

Our ref: RJ Dowsett- PPTY/17-16-20.11



28 May 2012

Ms Emma Barnet
Planner
Industry Team
Department of Planning & Infrastructure
23-33 Bridge Street,
Sydney NSW 2000

Dear Ms Barnet

**RE: Orica Chlor Alkali Plant
Modification Application 35/98 MOD 4**

The Council has received notification from the Department regarding the above mentioned modification application to the Orica Chlor Alkali Plant. The modification application seeks approval for the replacement of two (2) 1.1 megalitre steel caustic storage tanks and demolition of two existing, and currently disused caustic storage tanks at the Botany Industrial Park, Matraville.

Based on the information provided by the Department, Council raises the following issues:

- **Mercury Impacted Soil** – As stated in the *Human Health and Environmental Risk Assessment (HHERA), Former ChlorAlkali Plant, Botany Industrial Park* (dated 21 August 2008), soil investigations and sampling were undertaken by URS in 2007 and 2008. The investigations and sampling found that “*small specks and droplets of visible mercury were identified on the ground surface, 3m south of sample location SIA 5 in Block A, situated between Chlor Alkali Control Room and the former caustic soda tank*”. Furthermore, mercury was identified in the “*south east corner of the garden adjacent to the current Chlor Alkali Control Room*”.

Based on these findings, the HHERA recommends further assessment had to be undertaken. Council is now seeking confirmation from the Department as to whether further testing or remediation works were conducted.

- **Mercury-Contaminated Sludge and Water** – The report states that “*Tank 4 contains mercury-contaminated sludge and water ... would require onsite treatment and disposal of mercury-contaminated sludge from Tank 4*”. However, the report fails to outline the methods or processes that would be undertaken for the treatment of the mercury-contaminated sludge and water. As a precautionary measure, Council recommends a plan be adopted for the

treatment of mercury-contaminated sludge and water; and the associated waste and soil.

- **Management Order issued by Environment Protection Agency (EPA)** - Council notes that a Management Order was issued by the EPA for the former Chlor Alkali Plant including Block A. Orica is currently assessing the remediation options available. Council is uncertain how the proposed modification would align with the Management Order or impacts on the remediation of this land.
- **Information Inconsistency** - Parsons Brinckerhoff's report indicates that "*no known land contamination*" was found on-site. This is inconsistent with findings outlined in the HHERA above.
- **Traffic** – The report states that approximately "*70 truck and light vehicle movement would be generated during construction works in 2012 and 60 truck and light vehicle movement during constructions in 2013*". However, the report fails to identify the type of truck/s (i.e. B Double, Double Road Train or Triple Road Train) that will be used during the construction period. The lack of transport planning prevents Council from determining the likely traffic impacts on the surrounding road network. Hence, Council requests that a Traffic Report be prepared and address the following the issues:
 - Type of truck that will be used during the construction period (i.e. B Double, Double Road Train or Triple Road Train);
 - Number of truck movements generated daily;
 - Timing of delivery;
 - Identify the delivery routes ; and
 - Assess the likely traffic impact generated by the proposed modification.

It should be noted that Denison Street is identified as a "classified road" and is under the control of Road and Maritime Services (RMS). Hence, Council recommends RMS be consulted prior to project approval.

- **Heritage Items** – The Orica's Main Administration Building and the mature Ficus tree (adjacent to this building) are identified as heritage items in the *State Environmental Planning Policy (Major Development) 2005 – Three Ports*. The proposed tanks are located approximately 50-100 metres from the heritage items. Hence, Council recommends a condition be incorporated to the project approval requiring the monitoring of the heritage items during the construction phase.
- **Insufficient Information** – The modification seeks the installation of two new tanks at the former location of Tanks 3 and 4. However, no plan or dimension of the tanks was provided.

Council recommends that any approval for the proposed modification should address the above issues and include the following conditions:

- Soil testing is to be undertaken for land under and around existing Tanks 3 and 4. A Remedial Action Plan (RAP) is to be prepared, if contamination is found, in accordance with the SEPP No.55 – Remediation of Land.
- All works must be undertaken during standard day time construction hours of 7am to 6pm (Monday to Friday) and 8am-1pm (Saturday). No work is to be undertaken on Sunday or public holidays without prior approval.
- Construction Environmental Management Plan (CEMP) to be prepared for the construction phase.
- All waste generated by the modification is to be classified in accordance with the NSW DECCW *Waste Classification Guidelines (2009)* prior to disposal by a licensed waste contractor.

If you have any questions regarding Council's submission please contact Mr Gilead Chen – Senior Strategic Planner on (02) 9366 3566 or the writer on (02) 9366 3553.

Yours faithfully



R J DOWSETT
DIRECTOR – PLANNING & DEVELOPMENT

