and unsealed areas containing the trees. Approximately 18 trees meeting the dimensions in Councils Tree Preservation Order will be removed.

The area will be marked with car parking spaces designed to meet the requirements of AS 2190. Approximately 37 parking spaces will be provided which is the maximum required to meet the needs of the tug operations and allowing for shift change over. Not all the spaces will be used at the one time and turnover will be low as the parking is for staff and the occasional visitor.

4.5 Operations

No change to operations is proposed. The facility is the base for Adsteam tug services at Port Botany. The amenities will be used by the linesmen working on the tug boats and the offices for administration of the service. Tugs are moored at the dock.

4.6 Vehicle Movements, Access and Parking

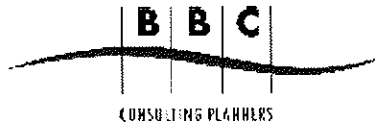
Access to the facility will be from the existing driveway and entry gates which will be retained. This accessway is also used occasionally by heavy vehicles accessing the Caltex area to the west of the site. The access driveway accommodates two way vehicle movements. All vehicles will be able to enter and leave in a forward direction using a turnaround area at the western end of the site. Access to the site will be primarily for staff parking with the occasional delivery vehicle.

4.7 Hours of Operation

The facility will operate 24 hours a day and 7 days a week although the level of activity is minimal. No change to operating conditions is proposed.

4.8 Staff

There will be approximately 34 staff using the facility. Six office staff will be employed. Not all staff will be present at the one time. No change in staffing numbers is proposed.



4.9 Stormwater Management

Stormwater from the site will be discharged into the existing pipe network as is currently the case.

4.10 Erosion and Sediment Control

An Erosion and Sediment Control Plan will be prepared pursuant to Council guidelines prior to construction commencing on the site.

4.11 Utility Services

The site is developed and located in an established industrial area. All urban services (water, sewerage, power and telecommunications) are available and can be provided to the building.

5. ZONING, DEVELOPMENT CONTROLS AND GUIDELINES

5.1 Botany Local Environmental Plan 1995

The objectives of LEP are as follows:-

- a) *to recognise the importance of the local government area of Botany as a gateway to Sydney, given its proximity to Sydney (Kingsford-Smith) Airport and Port Botany;*
- b) *to ensure, as far as practicable, that land uses are compatible with each other in terms of environmental and aesthetic amenity;*
- c) *to make the local government area of Botany a more attractive and pleasant place in which to live, work and visit;*
- d) *to improve the image of the local government area of Botany by ensuring that developments are of a good standard of design, form and function;*
- e) *to protect areas from inappropriate development and to ensure that, in particular, residential amenity, health and safety is maintained or improved, where necessary; and*
- f) *to provide for an appropriate balance and distribution of land for residential, commercial, retail, industrial, advanced technology enterprises, tourism, port-related and airport-related development and recreation, entertainment and community facilities."*

The proposal is consistent with these objectives in that:-

- the proposal is for an important port related purpose; and
- the proposal is well removed from the nearest residential premises and does not have frontage to a public road.

5.1.1 Objectives in relation to industry

The objectives of the LEP in relation to industry are as follows: -

- (4) *The objective of this plan in relation to industry are: -*
 - a) *to restrict industrial uses to defined zoned area;*
 - b) *to encourage new developments with a high standard of design and form that are compatible with adjoining developments, whilst ensuring a high level of environmental amenity;*
 - c) *to minimise the adverse environmental effects of industries;*
 - d) *to restrict the development and expansion of hazardous and offensive industries;*

- e) *to improve the environmental quality and the local government area of Botany by minimising disturbances caused by any form or type of pollutant;*
- f) *to ensure that industries conform to strict hazard minimisation and environmental guidelines; and*
- g) *to ensure adequate buffers between industries and other land uses, particularly residential, are provided.'*

The proposal is consistent with these objectives.

5.1.2 Zoning

Pursuant to the provisions of Botany Local Environmental Plan 1995 ("LEP 1995") the site is zoned Special Uses 5(a) – Ports (Figure 3).

The objectives of the 5(a) zone are as follows;

"The primary objective is to ensure the orderly use of land identified for Sydney (Kingsford-Smith) Airport, Port Botany and the Botany-Sydenham goods railway line or which is reserved and proposed to be acquired for arterial roads or widening of arterial roads or for utility undertakings.

The secondary objective is to encourage energy efficiency and energy conservation in all forms of development permissible within the zone.

Development which may be carried out without development consent is exempt development. Development which may be carried out only with development consent includes development for the purpose of port uses, including land uses ordinarily incidental or ancillary to port uses.

The proposed development is consistent with the primary and secondary objectives of the zone. The proposed development is permissible development with consent.

5.2 Botany Development Control Plan No 8 – Energy Efficiency

The Energy Efficiency DCP applies to residential, commercial and industrial developments.

The proposed new building is a demountable building having a unit value of approximately \$320,000. Measures incorporated into the development that are consistent with the principles in the DCP regarding energy efficiency include:

- use of a recyclable demountable building;
- efficient use of existing infrastructure and structures;
- insulation in walls and roof spaces of new building;
- building oriented to the north for solar access and natural light penetration;
- narrow building depth to maximise use of natural light penetration;

- use of efficient shower fittings and lights in new building;
- recycling demolition materials;
- use of energy efficient appliances in amenities area.

5.3 Development Control Plan No 32 – Landscape

DCP No 32 details landscaping requirements for new developments.

The objectives of the Draft DCP are:

- improve and enhance the landscape structure, character and regional identity of the City
- promote landscape planning early on in a site's development
- improve the visual amenity of the built environment by minimising bulk and scale
- ensure that landscaping enhances the design and scale of the built form and improves the open spaces of the development
- conserve and protect the natural environment
- promote the use of native species, particularly those that are indigenous
- provide clear definition of Council's intentions and requirements with respect to landscaping for different development types and the standards and performance criteria by which landscaping areas are to be designed, constructed and maintained.
- raise the standard of landscape documentation submitted to Council and inform the Applicant of the statutory obligations of Council by which Landscape Plans are approved by Council.

The proposed development involves the construction of a demountable building within an existing site and the demolition of an existing building. There is no change to access arrangements or site entry conditions. Access to the site is from an internal port road and the site is not generally visible from the surrounding areas outside the port.

The new works will be located primarily on existing paved areas. No additional landscaping is proposed or considered necessary for this development.

The development involves the removal of trees that interfere with the safe and efficient operation of a working waterfront environment (discussed below). The loss of these trees will have no significant impact on the scenic qualities of the area given their limited extent and distance from any public view points.

6. ASSESSMENT OF ENVIRONMENTAL EFFECTS

6.1 Introduction

In determining the subject development application, the consent authority is required to consider those relevant matters listed in Section 79C of the Environmental Planning and Assessment Act, 1979. Each of the relevant matters is addressed below.

6.2 Section 79C(1)(a) – Statutory Planning Considerations

Section 79C(1)(a) requires the consent authority to take into consideration:

“(a) the provision of:

- (i) any environmental planning instrument; and*
- (ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority; and*
- (iii) any development control plan; and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph).”*

These matters (and others) are addressed in Section 5 of this SEE. The proposal is permissible with the consent of the Council and predominantly complies with the relevant planning controls.

6.3 Section 79C(1)(b) – Environmental, Social and Economic Impacts

Section 79C(1)(b) requires the consent authority to consider:

“(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.”

The relevant matters are addressed below:

6.3.1 Impacts on the Natural Environment

Tree Removal

The natural features of the site are described in Section 2.5. The development involves the removal of the row of Casuarina trees located along the edge of the dock on the northern



part of the site. These trees have grown over the past 10 years as a consequence of underutilisation of this part of the Brotherson Dock.

The trees are to be removed for operational and safety reasons. The land on which the trees are growing immediately adjoins the edge of the dock and prevent the efficient and effective use of the working waterfront area. This area is required for parking and more effective access from the dock to the tug boats.

The removal of the trees will also overcome an occupational health and safety concern with the access to tug boats. The spindles falling from the trees create a hazard for pedestrian on the tugs tied to the dock and the pedestrian accessway along the dock. They also clog the drains and machinery on the tugs.

The trees limit surveillance of the port area and therefore have a security implication.

The trees are inappropriate in an active waterfront environment.

The trees are not visible from a wide area being contained at the head of the dock with views screened by nearby structures. The removal of the trees will have no significant impact on the scenic qualities of the area.

Contamination

The contamination status of the site is discussed in Section 2.5. There is no reason to suggest that the site is contaminated to a level inappropriate for the proposed use. The area is mostly sealed and will remain so. The area to be subject to demolition works will be tested following demolition to ensure no hydrocarbons have leaked from the fuel storage and dispensing area.

Should contaminated materials be detected during construction it is proposed that remedial action will be taken and it is recommended that provision be made for this in any construction tender documents.

A Hazardous Building Materials report is being prepared to identify any hazardous building materials and to ensure that any such materials can be removed in accordance with WorkCover NSW requirements.

Water Quality

The demolition and part of the construction material will involve some localised disturbance to surface soils. Erosion and sedimentation controls will be put in place to prevent direct discharge of sediments to the waterway.

The facility will drain to existing draining infrastructure in the area.

Due to the limited depth of construction for trenching for utilities and preparation for paving, it is not expected that acid sulphate soils will be exposed. Should such soils exposed appropriate measures to prevent any impact on the adjoining waterway can be put in place.

6.3.2 Impacts on the Built Environment

The proposed development is not expected to have any adverse impacts on the built environment. The demountable building will be a single storey structure set back from the street frontage and will be in keeping with the character of buildings in the area.

Parking is provided to meet the needs of the development and access will be provided from an existing driveway entrance. Access arrangements are considered appropriate given the nature of the use.

6.4 Section 79C(1)(c) – The Suitability of the Site

Section 79C(1)(c) requires the consent authority to consider:

“(c) the suitability of the site for the development.”

The site is zoned for port and related purposes and has been used for such purposes and is surrounded by port uses. It is therefore considered that the development is suitable within this locality.

The site has been prepared for port related uses, is predominantly level, enjoys a high degree of accessibility, is remote from sensitive lands uses and is fully serviced.

The proposed development is considered to be appropriate on the site having regard to the disturbed nature of the land and the siting of buildings and works thereon. The attributes of the site are therefore suitable for the form of development proposed.

6.5 Section 79C(1)(d) – Submissions

Section 79C(1)(d) requires the consent authority to consider:

“(d) any submissions made in accordance with this Act or the regulations”.

Any relevant representations will need to be considered by the consent authority in the determination of the development application.

6.6 Section 79C(1)(e) – Public Interest

Section 79C(1)(e) requires the consent authority to consider:

“(e) the public interest”.

The proposal is in accordance with the provisions and requirements of the relevant planning instruments and will not have any significant negative impact upon the environment. It comprises a land use that is permissible in the zone, complies with ESD principles and represents a continuation of an existing operation. It will make efficient use of underutilised port land in an area suited for the development and with all urban services available. It is therefore considered that the proposal is in the public interest.

7. CONCLUSION

The proposed development is minor in the context of surrounding port operations and involved the demolition of a small two storey building and the relocation of the functions in these buildings to a new demountable building. Associated works include paving and parking, tree removal and connection to services. The development allows the continued operation of tug services from the port.

The proposal has been formulated having full and proper regard to existing and proposed development controls and to the environmental qualities of the site and its surroundings. The proposal generally complies with the land use and zoning objectives applying to the land and with the relevant Council planning controls.

Consideration has been given to the likely environmental consequences of the development relevant to the development approval process. Regard has been given to the requirements of the Environmental Planning and Assessment Regulation and Section 79C of the Environmental Planning and Assessment Act. It is concluded that, having regard to the safeguards incorporated into the development and otherwise proposed, the development will have no significant adverse impact on the environment of the locality.

It is considered that the proposal is justified in that:

- the site is appropriate and suitable for the proposed development; and
- the proposed development will not have any significant environmental impacts.

Having regard to the matters for consideration under Section 79C of the Environmental Planning and Assessment Act it is considered that the proposed development is appropriate and should be approved.



FIGURES



APPENDICES



APPENDIX 1

DA Drawings



APPENDIX 2
TANK

DRAWING



APPENDIX 3

Services