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28 February 2022

Department of Planning, Industry & Environment

4 Parramatta Square,
12 Darcy Street, Parramatta,
NSW 2150, Australia

Attention: Chris Ritchie – Director Industry Assessments

Dear Mr Ritchie,

Reference: Terminals Bulk Liquids Storage Expansion-4 (DA246/96-Mod-4) Response to Submissions - Bayside City Council ref: SF21/6010

With reference to the Department of Planning, Industry & Environment (DPIE) request for response to submissions and submission made by Bayside City Council ref: SF21/6010 dated 13 December 2021.

Quantem have prepared a table of responses addressing the items raised by Bayside City Council below.

BCC Query	Quantem Response
There is a NSW Environment Protection Authority (EPA) Environmental Protection Licence (EPL) for operations on site (EPL 1048), issued under the Protection of the Environment Operations Act 1997 (POEO Act). The proponent notes that an application to amend the EPL to permit the pollution of water is pending approval. Council is concerned about the decision to submit a modification application prior to receiving approval from the EPA to modify the existing EPL, and requests that the proponent provide a separate report outlining potential impacts to surface water and groundwater to justify such an application	Quantem have been engaging with the EPA directly regarding the update to the EPL as well as via DPIE for the Modification and have provided EPA with the studies requested. Surface water and groundwater remain unaffected by the proposed new thermal oxidiser and not requested change any water limits already imposed under existing licence. However, the amendment to EPL 1048 will be required for the additional discharge point as required by the EPL process. The additional discharge point (air) is pertaining to the vapour stream.
Furthermore, given Council's concerns regarding the impacts of Climate Change and the emphasis on the phasing out of fossil fuels, the proponent must provide an additional report with consideration of the following: <ul style="list-style-type: none"> • A comparative assessment of the effect of phasing out of fossil-fuels on reducing human health and environmental risk through the current waste management system and what is identified in the HAZOP for the proposed new system. • An assessment of the effect of the phase out of fossil-fuels on the reduction of the Volatile Organic Compounds (VOC) and aqueous/flammable liquid waste through the current waste management system with the current single thermal oxidiser, with an estimate of the time until the need for such a waste management 	Climate change and the phasing out of fossil fuels are beyond the scope of this application. It is noted that the Quantem Facility stores a wide range of products for its customers which are not all derived from fossil fuels. Quantem do not own the product that is stored in the Port Botany facilities, however Quantem are obligated to store and handle these products in compliance with Regulatory requirements. Quantem strive to comply with all state regulations. Quantem have engaged with the EPA and DPIE ensuring the environmental impacts of the proposal are adequately managed and mitigated in design and future operations. With regards to the phase out of fossil fuels, the EPA is the appropriate regulator on these

system becomes redundant. This information must be informed by more comprehensive modelling.	matters. The Hazard and Operability Study (HAZOP) has been undertaken is part of the DA 246/96 Mod 4 submission.
Otherwise, Council reiterates the following concerns raised by the EPA previously: <ul style="list-style-type: none"> • While Appendix K Response to EPA RFI provides a response to EPA concerns highlighted in the previous modification application, the proponent must provide further assurance that the aqueous/flammable liquid waste component can be properly combusted through the thermal oxidiser process. • More comprehensive Greenhouse Gas Emissions calculations must be provided. • While the proponent has provided a Waste Hierarchy in accordance with the Waste Avoidance and Resource Recovery Act 2001, a more comprehensive assessment is required for assurance that the aqueous/flammable liquid waste stream to the thermal oxidiser can be further reduced. 	These items will be responded to within response to EPA to prevent duplication.
Risk and Traffic	
The former City of Botany Bay Council implemented the Denison Street Land Use Safety Study Review of Planning Controls to examine potential risk along Denison Street, Hillsdale, due to the transportation of dangerous goods and its proximity to the Botany Industrial Park (BIP). The proponent must confirm if the application will involve the transportation of dangerous goods along Denison Street during the construction and operation phase and provide this information if it has been omitted. This will better enable Council to undertake future strategic planning near Denison Street, based on the cumulative risk in the area. A copy of the study is available on council's website at https://www.bayside.nsw.gov.au/services/development-construction/planning-ourcity/plans-and-strategies/denison-street-risk-study .	No dangerous goods related to the project will be transported along Denison Street during construction. This project will result in a decrease in transportation of dangerous goods along Denison Street during operations stage. It is a positive for Denison Street and the wider area.
The proposal notes a reduction in vehicle movements due to waste being incinerated on site as a result of the proposal. It is unclear if there has been any analysis to determine the net decrease in emissions from vehicle movements involving waste removal currently, versus the emissions that would be generated on site via incineration of waste, as a "trade-off"	This is addressed within the Waste Management Impact Assessment. Please refer to section 3.7 and 3.7.2 in particular.
Noise	
The application must include a separate Noise and Vibration assessment that considers potential impacts resulting from the operation of the existing and proposed combustor, comparatively.	Noise impact has been considered in Section 7.2.8 of the SEE and is well below license limits, complies with the consent conditions and is in line with the existing combustor. The existing combustor is quiet in operation and was not brought up as an issue with site visit from DPIE and EPA.
Consultation	
Consultation should occur with the Department of Planning, Industry and Environment (DPIE) to verify compliance with the State Environmental Planning Policy (Three Ports) 2013. • Council is concerned about the lack of consultation that has occurred in relation to this project, considering the potential impacts to the local	The Modification 4 has followed due process, allowing relevant authorities and agencies to provide comments leading up to and during the exhibition phase. This process has involved EPA who have been in discussions with Quantem s for an extended period including prior to the

community. Council requests ongoing consultation on this project and other projects in Port Botany and surrounds, to ensure adequate input is provided. • Botany industrial Park and the Three Ports SEPP area are covered by only Randwick and Bayside LGAs. Council does not consider it an onerous consultation exercise to notify both Councils for any SSDs or modifications proposed within this area, regardless of which Council has jurisdiction for the proposal – particularly when considering the nature of the proposals and potential impacts on our communities	lodgement of the now withdrawn Modification 3 since early 2020. Extensive consultation has occurred with DPIE and a public exhibition process was adopted to ensure opportunity for community engagement. In addition to these the project has been tabled at the Port Botany Community Consultative Committee (CCC). This application is made under section 4.55(2) of the Environmental, Planning and Assessment (EP&A) Act and not the Three Ports SEPP and this policy matter is for future consideration by the DPIE.
Other Concerns	
The proponent should provide a clearer outline of Modification 3 and the amendments in the current application. This is because Modification 3 was previously withdrawn. Therefore, the currency of comments, including from state agencies such as the EPA, relating to Modification 3 may not remain current, or be adequate, for Modification 4.	The scope proposed under Modification 3 remains consistent with Modification 4 with the exception that the Vapour Combustor appliance is now specified and designed to be the highest requirement category of Group 6 treatment plant as defined by the Protection Of The Environment Operations (Clean Air) Regulation 2021 which prescribes more onerous residence time and operating temperature. Modification 3 was submitted under the EP&A Act 4.55 (1a) pathway and was withdrawn in consultation with the DPIE and EPA and resubmitted with a new Statement of Environmental Effects (SEE) Section 4.55 (2) pathway of the EP&A Act. We believe the thoroughness of all agency's comments are related to the new Mod 4 submission and have been sufficiently addressed.
Statutory Process	
Due to the broader impacts of the proposal, Council believes this application should be submitted as a standalone Environmental Assessment. It is imperative that the local community is consulted on these impacts and offered the ability to provide submissions on the proposal. The current assessment process that Modification 4 is being considered against does not allow for that process to occur. This is of concern, when considering the Botany Cogeneration Plant (Paper Mill) has been of significant concern to the community of both the Randwick and Bayside LGAs since it was lodged in 2019	The proposed development Modification 4 is consistent with the existing approved use and operation of the Terminal. The correct statutory process has been followed and validated with the DPIE. The local community has been consulted with under as Modification 4 was submitted under Section 4.55 (2) pathway of the EP&A Act on insistence by the DPIE and EPA. The local community has been consulted under the public exhibition process undertaken in 2021 and with the Port Botany CCC.

Yours Sincerely



Andrew Skeet

Quantem Major Projects Manager