



NSW GOVERNMENT
Department of Planning

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Our ref: S07/00205

Mr Neil Trillo
Vopak Terminals Sydney Pty Ltd
PO Box 191
MATRAVILLE NSW 2036

Dear Mr Trillo

**Proposed Bulk Liquids Berth No. 2, Port Botany, Randwick Local Government Area
(Application: 07_0061)**

I refer to your request for Director-General's requirements for the above project. The Director-General's Environmental Assessment Requirements are attached, pursuant to section 75F(2) of the *Environmental Planning and Assessment Act 1979* (the Act). It should be noted that the Director-General's requirements have been prepared based on the information provided to date.

Please note that under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

If your proposal contains any actions that are likely to significantly impact matters of National Environmental Significance, it will require an additional approval under the *Commonwealth Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Commonwealth Department of Environment and Water Resources to determine if the proposal is likely to significantly impact on matters of National Environmental Significance, and would require an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process for assessing any impacts on matters of National Environmental Significance. As a result, if it is determined that an approval is required under the EPBC Act, please contact me immediately as supplementary Director General's requirements will need to be issued.

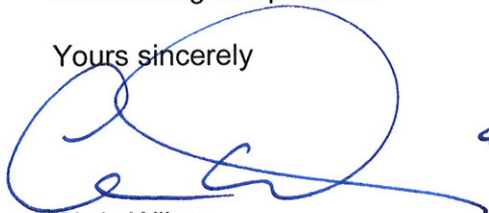
You should ensure that you consult with the Department prior to submission of a draft Environmental Assessment to determine:

- fees applicable to the application;
- whether the proposal requires an approval under the EPBC Act and any assessment obligations under that Act;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessments that will be required.

Once you have lodged the Environmental Assessment, the Department will consult with the relevant authorities to determine the adequacy of the Environmental Assessment. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

You should keep the contact officer for this project, Patricia Cabezas ((02) 9228 6447 or patricia.cabezas@planning.nsw.gov.au), up to date with the progress of preparation of the Environmental Assessment, and seek clarification of any issues that may be unclear or may arise during this process.

Yours sincerely



4.7.07

Chris Wilson
Executive Director
As delegate for the Director-General

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application	07_0061
Project	Construction and operation of a second bulk liquids berth facility; associated infrastructure including: pipelines, marine loading arms, fire protection systems, hose handling gantries, berthing, mooring equipment; and augmentation of existing facilities at Port Botany.
Site	Fishburn Road, Port Botany
Proponent	Vopak Terminals Sydney Pty Ltd
Date of Issue	4 July 2007
Date of Expiration	4 July 2009
General Requirements	<p>The Environmental Assessment must be prepared to a high technical and scientific standard and must include:</p> <ul style="list-style-type: none"> • an executive summary; • a description of the project, including: <ul style="list-style-type: none"> • existing site characteristics and environmental features, • design elements, • construction and operation, and • staging; • a strategic justification for the project, with specific reference to State policies, the scale of the project, any staging of works, predicted industry growth and demand, and identify how the project is consistent with this strategic assessment; • identification of relevant planning, land use and development matters (including relevant strategic and statutory matters) that have been considered in the environmental impact assessment and/or in developing management / mitigation measures; • an assessment of the environmental impacts of the project (construction and operation) in accordance with relevant policies and guidelines, with particular focus on the key assessment requirements specified below; • a project justification with consideration of project objectives, project alternatives, benefits and impacts of the project, the suitability of the site, cumulative and synergistic impacts, Ecologically Sustainable Development principles, and whether the project is in the public interest; • a draft Statement of Commitments detailing measures for environmental mitigation, management and monitoring for the project (including references to recognised standards); and • certification by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.
Key Assessment Requirements	<ul style="list-style-type: none"> • Hazards and Risk Management <ul style="list-style-type: none"> • A Preliminary Hazard Analysis (PHA), prepared in accordance with the Department's publications <i>Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis</i> (DUAP, 1997) and <i>Multi-Level Risk Assessment</i> (DUAP, 1997). The PHA must also demonstrate that the project will not conflict with the recommendations contained in the <i>Port Botany Land Use Safety Study</i> (1996). • Include details of spill management procedures, an outline of loading and unloading procedures and bunding provisions. • Outline contingency plans for any potential incidents and equipment failures during the operation of the project, as well as details of a proposed monitoring and maintenance regime to be implemented for the project to ensure performance within acceptable risk limits. • Air Quality <ul style="list-style-type: none"> • A comprehensive air quality impact assessment prepared in accordance with <i>Approved Methods for Modelling and Assessment of Air Pollutants in NSW</i> (DEC

	<p>2005). Consideration shall be given to all potential operating scenarios from normal operation conditions to worst case. The assessment must also include details relating to vapour recovery during the handling of fuels.</p> <ul style="list-style-type: none"> • Noise Impacts <ul style="list-style-type: none"> • A noise impact assessment for the project, conducted in accordance with <i>NSW Industrial Noise Policy</i> (EPA, 2000). The assessment must include consideration of noise impacts of the development, with a particular focus on scenarios under which meteorological conditions characteristic of the locality may exacerbate impacts at sensitive receivers. The probability of such occurrences must be quantified. • An assessment of the construction noise impacts of the project, against the criteria provided in Chapter 171 of the <i>Environmental Noise Control Manual</i> (EPA, 2004). • Description of the noise mitigation, monitoring and management measures to be applied to the project; including an assessment of the feasibility, effectiveness and reliability of proposed measures and any residual impacts after these measures have been implemented. • Water Quality and Hydrodynamic Impacts <ul style="list-style-type: none"> • An assessment of the water quality impacts with particular reference to potential for spillage and impacts on surface, groundwater and stormwater management. • The Environmental Assessment must reflect a design goal of no discharge of water to Botany Bay, other than natural surface run-off, during operation of the project. • An assessment of the implications of the project on the hydrodynamics of the Bay. • Description of the water quality and hydrodynamic mitigation, monitoring and management measures the Proponent intends to apply to the project. • Environmental Risk Analysis – notwithstanding the above key assessment requirements, the EA must include an environmental risk analysis to identify potential environmental impacts associated with the project (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>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"> • NSW Department of Environment and Climate Change; • Randwick City Council; • Council of the City of Botany Bay; • NSW Maritime Authority; • NSW Fire Brigades; • Sydney Ports Corporation • Sydney Airport Corporation; and • the local community. <p>The Environmental Assessment must clearly indicate issues raised by stakeholders during consultation, and how those matters have been addressed in the Environmental Assessment.</p>
<p>Deemed refusal period</p>	<p>Under clause 8E(2) of the <i>Environmental Planning and Assessment Regulation 2000</i>, the applicable deemed refusal period is 60 days from the end of the proponent's environmental assessment period for the project.</p>