

20 June 2014

Ms Carolyn McNally
Acting Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms McNally

**Qenos Hydrocarbon Terminal Demolition Project
Randwick City Council Local Government Area**

I refer to the Executive Director's letter dated 6 June 2014 referring the above application to the Planning Assessment Commission for determination under Ministerial delegation.

Ms Gabrielle Kibble AO and I constituted the Commission for the Project. I chaired the Commission.

The Department's assessment indicates that the proposed demolition can be conducted in an acceptable environmental manner subject to the recommended conditions, including the implementation of suitable measures to manage potentially impacts from remediation and contamination. While the Department's assessment indicates that it is satisfied that it is unlikely that the site is contaminated, suitable measures have been incorporated into the recommended terms of approval to address potentially contaminated soil and groundwater which may be encountered during the demolition process.

The Commission has carefully considered the Department's Assessment Report and recommended conditions, as well as the submissions on the application. The Commission notes that only 5 submissions were made, all from government authorities. None of these authorities objected to the application. Both Randwick City Council and the EPA recommended conditions of approval and these have generally been incorporated into the Department's recommended terms of approval.

The Commission notes the potential impacts arising from the generation of potentially contaminated soil and groundwater. While the proposed development may result in disturbance of potentially contaminated soil and groundwater which would need to be carefully managed to ensure that contaminants are not released on the local environment, suitable conditions have been incorporated into the recommended terms of approval to address this. It is noted that soil disturbance would be minimal and limited to filling of the stormwater holding ponds, construction of the fire access road and excavation and removal of underground services, such as pipework and cabling.

Similarly, the risk of impacting groundwater during demolition is limited to the excavation of footings, foundations structures, and services cabling. The Department's assessment

indicates that impacts to groundwater are considered unlikely during demolition due to the shallow (1 m to 1.5 m) depth of the required excavations, and the fact that the recorded depth of local groundwater is around 4 m below the ground surface. Despite the low risk of encountering contaminated groundwater, the applicant has committed to preparing a Groundwater Management Plan include suitable control measures for the collection treatment (if necessary) and disposal of contaminated groundwater that may be encountered during demolition as part of the Construction Environment Management Plan for the demolition.

The Commission is satisfied that the Department's recommended conditions have adequately addressed the issue of potential contamination, together with all relevant matters for consideration required under Part 4 and Section 79C of the EP&A Act. The Commission has formed the view that the recommendation to grant conditional approval is reasonable.

The file and signed development consent are returned.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Forward', with a stylized flourish at the end.

Paul Forward
Planning Assessment Commission

cc. The Hon. Pru Goward MP
Minister for Planning and Minister for Women
Level 34 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000