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Mr Richard Pollock
Assistant Project Director
Patrick Terminals and Logistics
Level 2, 4B Lord Street
BOTANY NSW 2019

Our ref: 12/08493-1

Dear Mr Pollock


Patrick Stevedores Operations No. 2 – Proposed Modification to Existing Container Terminal, Botany Local Government Area (DA-453-12-2002-i MOD 7)

I refer to your letter dated 11 December 2012 and supporting document titled *Patrick Stevedores Operations No. 2: Patrick Stevedores Port Botany Container Terminal Project – Section 75W Modification Application (December 2012)* outlining a proposal to conduct a range of demolition and construction works within the existing container terminal site adjacent to Brotherson Dock, Port Botany.

The Department has reviewed the information provided and confirms that the proposed modification can be progressed under section 75W of the *Environmental Planning and Assessment Act 1970* (EP&A Act). Pursuant to section 75W(3) of the EP&A Act, the Director General requires that the modification application address the matters set out in the attached Director General's requirements (DGRs). The DGRs have been based on the Department's understanding of the proposal and a review of the supporting information.

Your contact officer for this proposal, Ingrid Ilias, can be contacted on the contact details outlined above. Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely


Felicity Greenway 19/12/12
A/ Director
as the Director General's nominee

Director General's Requirements

Patrick Stevedores Operations No. 2 – Patricks Container Terminal

Proposed Modification for a Range of Demolition and Construction Works

Section 75W(3) of the *Environmental Planning and Assessment Act 1979*

Application Number	DA-453-12-2002-i MOD 7
Proposed Modification	Demolition and construction of various components within the existing container terminal site adjacent to Brotherson Dock, Port Botany. This includes the demolition of infrastructure and buildings, pavement works, construction of a control building, administration building, AQIS, Optical Character Recognition Building and workshop and maintenance buildings, construction of related infrastructure such as light towers and radar poles, pits and conduits, boundary fencing, waiting shelters, weighbridges and landscaping. The existing manually operated straddle carriers are also proposed to be replaced with automatic straddle carriers.
Location	Lots 1-6, 8-14 and 16-19 DP 452236, Lots 1 and 2 DP 1009870, Lots 1, 2, 3 and 4 DP 1126332, Brotherson Dock, Port Botany
Applicant	Patrick Stevedores Operations No. 2
Date of Issue	19 December 2012
General Requirements	<p>The Environmental Assessment (EA) must include the matters listed below:</p> <ol style="list-style-type: none">1. An executive summary.2. A detailed description of the original development, as approved, and the proposed changes to that approval, including figures that illustrate the footprint of the approved development and the proposed changes to the approved development. The EA should include:<ul style="list-style-type: none">• key components of the proposal including proposed demolition and construction activities;• the modified site layout;• infrastructure/service requirements; and• staging and timing of construction and operational activities.3. Identification of the conditions that are required to be modified by the application.4. Justification for the proposed modification, including the strategic need and objectives for the modification. Justification for the proposed modification should take into consideration consistency with the aims and objectives of relevant State policies and plans (<i>e.g. NSW 2021, the State Infrastructure Strategy 2012-2032, and draft NSW Freight and Port Strategy</i>) and project objectives.5. An assessment of the key issues, with the following aspects addressed for each key issue (where relevant):<ul style="list-style-type: none">• description of the existing environment;• assessment of the potential impacts of the modification for both construction and operation stages, in accordance with relevant policies and guidelines. Direct, indirect and cumulative impacts must be considered (including regard to other existing and proposed developments and activities on the site and in the locality);• identification of how relevant planning, land use and development matters (including relevant strategic and statutory matters) have been considered in the impact assessment and/or in developing management/mitigation measures;• documentation on whether any additional activities will require licensing and how licensing will be applied under relevant legislation;• description of the measures to be implemented to avoid, minimise, manage, mitigate, offset and/or monitor new impacts, or increased levels of impact from the modification; and• any residual impacts.6. Certification by the author of the EA that the information contained in the document is neither false nor misleading.
Key Issues	<p>The EA must address the following specific matters:</p> <ul style="list-style-type: none">• General Construction Impacts – an assessment of the potential impacts associated with the construction of the modification application where the nature and potential

	<p>impact of construction activities associated with the modification application differ to those assessed for the approved development.</p> <ul style="list-style-type: none"> • Noise Impacts – an assessment of the construction and operational noise impacts of the development on adjoining land uses and sensitive receivers. The EA shall detail how the site will continue to meet its existing operational noise limits during the construction and operational phases. The EA shall consider the <i>Interim Construction Noise Guidelines</i> (DECC, 2009) and the <i>NSW Industrial Noise Policy</i> (EPA, 2000). • Traffic and Transport Impacts – an assessment of the potential for traffic disruption, increase in traffic movements and interaction with existing port operations during construction, including impacts to the overall road transport logistics for Port Botany and the interaction with the construction phase of the adjoining development of Terminal 3. The EA shall consider the <i>Guide to Traffic Generating Development</i> (RTA, 2002). In particular, the following must be considered: <ul style="list-style-type: none"> → vehicular access/egress and routes; → daily peak traffic movements generated and changes to type/level of traffic; and → cumulative impacts on the surrounding road network. • Soil and Water – an assessment of the potential soil, groundwater and surface water impacts, including impacts on Botany Bay and Penrhyn Estuary. The following must be considered: <ul style="list-style-type: none"> → water supply including options for reuse of process water; → proposed erosion and sedimentation controls (during construction) and the proposed stormwater management system (for operation); and → an assessment of contaminated groundwater and soils and proposed mitigation and management measures, consistent with <i>State Environmental Planning Policy No. 55 – Remediation of Land</i>. • Design and Visual Amenity Impacts – a visual impact assessment of the proposed development on surrounding sensitive visual receivers. The assessment should consider: <ul style="list-style-type: none"> → viewsheds and identify potentially affected receivers; → design elements of each component with a focus on highly visible elements; → potential lighting impacts on affected receivers; → landscaping and sustainability elements and measures; and → flight path and obstacle surface limits. • Hazards and Risks – an assessment of the changes to the existing hazards and risk scenario due to the relocation and construction of new facilities and the temporary storage/use of additional hazardous materials. The assessment should demonstrate that the proposed changes do not increase the overall risk of the facility. • Air Quality Impacts – a dust emissions impact assessment for the construction phase.
<p>Environmental Risk Analysis</p>	<p>Notwithstanding the above requirements, the EA must include an environmental risk analysis to identify potential environmental impacts associated with the development (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of this additional key environmental impact must be included in the EA.</p>
<p>Consultation Requirements</p>	<p>An appropriate and justified level of consultation must be undertaken with the following parties during the preparation of the EA:</p> <ul style="list-style-type: none"> • Environment Protection Authority; • Office of Environment and Heritage; • Council of the City of Botany Bay; • Randwick City Council; • Sydney Ports Corporation; • Department of Primary Industries (Fisheries and Office of Water); • Roads and Maritime Services; • NSW Fire and Rescue; • Sydney Airport Corporation; • Civil Aviation Safety Authority and • the local community. <p>The EA must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, an explanation should be provided.</p>