



Our Ref: 3556/SB/140616

14 June 2016

Fiona Gibson
Acting Team Leader – Regional Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Fiona

**Re: Section 75W Minor Modification to Project Approval 07_0066 – Bulk Liquids Facility,
Greenleaf Road, Kooragang Island**

We refer to your email of 5 January 2016 seeking to clarify the nature of the modifications being sought by the proponent and a response to the issues raised by Newcastle City Council in its submission dated 22 December 2015.

1.0 Approval History and Current Modification Proposal

1.1 Summary of Approval History

In order to understand the current modification proposal, it is considered necessary to review the approvals (planning and building) history associated with the facility.

1.1.1 Original Major Project Approval – 07_0066

The original approval was granted by the then NSW Minister of Planning on 2 June 2008. It constituted the approval for construction of the facility generally consisting of three phases of construction and operation including:

Phase 1: Involves refurbishing the two existing storage tanks (T-1 and T-2), constructing the pipeline and operating fuel receipt and distribution facilities at the berths, constructing a road tanker loading/receipt bays and constructing amenities and service buildings and the purchase of a barge to distribute products around the port. Under this phase the fuel storage capacity was estimated to be approximately 51 ML.

Phase 2: Involves constructing three additional fuel storage tanks (T-3 to T-5), associated with the increased storage capacity. Under this phase, the storage capacity was proposed to be increased by approximately 21 ML, taking the total storage capacity to approximately 72 ML.

Phase 3: Involves constructing a biodiesel production facility with a production capacity of approximately 52 ML per year. Under this phase, the construction of a 5 ML and 0.5 ML tanks (T-6 and T-7 respectively) increases the total storage capacity to approximately 77 ML.

The majority of the Phase 1 approved works have been completed by Park, except for the construction of the amenities and service buildings shown on the approved site layout plan – refer to **Figure 1-1**.

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75 York Street
Teralba NSW 2284

Ph. 02 4950 5322

Perth

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Subiaco East WA 6008
33 Ventnor Avenue
West Perth WA 6005

Ph. 08 6260 0700

Canberra

PO Box 6135
56 Bluebell Street
O'Connor ACT 2602

Ph. 02 6262 9484

Sydney

Level 3
50 York Street
Sydney, NSW, 2000

Ph. 1300 793 267

Brisbane

GPO Box 459,
Brisbane, QLD, 4001

Ph. 1300 793 267

www.umwelt.com.au

1.1.2 Construction Certificate 206/13

On 24th September 2013, Construction Certificate 206/13 was issued by Ron Moore of Building Certification Associates Pty Ltd, acting as Principal Certifying Authority (PCA) under the *Environmental Planning and Assessment Act 1979*. This approval allowed for the refurbishment of 2 existing tanks, piping, 1 new tank and associated buildings in general accordance with the original Major Project Approval 07_0066. A copy of this Construction Certificate is attached as **Appendix 1**.

1.1.3 Modified Construction Certificate 206/13/A

On 12 November 2013, Modified Construction Certificate 206/13/A was issued by Ron Moore of Building Certification Associates Pty Ltd, acting as PCA under the *Environmental Planning and Assessment Act 1979*. This approval allowed for a modification to the approved site layout as follows:

- The truck gantry layout was altered to provide for improved traffic management and circulation, including the provision of improved loading bays (x2), adjustments to the loading bay awning to cover the two loading bays, a new truck passing lane, and complying vehicle crossovers.
- The previously approved bund wall adjacent to the Greenleaf Road frontage was shifted slightly eastwards as a result of adding the new truck passing lane. Consequently, to accommodate the reduced bunded area footprint and achieve sufficient bund storage capacity, the height of the bund wall was increased from 2.1 metres to 2.4 metres.
- Tank T7, initially proposed for the storage of methanol for use in the approved biodiesel production process and intended to be constructed within Phase 3 of the original Major Project Approval, was modified to store biodiesel sourced from other manufacturing plants and was repositioned on the site to be located within the main bund enclosure.
- The proposed bund liner was altered to incorporate a Geosynthetic Clay Liner, which is now seen as industry best practice, rather than a polypropylene liner approved as part of the original Major Project Approval.
- Tank T8 (Slops tanks) was relocated within the bunded area and closer to the pipe receipt system to allow for more efficient management of slops within the terminal and for an improved environmental outcome for the facility. Whilst not specifically shown in the original Environmental Assessment and DA approval, Tank T8 was originally approved as part of the oily water separator infrastructure outside of the bund wall and between the eastern property boundary adjacent to the Hunter River.
- The pipeline route onto K2 Wharf was moved from the original approved location south of the amenity building to the northern side of the building at the request of Newcastle Port Corporation (NPC) to ensure that the pipeline was located wholly within the NPC property area and does not traverse a leased area.
- The ramp into the bunded area was relocated to the north-eastern corner due to the relocation of Tank T7, as outlined above, in order to improve the operational safety of the facility.
- The pipe and pig receipt point was relocated in relation to the terminal's piping layout to improve the operation of the facility.
- The proposed office and amenity building was altered in its design and size. However, this building is no longer required as it is the proponent's intention to lease the adjacent site to the north from the NPC, which contains a suitable existing building no longer in use (i.e. the use of this building on the adjoining site forms part of the current modification application).
- The location of the car parking was altered slightly and a disabled space was added. However, as outlined in the point above, the parking location is intended to move to the adjacent site when this has been leased by the proponent and approved by the relevant authority.

- The electrical building located in the north-western corner of the site, adjacent to the northern vehicle entrance off Greenleaf Road, was moved from its original location at the eastern side of the site. The size of this building is approximately the same as that shown on the original Major Project Approval.

A copy of this Modified Construction Certificate is contained in **Appendix 2**. The plans approved by way of the Modified Construction Certificate are contained in **Appendix 3**.

1.1.4 Modification to Major Project Approval – 07_0066 MOD 1

On 10th December 2014, Chris Ritchie, Manager Industry Assessments at the Department of Planning (DPE) and Environment acting as delegate of the Minister of Planning, approved a Modification to the original Major Project Approval under Section 75W of the *Environmental Planning and Assessment Act 1979*. The Modification approved allowed for the construction and installation of an additional offtake pipeline connecting to new Berth K2.5.

A copy of the modified approval is included as **Appendix 4**.

1.1.5 Modification to Major Project Approval – 07_066 MOD 2

On 10th December 2014, Chris Ritchie, Manager Industry Assessments at DPE acting as delegate of the Minister of Planning, approved a Modification to the original Major Project Approval under Section 75W of the *Environmental Planning and Assessment Act 1979*. The Modification approved allowed for the alteration of Tanks T1 and T2, and to change the use of Tank T7.

A copy of the modified approval is included as **Appendix 5**.

1.2 Current Modification Proposal

As outlined in our original submission to DPE dated 25 September 2015, the proposed minor modifications to Project Approval are detailed below, with the proposed overall site layout being as shown on **Figure 2.1**.

1.2.1 Inclusion of Additional Land

The additional land to be included in the proposed modification to the Major Project Approval includes Lots 1, 2 and 3 on DP557904 (see **Figure 2.2**). This land forms part of the Lease Area under *State Environmental Planning Policy (Three Ports) 2013* (the Three Ports SEPP). All port land is owned by the Port of Newcastle Lessor Pty Limited and is managed by the Port of Newcastle. Park has taken a lease over this land from the Port of Newcastle, which has provided its consent as land owner for the application to modify the Major Project Approval (see Part 6 of Application Form contained in **Appendix 6**).

1.2.2 Proposed Office, Amenity and Workshop Building

As outlined above, Park has taken a lease over adjoining land to the north in order to occupy the existing building located on Lot 3 for the purposes of the administrative, amenities and service functions as identified in Phase 1 of the Major Project Approval. This building was previously approved by Newcastle City Council on 11 April 1973 (see Certificate of Consent contained in **Appendix 7**). However, this building has been disused for a number of years and the consent has now lapsed.

The office and amenity and workshop buildings approved in the original development were not built. Instead, as outlined above, the proponent's intention was to refurbish the existing building on the adjacent site to make it fit for purpose and to comply with current Building Code of Australia (BCA) requirements through the Complying Development provisions prescribed by Clause 25 of the Three Ports SEPP. However, the proponent has undertaken the refurbishment and fit out works prior to a Complying Development Certificate being issued by a Principal Certifying Authority (PCA) and, as a result, the proponent is now required to obtain consent for the refurbishment works and occupation of the existing building. The refurbished office and workshop are integral to the operation of the fuel terminal. For example, the office building contains the operational equipment, PLC's and computers to control the running of the facility including pumps, truck loading bays and security monitoring.

The extent of the refurbishment and fit out works is shown by **Figures 2.3 and 2.4**. The extent of works includes:

- Internal office refurbishment to include reception area, staff offices, meeting rooms, staff lunch room and staff amenities.
- Refurbishment of the workshop and storage area at the rear of the building, including new external roller doors and emergency exits to comply with the BCA.
- All necessary fire safety equipment to comply with the BCA.
- Installation of new cladding to the external walls of the existing workshop.
- Use of existing staff and visitor parking spaces adjacent to the existing building.
- Continued use of existing on-site effluent disposal system, which was granted approval to operate by Newcastle City Council on 23 July 2015 (see **Appendix 8**).

The Capital Investment Value (CIV) of the works is approximately \$30,000.

Building Certification Associates Pty Ltd has undertaken an inspection of the completed works and has issued BCA Compliance Statement (see **Appendix 9**) confirming that the works that have been completed to comply with the relevant provision of the BCA and are fit for the proposed use. Whilst it is noted that the BCA Compliance Statement identifies that the modified building currently sits on the southern boundary and would normally require an FRL of 90/90/90, it is understood that DPE will impose an additional condition of approval on the requiring the consolidation of all lots associated with the fuel storage facility. Once consolidated, the southern wall of the modified administrative building will be greater than 3 metres from a side or rear boundary and will, therefore, comply in full with the relevant provisions of the BCA.

1.2.3 Approval for Additional Minor Tank

Approval for an additional minor tank (T13) of 30,000 litres on the original project site is also being sought as part of this modification to the Major Project Approval. This tank is located within the approved bunded area constructed as part of the current Project Approval and is to be used for the storage of diesel fuel additive, which is a chlorine free detergent type additive to clean diesel engines and improve their performance. The location of this new tank is shown in the proposed overall site layout being on **Figure 2.1**.

2.0 Issues Raised by Newcastle City Council

Newcastle City Council made a written submission to DPE on 22nd December 2015 raising a number of issues with the proposed modification application. We have addressed each of the issues raised below.

2.1 Approved Project and Development Consent

2.1.1 Proposed Modifications

Newcastle City Council has requested that the proponent provide the details of all modifications currently being proposed, as well as details concerning several modifications that have already been undertaken across the site by the proponent.

Response

These modifications (both completed and currently proposed) are outlined in detail in **Section 1** above, along with further clarification, where considered necessary, to overcome any confusion by Council.

2.1.2 Development Consent

Council has specifically requested that information pertaining to the permissibility of the proposed modifications with respect to the relevant provisions of the *Environmental Planning and Assessment Act 1979* and State Environment Planning Policy (Three Ports).

Response

State Environmental Planning Policy (Three Ports) 2013 (the Three Ports SEPP) was gazetted on 4 July 2014 and applies to the subject site that forms part of the original Major Project Approval area as well as the additional land being included in the current modification application. It identifies the zoning of the subject site as being within the SP1 Special Activities Zone.

The Three Ports SEPP provides a set of planning provisions relating the permissibility and planning approval pathway relating to development within the Port of Newcastle. Specifically, Clause 8 of the Three Ports SEPP nominates the consent authority as follows:

- the Minister, for development on land within the Lease Area or on land that is unzoned; or
- the Council, for development on any other land to which this Policy relates.

As the subject site is located within the Port of Newcastle Lease Area, the consent authority for the proposed works is the Minister for Planning in NSW.

Further, the Land Use Table in the Three Ports SEPP details the objectives and permitted development for the SP1 Special Activities Zone. Item 3 of the SP1 Zone lists the development permitted with consent, which includes “port facilities”. Clause 4 of the Three Ports SEPP defines “port facilities” as follows:

port facilities means facilities on land in the Lease Area used in connection with the carrying of freight and persons by water from one port to another for business or commercial purposes, and includes any of the following:

(a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,

(b) facilities for the loading or unloading of freight onto or from vessels and associated receipt, land transport and storage facilities,

(c) wharves for commercial fishing operations,

(d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,

(e) sea walls or training walls,

(f) administration buildings and port operations buildings and facilities,

(g) communication, security and safety facilities,

(h) utilities and services, road and rail infrastructures, pipelines and car parks.

Based on the definition outlined above, the use of the building located on Lot 3 is considered to fall within the definition of “port facilities” under the Three Ports SEPP and is therefore permissible with development consent in the SP1 Special Activities Zone.

2.2 Newcastle Development Control Plan 2012

Council has requested that the proponent be required to submit a table and amended plans which demonstrates compliance with all relevant requirements of the Newcastle Development Control Plan 2101 (Newcastle DCP), including parking and landscaping.

Response

As noted in the Environmental Assessment Report (Section 3.4 on page 3.5) prepared by Umwelt and submitted with the Major Project Approval application, the provisions of the Newcastle Development Control Plan (DCP) do not apply to Major Projects approved under Part 3A by virtue of the provisions of Section 75R(1) of the *Environmental Planning and Assessment Act 1979*.

Notwithstanding, the Environmental Assessment Report and approved site layout plan (refer to **Figure 1.1**) included a minimum of 18 parking spaces on the site, which was deemed acceptable by the Minister. The current modification to incorporate the additional land to the north of the site, and to use the existing building located on Lot 3, will include a minimum of 23 on-site car parking spaces (as shown by **Figure 2.2**). This quantum of parking is considered sufficient in the context of the proposed modifications given that there is no intensification of the development activity to be conducted over the site.

2.3 Building Code of Australia

Council has requested that the proponent submit a more comprehensive consideration of the relevant clauses of the Building Code of Australia (BCA) in relation to the refurbishment works undertaken for the office, amenity and workshop building.

Response

A comprehensive BCA Compliance Statement is included at **Appendix 9**.

2.4 Section 94 Development Contributions Plan

Council has requested that DPE give consideration to imposing an additional contribution in accordance with the Newcastle Section 94A Development Contributions Plan 2009 if the CIV has increased as a result of the proposed modifications.

Response

On 8th December 2009, Council sent a letter to the proponent confirming that the Section 94A contribution applicable in accordance with Condition 7 of the Major Project Approval was to be based on the cost of the proposed works being \$2,111,600 (refer to copy of Council's letter located at **Appendix 10**). It is noted that the office and amenities building and the workshop building approved under the original Major Project Approval constituted a total of \$105,000 of the overall CIV for the project.

As noted above, the CIV for the refurbished office, amenities and workshop building located on Lot 3 is in the order of \$30,000. On this basis, the CIV for the modified project has been reduced by approximately \$75,000, thereby resulting in a reduction in the amount of contributions payable to Council by the amount of \$750, based on 1% of the revised development cost, therefore, no additional Section 94A payments are considered necessary in relation to the proposed modifications.

3.0 Conclusion

We trust that the information outlined above and attached to this letter adequately addresses all outstanding matters pertaining to the current Section 75W Modification proposal. Your earliest consideration of this matter would be greatly appreciated.

Should you require any further information, please do not hesitate to contact me on (02) 4950 5322 in the first instance.

Yours sincerely



Scot Brown
Principal Planner

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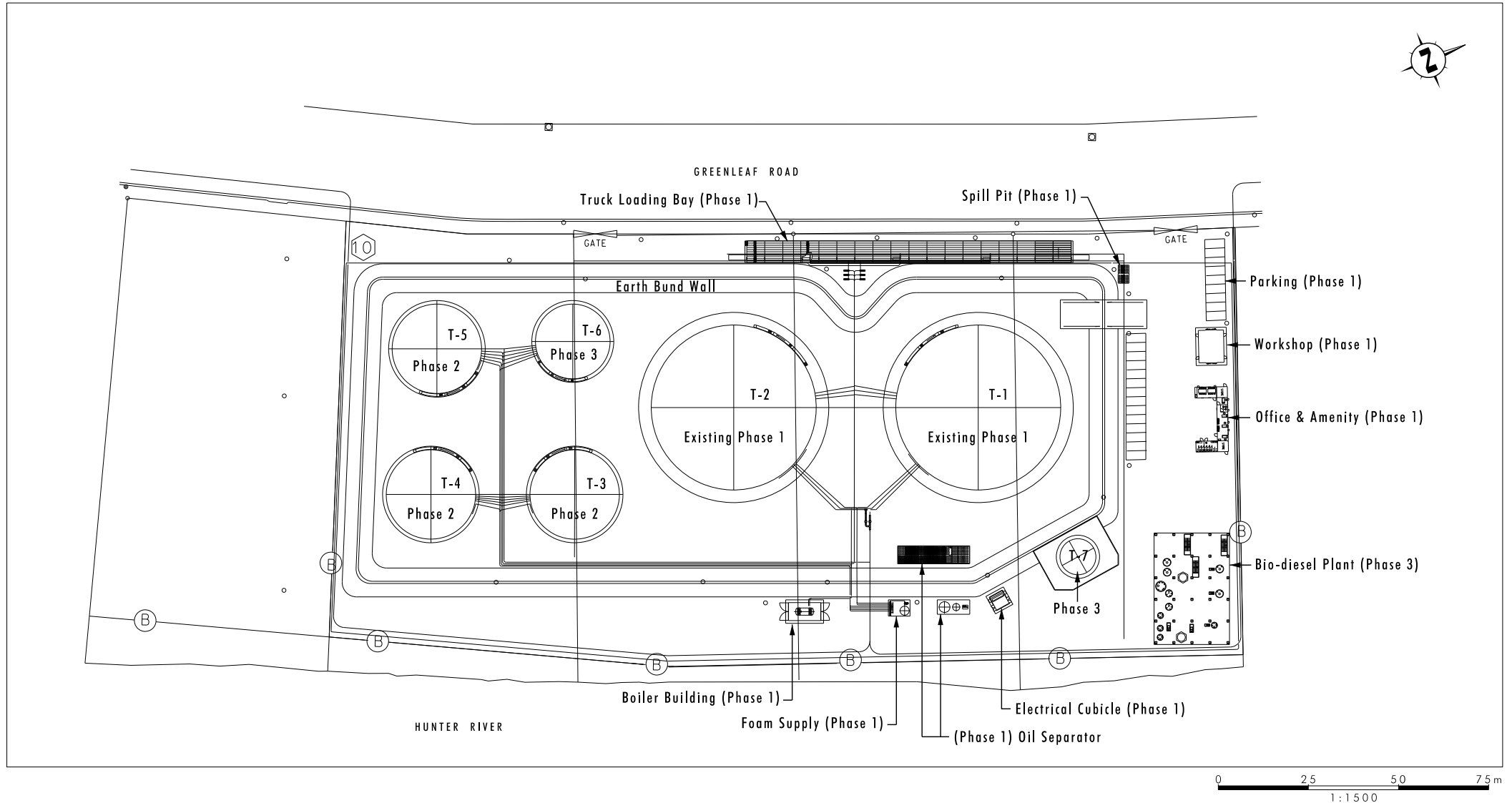


FIGURE 1.1

General Arrangement of Approved Distribution and Production Facility

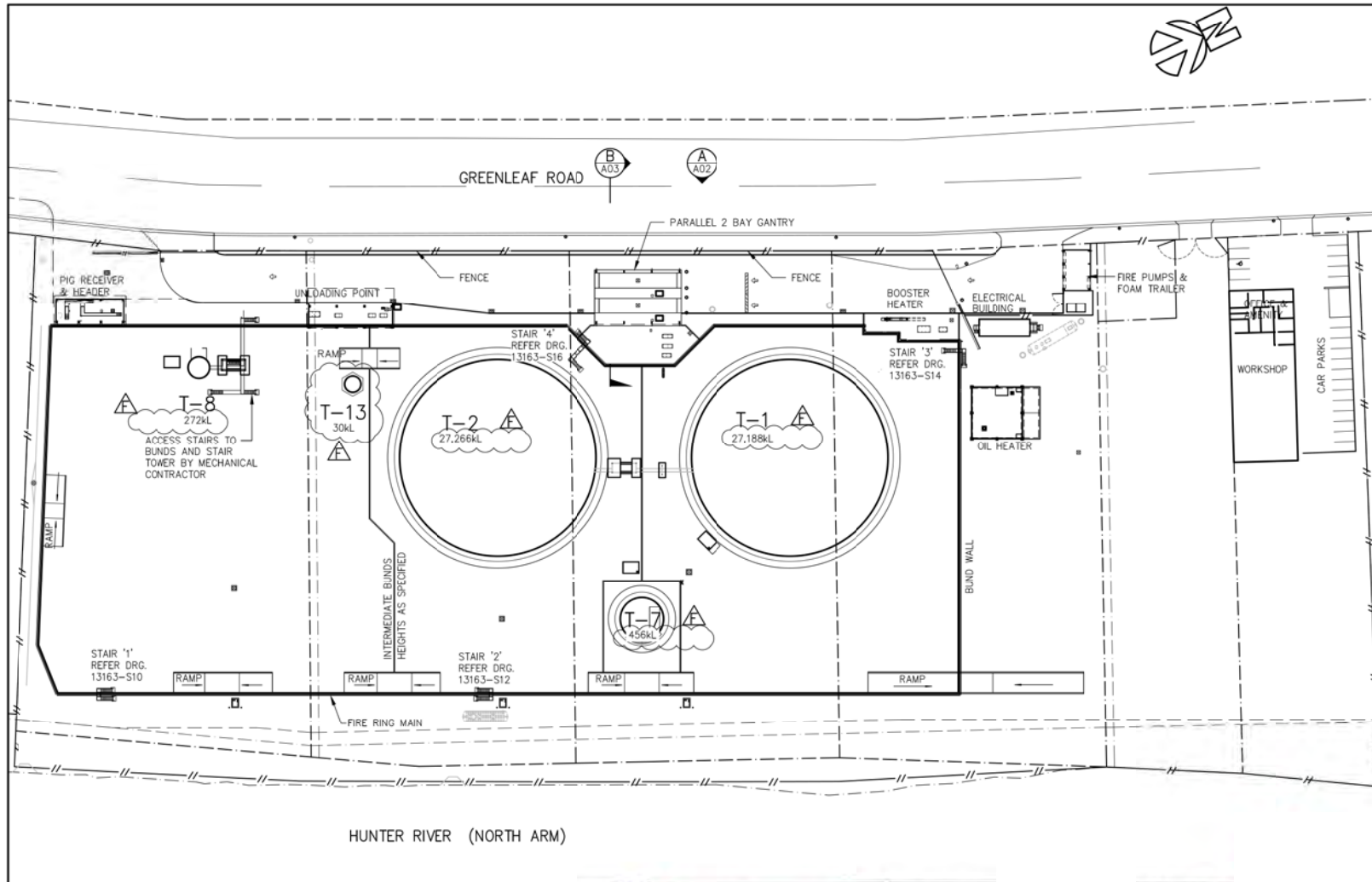


FIGURE 2.1

Proposed Site Layout

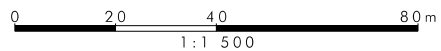


Image Source: Tam Faragher & Associates Pty Ltd (2013)

File Name (A4): V1/3356_009.dgn
20140214 9.05



Image Source: Google, DigitalGlobe (2015)
Data Source: Park Fuels (2015)

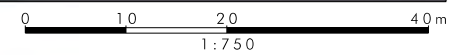


FIGURE 2.2
Office Building Site Plan

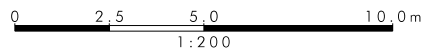
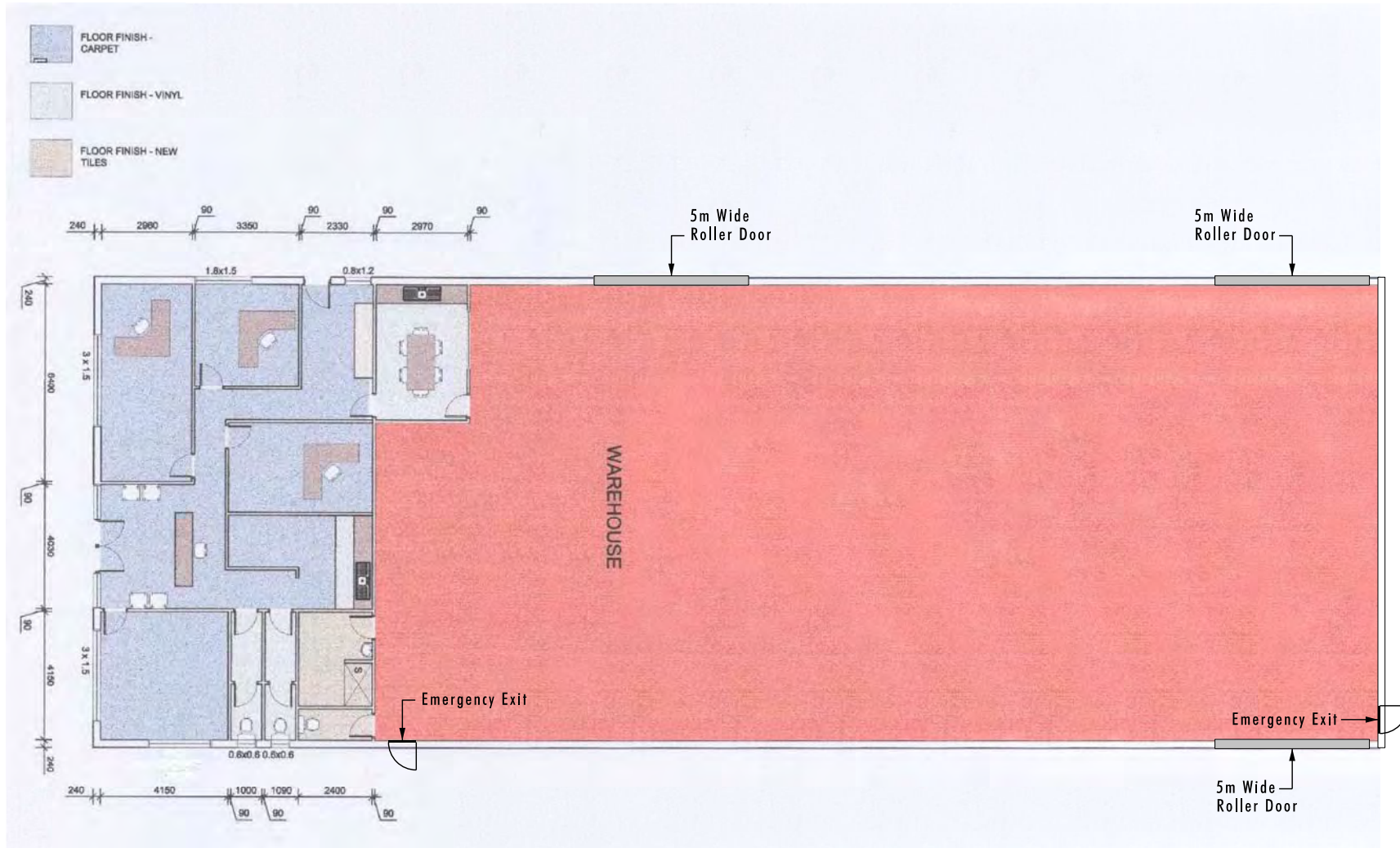


Image Source: W.A. Brown Building Pty Ltd

File Name (A4): V1/3356_011.dgn
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FIGURE 2.3
Full Building Plan

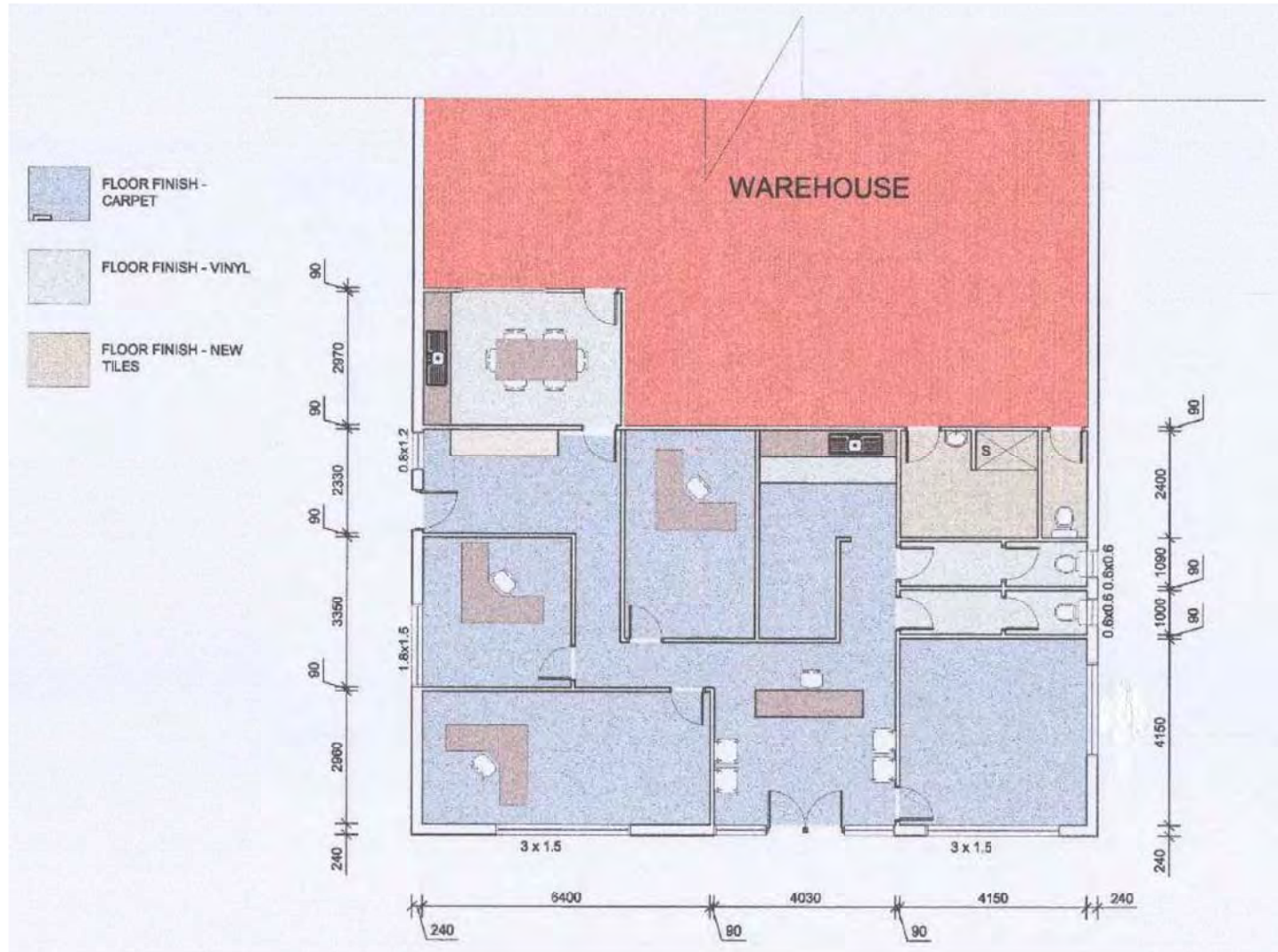
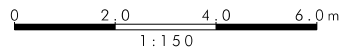


FIGURE 2.4

Renovated Office Floor Plan





Appendix 1

Construction Certificate 206-13

Certificate No

206/13

Date of Determination

24/09/2013

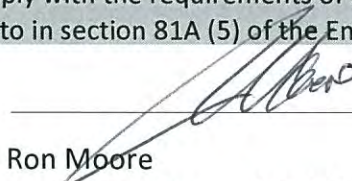
Applicant Park Pty Ltd
Subject Land Lot No: 10-13
DP No 234887
Greenleaf Road, Kooragang Island Newcastle

Building Classification	10b & 5
Description of Development	Refurbishment of 2 existing tanks, piping, 1 new tank and buildings
Council	Newcastle City Council
Development Consent No	DOP07-0066
Date of Consent	2/06/2008
Plans, Specifications and other Documentation	Schedule 1
Critical Stage Inspections	Schedule 2
Attachments	Fire Safety Schedule

Determination Approved

I Certify that the works if completed in accordance with the documentation accompanying the applicant for this certificate as identified above (with such modifications verified by the certifying authority as may be shown on that documentation) will comply with the requirements of the Environmental Planning and Assessment Regulation 2000 as referred to in section 81A (5) of the Environmental Planning and Assessment Act 1979.

Signed



Ron Moore
Accredited No: BPB0274
1 Murrie Street
Windang NSW 2528

Issued Under Environment Planning and Assessment Act 1979
Section 109C(1),(b), 81A(2) 81A(4)

Application Form Appointment of Principal Certifying Authority & Notice to Commence Building Work

Under Environmental Planning and Assessment Act 1979
Section 81A(2)(b), (ii) or (4)(b)(ii) or (c), 86(1) and(2) Sec.109H

Please tick the appropriate box:

- Construction Certificate
 Complying Development Certificate

Appointment of PCA

Date of Receipt 28/8/2013

1. Details of Applicant (Person with benefit of Development Consent)

Mr/Mrs/Ms: _____ First Name/s: _____
Surname/Company Name: PARK Pty Ltd
Flat/Street No and Name: Lot 1, Creeke Rd
Suburb: Albion Park Rail State: NSW Post Code: 2527
Telephone No: 425 66680 Mobile No: 0838 665887 Contact Name if a Company: Nick Fletcher
Signature of Applicant: [Signature] (Alt. Contact Warwick Reader M. 0834534250)
Email Address: nickf@parkfuels.com.au and C.C. wreader@exemail.com.au

2. Details of Owner/s

Mr/Mrs/Ms: _____ First Name/s: _____	Mr/Mrs/Ms: _____ First Name/s: _____
Surname/Company Name: <u>Park Pty Ltd</u>	Surname/Company Name: _____
Flat/Street No and Name: <u>Lot 1 Creeke Rd</u>	Flat/Street No and Name: _____
Suburb: <u>Albion Park Rail</u>	Suburb: _____
State: <u>NSW</u> Post Code: <u>2527</u>	State: _____ Post Code: _____
Daytime Telephone No: <u>425 66680</u>	Daytime Telephone No: _____

3. Details of Land to be Developed

Flat/Street No: Lts 10-13 Street Name: Greenleaf Rd Suburb: Kooragang Island
State: NSW Post Code: 2304 Council Area: Newcastle
Lot No: 10, 11, 12 & 13 Section No: - DP/MPS No: 234 887

4. Description of Work Proposed

Describe the work you propose to carry out: Refurbishment of 2 existing tanks, piping, new tank + buildings
Estimated cost of the work/development including GST \$ 21,930,000 (\$19,936,000 ex GST)
Intended commencement date of building work: 27 September 2013
For building work, what is the class of the building under the Building Code of Australia?
Has development consent been granted for the development? Yes
No Yes If yes, what is the development application no? DOP 07-0066
What date was the development consent granted? 2 June 2008
Construction Certificate/Complying Development Certificate No: 206/13
Date the Certificate was issued: _____

5. Residential Building Work

1. Are you going to build a house or other dwelling or alter or add to a dwelling?

Yes (Please complete part 2 below) No

2. Are you an owner-builder?

Yes What is your owner-builder permit no.?

No Will the work be carried out by someone who is licensed to do so?

Yes What is the name of the builder?

What is the contractor license no. of the builder?

What is the builder's address?

What is the contact number and email address of the builder?

No Have you attached to this notice evidence that the licensed person is insured to carry out this type of work or a declaration (signed by each owner of the land) that the reasonable market cost of the labour and materials to be used is less than \$5,000?

Yes

No

6. Details of Principal Certifying Authority

Accredited Certifier: Ron Moore Accreditation No: BBB 0274

I acknowledge that I have been appointed by the owner to carry out the role of the Principal Certifying Authority for this development.

Professional Indemnity Insurance Detail: Insurer—Axis Specialty Europe Limited, Policy # PII-329789, Period Insured 14/7/2012 to 14/7/2013 inclusive.

Accredited Certifier's Signature: 

Have all conditions been satisfied prior to the commencement of works in relation to this Construction Certificate or Complying Development Certificate?

Yes

No

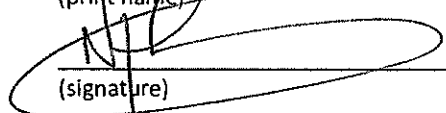
7. Owner's Consent

As the owner/s of the land specified on this form, I/we hereby consent to the following:

1. I/we authorise an application being made to Building Certification Associates for a Construction Certificate/Complying Development Certificate (whichever is relevant) and Occupation Certificate by the applicant nominated on this form.
2. I/we authorise the appointment of Ron Moore as the Principal Certifying Authority (PCA)
3. I/we authorise the right of entry for any Certifying Authority arranged by Building Certification Associates to carry out inspections required by the PCA under this Agreement.
4. I/we have sighted and signed a Service Agreement.
5. I/we have accepted and signed a Fee Proposal dated 31/7/2013

Owner PARK Pty Ltd
(print name)

Owner _____
(print name)

Signature 
(signature)

Signature _____
(signature)

Date 27/8/2013

Date _____

Note: All owners of the subject land must sign this form.

8. Schedule (It is compulsory to complete this schedule. The information will be sent to the Australian Bureau of Statistics.)

All New Buildings

Number of storeys (including underground floors): 1
Gross floor area of new building (m²): 145 Gross site area (m²): 31,123

Residential Buildings Only

Number of dwellings to be constructed: _____ Number of pre-existing dwellings on site: _____
Number of dwellings to be demolished: _____
Will the new dwelling(s) be attached to other new buildings? _____ Does the site contain a dual occupancy? _____
Will the new building(s) be attached to existing buildings? _____

Materials—Residential Buildings

Please indicate the materials to be used in the construction of the new building(s):

Walls	Roof	Floor	Frame
Brick (Double) <input type="checkbox"/>	Tiles <input type="checkbox"/>	Concrete or Slate <input checked="" type="checkbox"/>	Timber <input type="checkbox"/>
Brick (Veneer) <input checked="" type="checkbox"/> <i>Electricity</i>	Concrete or Slate <input type="checkbox"/>	Timber <input type="checkbox"/>	Steel <input checked="" type="checkbox"/>
Concrete or Stone <input type="checkbox"/>	Fibre Cement <input type="checkbox"/>	Other <input type="checkbox"/>	Aluminum <input type="checkbox"/>
Fibre Cement <input type="checkbox"/>	Steel <input type="checkbox"/>	Not Specified <input type="checkbox"/>	Other <input type="checkbox"/>
Timber <input type="checkbox"/>	Aluminum <input checked="" type="checkbox"/>		Not Specified <input type="checkbox"/>
Curtain Glass <input type="checkbox"/>	Other <input type="checkbox"/>		
Steel <input checked="" type="checkbox"/> <i>Appliance, boiler</i>	Not Specified <input type="checkbox"/>		
Aluminum <input type="checkbox"/>			
Other <input type="checkbox"/>			
Not Specified <input type="checkbox"/>			

9. Billing Details

Bill To: PARK PTL LTD
Billing Address: Lot 1, CREOLE RD. ALBION PARK RAIC 2527

Note: Applicant will be liable for payment of our fees if funds cannot be recovered from above.

10. Occupation Certificate

Important:

- It is the owners responsibility to make the necessary arrangements for the principal contractor (builder) to contact us for all 'mandatory inspections'.
- An Occupation Certificate is mandatory prior to the occupation or use of any development works.
- An Occupation Certificate application form must be signed and completed by the owner and returned to the principal certifying authority prior to the release of an Occupation Certificate

Privacy Policy:

The information you provide in this notice is required under the Environmental Planning and Assessment Act 1979 if you are going to erect a building or carry out subdivision work. If you do not provide the information to the consent authority, you cannot commence the work. The information will be held by the consent authority and by Council.

Fire Safety Schedule Construction Certificate 206/13

SECTION A. Development details

Unit/Street no.	Street name		
Lot 10-13	Greenleaf Road, Kooragang Island		
Suburb or town	State	Postcode	
Newcastle	NSW		

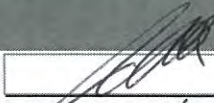
SECTION B. Details of construction certificate (CC)

Name of certifying authority	CC number/identifier	Date of CC
Building Certification Associates Pty Ltd	206/13	24 th September 2013

SECTION C. Statutory fire safety measures (as set out under clause 166 EP&A Reg)

No.	Measure	Particulars of measures <small>(including where the requirement for the measure is set out or described eg in building plans or in an alternative solution report)</small>	Currently implemented	Proposed implementation
1	Portable fire extinguishers	BCA Clause E1.6, AS2444 / 2001,		
2	Fire hydrants	BCA Clause E1.3, AS2419.1 – 2005		
3				
4				
5				
6				
7				
8				

SECTION D. Certifying authority

Name	Ron Moore	Signature	
Accreditation No.	BPB 0274	Date	24/9/13

SCHEDULE 1 - 206/13

APPLICANT: Park Pty Ltd

SUBJECT LAND: Greenleaf Road, Kooragang Island Newcastle

DESCRIPTION: Refurbishment of 2 existing tanks, piping, 1 new tank and buildings

APPROVED PLANS AND SPECIFICATIONS

1. Plans prepared by

Plans by	Drawing No	Revision	Title	Date
Solly Engineering	2006-00-001	0	Locality Plan	15/08/2008
	2006-00-002	2	Tanks & Meter/Loading Station Piping & Instrumentation Diagram	12/10/2008
	2006-00-003	2	Blinding Piping & Instrumentation Diagram	12/10/2008
	2006-01-001	10	Locality Plan and Pipeline Route	5/07/2007
	2006-01-003	4	Pipeline Route K2 Berth	18/05/2007
	2006-01-004	5	Pipeline Route K3 Berth	18/05/2007
	2006-01-006	2	Launcher/Receiver Detail	23/03/2007
	2006-01-007	3	Pipeline Details	13/08/2007
	2006-02-001	14	Facility Layout	1/04/2007
	2006-02-002	6	Facility Views	24/05/2007
	2006-03-001	3	Loading Bays Plan	23/03/2007
	2006-04-001	0	Office & Amenity Plan	23/03/2007
	2006-12-001	1	Foam Supply Plan	1/04/2007
	2006-06-001	0	Boiler Building Plan	23/03/2007
	2006-08-001	3	Oil Separator Plan	1/04/2007
	2006-09-001	3	Tank T1 & T2 General Arrangement	26/04/2004
	2006-11-001	6	Foundation Detail & Under Tank Leak Detection	26/04/2004
	2006-05-001	0	Electrical Building Plan	23/03/2007
	2006-11-002	2	Facility Layout	5/08/2008
	2006-13-001	0	Workshop Building Plan	23/03/2007
	2006-15-001	1	Tank T7 General Arrangement	13/08/2007

2. Other documents relied upon

Title
1. Long Service Levy Receipt No. 144986 dated 23/8/201369776
2. Section 94 Contribution Receipt # 3824356 dated 15/08/2013
3. Dilapidation Report dated 2/10/2008
4. Letters from Director General
5. Specifications by Solly Engineering
6. Documentation by Environmental Strategies
7. Remediation Action Plan - dated 20/05/2010
8. Application for new works approval under the Water Act 1912
9. Bore License Certificate
10. Construction Environmental Management Plan

SCHEDULE 2 – NOTICE UNDER SECTION 81A OF THE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

SUBJECT PROPERTY: Greenleaf Road, Kooragang Island Newcastle
PROPOSED DEVELOPMENT: Refurbishment of 2 existing tanks, piping, 1 new tank and buildings
DEVELOPMENT CONSENT NO: DOP07-0066
DEVELOPMENT CONSENT DATE: 02/06/2008
CONSTRUCTION CERTIFICATE NO: 206/13
PERSON WHO APPOINTED PCA: Park Pty Ltd

Pursuant to Clause 103A of the Environmental Planning and Assessment Regulation 2000 you are required to notify this office at least forty eight (48) hours beforehand to allow the following inspections to be carried out:


- a) After excavation for, and prior to the placement of, any footings; and *(if applicable)*
- b) Piers/Footings/Slab – prior to pouring concrete*(if applicable)*
- c) Prior to covering of the framework for and floor, wall, roof or other building element; and *(if applicable)*
- d) prior to covering any stormwater drainage connections; and *(if applicable)*
- e) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.
- f) any other inspections as may be required from time to time during the course of construction.

You are required to ensure that the principal contractor is notified of these requirements.

Failure to comply with these requirements will mean you are in breach of the Environmental Planning & Assessment Act (1979) and may be subject to further action by Council.

Principal Certifying Authority: Ron Moore
Accreditation No: BPB0274
Accreditation Body: Building Professionals Board
Address: 1 Murrie Street Windang NSW 2528
Telephone No: (02) 4229 5309

Signed:


.....
24th September 2013

Date:



Appendix 2

Modified Construction Certificate 206-13



MODIFIED CONSTRUCTION CERTIFICATE

Issued under Clause 142 of the Environmental Planning and
Assessment Regulation 2000

Applicant Park Pty Ltd
Subject Land Lot No: 10-13
DP No 234887
Greenleaf Road, Kooragang Island Newcastle

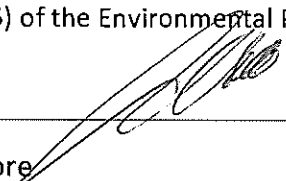
Certificate No 206/13/A
Date of Determination 24/09/2013
MODIFIED DATE 12/11/2013

Building Classification	10b & 5
Description of Development	Refurbishment of 2 existing tanks, piping, 1 new tank and buildings MODIFICATION - to general layout
Council	Newcastle City Council
Development Consent No	DOP07-0066
Date of Consent	2/06/2008
Plans, Specifications and other Documentation	Schedule 1
Critical Stage Inspections	Not applicable
Attachments	Not applicable

Determination Approved

I Certify that the works if completed in accordance with the documentation accompanying the applicant for this certificate as identified above (with such modifications verified by the certifying authority as may be shown on that documentation) will comply with the requirements of the Environmental Planning and Assessment Regulation 2000 as referred to in section 81A (5) of the Environmental Planning and Assessment Act 1979.

Signed



Ron Moore
Accredited No: BPB0274
1 Murrie Street
Windang NSW 2528

Issued Under Environment Planning and Assessment Act 1979
Section 109C(1),(b), 81A(2) 81A(4)

SCHEDULE 1 - 206/13/A

APPLICANT: Park Pty Ltd

SUBJECT LAND: Greenleaf Road, Kooragang Island Newcastle

DESCRIPTION: Refurbishment of 2 existing tanks, piping, 1 new tank and buildings
MODIFICATION - to general layout

MODIFIED APPROVED PLANS AND

1. Plans prepared by

MODIFIED PLANS BY	DRAWING NO	REVISION	TITLE	DATE
TFA Project Group	13163-A01	A	Proposed Site Layout	31/10/2013
	13163-A03	A	Proposed Site Section	31/10/2013
	13163-A10	A	Loadout Gantry Plan	31/10/2013
	13163-P01		Underground Pipeline Marking Plan	31/10/2013
	13163-P05		Underground Pipeline Wharf K2 Detail	31/10/2013
			Floor Plan	
			Elevations	

2. Other documents relied upon

Title
1. Letter from Park - dated 1 November 2013



Mr. R Moore
Building Certification Associates
PO Box 2
Windang NSW 2528

1 November 2013

RE: LOTS 10-13 GREENLEAF Rd. KOORAGANG ISLAND, NEWCASTLE

Dear Ron

Thank you for meeting with us last week to discuss some modifications to the drawings relating to Construction Certificate No. 206/13 for the above site.

As mentioned we believe that the modifications discussed and summarized below:-

- Have no impact on the environment beyond those already reported upon in the EA document;
- Do not alter the intent of the project in any way;
- Do not change any of the conditions of consent for the DA; and
- In most instances provide an improvement to the project in terms of environmental impact and operational efficiency.

In summary the changes proposed are outlined below and correspond to the attached plans as marked. They include:-

- A. Truck gantry layout (Plans # 13163-A03 Rev A, 13163-A10 Revisions A) – the original plan did not provide for good traffic management by allowing for sufficient turning circles or traffic flow for trucks. The new plan provides 2 loading bays (as before), a new passing lane and complying crossovers. The loading bay awning is now adjusted to cover 2 bays.
- B. Bund wall (Plans # 13163-A01 Rev A, 13163-A03 Rev A) – as a result of adding a truck passing lane in the loading area the bund wall has needed to be moved slightly eastwards from Greenleaf Rd. To allow for sufficient bund capacity the height of the bund wall has been increased from 2.1m to 2.4m high. The design still confirms to AS1940 and the capacity calculations have been certified by an approved consulting engineer to confirm to this Standard (see Document 13163-BC-01).
- C. Tank 7 location (Plan # 13163-A01 Rev A) – as discussed at our meeting Park does not have any plans to construct the biodiesel plant in the foreseeable future. Tank 7 was originally approved for the storage of methanol for use in the biodiesel production process. As this is now not needed Park proposes to store biodiesel in Tank 7 which will be sourced from other manufacturing plants. An amended fire study has been done (see

Park Pty Ltd

**Lot 1 Creole Road
Albion Park Rail, NSW, 2527**

Web: www.parkfuels.com.au

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**Ph. 02 4256 6680
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Email: info@parkfuels.com.au

Attachment 'A') that shows that as Tank 7 will only be storing biodiesel, a combustible liquid, there is now no requirement for the foam or water dousing of Tank 1. It is also more efficient and environmentally safer for the new layout design to have Tank 7 positioned within the main bund enclosure.

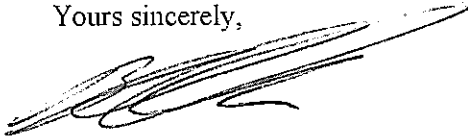
- D. Bund liner – the EA and subsequent documents state that an impervious barrier that conforms to AS1940 and the requirements of the EPA is required for the bund. The original proposal was to use a polypropylene line such as HDPE. In the last several years the manufacture and use of a improved product has been developed that conforms to the Standard and is being used in most new fuel terminals. It is a Geosynthetic Clay Liner (GCL) and as the document provided at our meeting shows it is a superior product in terms of installation, quality assurance and ease of repair. As it is now seen as best industry practice to use the GCL, Park proposes to use it in this project.
- E. Slops tank (Plan # 13163-A01 Rev A) – the larger of the two tanks situated next to the oil separator in the original plan will be moved within the bund and is shown as Tank 8. This new location will mean that it is closer to the pipe receival system and allow for more efficient management of slops in the terminal and therefore for improved environmental outcomes for the facility.
- F. Pipeline route onto K2 wharf (Plans # 13163-P05) – Newcastle Port Corporation (NPC) has requested that the route of the pipe onto their berth be moved from the original location south of the amenity building to the northern side of the building. This will mean that it will be wholly within their property and not transverse a leased area. The pipe still goes underground and terminates at the same location as before.
- G. Ramp into banded area (Plan # 13163-A01 Rev A) – as Tank 7 is relocated to within the bund it frees up an area that provides for a more efficient location for the ramp. It is now located away from the entrance to the facility making it an operationally safer option than before.
- H. Pipe and pig receival location (Plan # 13163-A01 Rev A) – has been relocated to an operationally improved location in relation to the terminal's piping layout.
- I. Office building (see Floor Plan & Elevations provided to JS Solutions) – the original office design has changed though the size is approximately the same as before. As mentioned at the meeting is most likely that Park will lease the adjacent site which contains an existing office building negating the need to build this new office building. This will be subject to development approval from NPC and we will notify you of the change when appropriate.
- J. Parking (Plan # 13163-A01 Rev A) – the location of the parking spaces has changed slightly and a disable space has been added. Again this activity may move to the adjacent site when leased and approved.
- K. Electrical building (Plan # 13163-A01 Rev A) – this will now be a demountable building about the same size as the original one. This is a more cost effective option than building a structure from scratch.

The Table below lists the modified plan numbers and those they replace.

We trust these changes are satisfactory and you will provide a modified construction certificate. If you require any more information please do not hesitate to contact myself or Warwick Reader.

We look forward to your reply.

Yours sincerely,



Brett Fletcher
General Manager Operations & Development

Attach.

Original Plan Number	Modified Plan Number
01-001 (pipeline route)	13163-P01 for K2 pipe
01-003 (K2 berth)	13163-P05
02-001 (facility layout)	13163-A01
03-001 (loading bays plan)	13163-A03 & A10

CALCULATION SHEET

Project No: 13163

PARK FUELS
Kooragang Island
Newcastle

Calculation No.



TITLE

BUND CAPACITIES

13163-BC-01

TANK FARM BUND CALCULATIONS FOR PARK FUELS TERMINAL

10-13 Greenleaf Road, Kooragang Island, Newcastle

The attached bund calculation sheet 13163-BC-01 Rev A which is a revision of Solly bund calculation Rev January 2011, which now relates to the revised site layout drawing no. 13163-A01 Rev A.

I hereby certify that the bund calculations comply or exceed the requirements of AS1940 and NSW DECC's Technical Guideline "Bunding and Spill Management".

Tom Faragher
Managing Director
RPEQ 5662, *MIE Aust.*

31-Oct-13

CALCULATION SHEET

Project No: 13163

PARK FUELS
Kooragang Island
Newcastle



TITLE

BUND CAPACITIES

Calculation No.

13163-BC-01

Description	Unit	T-1	T-2	T-3	T-4	T-5	T-6	T-7	T-8	Total
Diameter	m	45.76	45.76	24.40	24.40	24.40	19.50	10.00	5.00	
Height	m	16.30	16.30	15.30	15.30	15.30	16.20	6.05	10.00	
Design Height	m	15.60	15.60	14.60	14.60	14.60	15.50	5.35	9.10	
Tank Floor Area	m ²	1645	1645	468	468	468	299	79	20	
Tank Floor RL	m	3.40	3.40	3.40	3.40	3.40	3.40	3.40	3.40	
Bund Floor RL	m	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50	
Tank Volume	m ³	26807	26807	7154	7154	7154	4838	475	196	80586
Tank Capacity	m ³	25656	25656	6827	6827	6827	4629	420	179	77020
Tank Foundation Volume Including 2m walkway around tank	m ³	1778	1778	586.8	586.8	586.8	404.4	147.8	63.7	5932
Tank Displacement Volume	m ³	2467	2467	701	701	701	448	118	29	5166 (Less largest tank)
Bund Intermediate Walls & Ramps	m ³									400
75mm Rainfall (1 in 20 year storm)	m ³									1304
Fire Fighting Water 3 Hydrants @ 600 LPM each + 2 fire monitors @ 1950LPM each for 20 min	m ³									114

Bund Required Capacity	m ³	38573
-------------------------------	----------------	--------------

Bund Height	m	2.4
Bund Internal Area	m ²	17388
Bund Capacity	m ³	41731

Excess Bund Capacity	m ³	3159
-----------------------------	----------------	-------------

8%

Rev	By	Description	Date
A	LCC	Bund Capacity Calculations	31-Oct-13

ATTACHMENT 'A'



PARK FUELS PTY LTD

FIRE FIGHTING ADDENDUM REPORT

BULK FUEL TERMINAL, KOORAGANG ISLAND, NEWCASTLE

Document	Revision	Date	Author	Approved	Comments	Client Sign Off
13163-F-01	A	31/10/13	K. Sharp	T Faragher	Preliminary	

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For further information contact:

Tom Faragher

Managing Director

Ph: +61 7 3854-2900

Introduction

Park Fuels have decided not to proceed with the construction of a Biodiesel production facility as included within the approved plans for the proposed Kooragang Island Facility. This change means that the alcohol reagent (flammable liquid) previously proposed to be stored in tank T-7 is no longer required. This will now result in no flammable liquids being stored at the proposed facility.

This report reviews the approved fire safety study and action plans with respect to the modified site storage configuration of combustible liquids only.

Background

The proposed Park Fuels Bulk Liquids Storage Facility site at Kooragang Island has an existing Planning Approval Development Approval issued in June 2008 for a Biodiesel production facility and flammable and combustible liquid storage as identified in table 1.

Table 1 - Tank Configuration as Per Kooragang Island Facility Fire Safety Study Rev 3 March 5 2009

Tank	Product	Storage Temp (°C)	Class	Working Capacity (m ³)	Roof	Diameter (m)	Height (m)
T-1*	ADF / Fuel Oil	50	C1	25,491	IFR	45.76	16.3
T-2	ADF / Fuel Oil	Ambient	C1	25,491	IFR	45.76	16.3
T-3	ADF / Fuel Oil	Ambient	C1	6,956	IFR	24.8	15.0
T-4	ADF / Fuel Oil	Ambient	C1	6,956	IFR	24.8	15.0
T-5	ADF / Fuel Oil	Ambient	C1	6,956	IFR	24.8	15.0
T-6	ADF / Fuel Oil	Ambient	C1	4,855	IFR	19.5	16.2
T-7	Ethanol	Ambient	3 PG II	432	IFR	10.0	10.0

ADF – Automotive Diesel Fuel

IFR – Fixed roof with internal floating roof

* - Heating medium steam

The approval required a number of studies to be performed including

- Fire Safety Study to be in accordance with NSW Planning SEPP33 HIPAP No 2 Fire Safety Study Guidelines and submitted for approval to the NSW Fire Brigade
- HAZOP Study in accordance with NSW Planning SEPP33 HIPAP No 8 HAZOP Guidelines
- Final Hazard Analysis in accordance with NSW Planning SEPP33 HIPAP No 6 Guidelines for Hazard Analysis

The following studies were prepared by Norman Disney & Young based on the original facility configuration and submitted to NSW Planning and the NSW Fire Brigade for review as follows

- Kooragang Island Facility – Final Hazard Analysis Rev 1 – Implementation 24 February 2009
- Kooragang Island Facility Fire Safety Study Rev 3 – Implementation 5 March 2009
- Kooragang Island Facility Fire Safety Study Action Plans Rev A – Implementation 19 May 2009
- Kooragang Island Facility HAZOP Study Action Plans Rev A – Implementation May 2009
- Kooragang Island Facility – Final Hazard Analysis Addendum Report 26 May 2009

A copy of the NSW Fire Brigade approval for the Fire Safety Study is attached.

Changes to Proposed Site Utilisation

Subsequent to the above reports and approvals Park Fuels have decided not to proceed with the construction of the Biodiesel production facility included in the approved plans and propose to operate the facility as a Fuel Terminal only.

It is still proposed to store and handle Biodiesel on the site, however it will be imported as a finished product. Given that Biodiesel is a C1 combustible liquid as per all other products in the tank farm, it is proposed to utilise tank T7 for Biodiesel storage.

This change will eliminate the storage of flammable liquids dangerous goods from the facility farm with all proposed tanks storing Combustible Class 1 products as identified in Table 2.

This change in configuration achieves a significant reduction in the risk associated with operating the site, removing the generation of potential flammable vapours and hazardous areas. As such it is appropriate to review the firefighting recommendations of the initial Kooragang Island Facility Studies in light of the removal of flammable liquids.

Table 2 - Proposed Configuration Park Fuels Kooragang Island Terminal Facility

Tank	Product	Storage Temp (°C)	Class	Working Capacity (m ³)	Roof	Diameter (m)	Height (m)
T-1**	Heavy Fuel Oil	50	C1	25,354	IFR	45.76	16.3
T-2	Diesel	Ambient	C1	25,354	IFR	45.76	16.3
T-3	Diesel	Ambient	C1	6,937	IFR	24.4	15.3
T-4	Diesel	Ambient	C1	6,937	IFR	24.4	15.3
T-5	Diesel	Ambient	C1	6,937	IFR	24.4	15.3
T-6	Diesel	Ambient	C1	4,699	IFR	19.5	16.2
T-7	Biodiesel	Ambient	C1	440	IFR	10.0	10.0

IFR – Fixed roof with internal floating roof

** - Heating medium hot oil

Fire Fighting System Design Implications

The key standards used for the fire safety study were

- AS1940 – 2004 The Storage and Handling of Flammable and Combustible Liquids
- NSW Planning SEPP33 HIPAP No 2 Fire Safety Study Guidelines.

A number of firefighting measures include in the previous firefighting study were specific to flammable liquids under AS1940 and are now no longer required. These include

- The application of foam injection to Tank T-7 – applicable to flammable storage tanks only.
- The provision of cooling water to tank T-7 and T-1 due to its proximity to a flammable storage tank (tank T-7).
- Firefighting monitors for the pump compound specific the pumping of and potential leakage and ignition of flammable liquids which will no longer occur.

Whilst the application of SEPP33 was nominated within the Planning Approval it is noted that Applying SEPP33 section 7.1 states:

“If Combustible liquids of class C1 are present on site and are stored in a separate bund or within a storage area where there are no flammable materials stored they are not considered to be potentially hazardous. If, however, they are stored with other flammable liquids, that is, Class 3PGI, II or III, then they are to be treated as Class 3PGIII, because under these circumstances they may contribute fuel to a fire.”

With the removal of Flammable liquid storage from the site, none of the products on site are considered potentially hazardous under SEPP33 by the above definition.

That being said, it is still proposed to comply with the general intent of 5EPP33 No 2 even though the facility no longer strictly falls within the scope of the document.

Amendments regarding Kooragang Island Facility Fire Safety Study Rev 3 March 5 2009

Section	Comment
5.1.2	As per table 1 above, the products to be stored in the facility have changed and tank T-7 will now store Biodiesel instead of ethanol.
5.3.1	Of the fire scenarios identified it is noted that four of the six scenarios were related to the storage of flammable liquids and are no longer applicable. The only two remaining are considerably lower risk <ul style="list-style-type: none"> • a combustible liquid pipe rupture igniting • a spill (of combustible liquid, not flammable) at the pump bank igniting. One of the three low frequency fire scenarios identified is applicable to the storage of flammable liquids and is no longer applicable. The remaining low likelihood scenarios are <ul style="list-style-type: none"> • a tank top fire of a combustible liquid tank • a combustible liquid spill at the gantry being ignited. All six dispersion scenarios relate to flammable liquids only and are now not applicable.
Table 5.5-1	As stated within the section 5.5.1 findings and conclusions on page 16, AS1940 does not consider a combustible liquid storage tank as a potential tank on fire. The application of cooling water formulas to combustible liquid tanks shown in this table is not a requirement of AS1940. The removal of flammable liquids from tank T7 also removes any requirement for foam injection in to this tank.
5.5.2	Recommendations - Foam was only a requirement for the ethanol tank. This is no longer required on Tank T7 as it will now Biodiesel and not flammable liquid.
5.5.4	Foam requirements for the pump bund were based on the use of a flammable liquid – ethanol. Given the change for Tank T-7 to combustible service none of the pumps will process flammable liquids and it is proposed to remove the two permanent fire monitors dedicated to the pump bund. Whilst the conventional AS1940 clause 11.6.1 requirement for product pumps is at least one powder type extinguisher within 3-10 m from each risk being protected it is noted the three mobile fire monitors with foam as proposed to protect the road tanker loading gantry will also be available as a fire fighting measure if a combustible liquid fire ever occurred in the pump bund.
8.3	Remove recommendation for foam application to tank T7 as this tank no longer stores flammable liquids and now contains Biodiesel.
8.5	Foam requirements for the pump bund were based on the use of a flammable liquid – ethanol. Given the change for Tank T-7 to combustible service none of the pumps will process flammable liquids and it is proposed to remove the two permanent fire monitors dedicated to the pump bund. Whilst the conventional

	AS1940 clause 11.6.1 requirement for product pumps is at least one powder type extinguisher within 3-10 m from each risk being protected it is noted the three mobile fire monitors with foam as proposed to protect the road tanker loading gantry will also be available as a fire fighting measure if a combustible liquid fire ever occurred in the pump bund.
--	--

Amendments regarding Kooragang Island Facility Fire Safety Study Action Plans Rev A May 19, 2009

Table 3.1

Item	Comment
9, 10	Delete. Foam was only a requirement for the ethanol tank. Remove foam injection system as Tank T7 will now Biodiesel and not flammable liquid.
15, 16, 40	Delete monitors M3 and M4 for the pump bund. Given the change for Tank T-7 to combustible service none of the pumps will process flammable liquids. Whilst the conventional AS1940 clause 11.6.1 requirement for product pumps is at least one powder type extinguisher within 3-10 m from each risk being protected it is noted the three mobile fire monitors (M5, M6 and M7 – item 12) with foam uptake as proposed to protect the road tanker loading gantry will also be available as a fire fighting measure if a combustible liquid fire ever occurred in the pump bund.
17	Firewater main unchanged. Foam main no longer required – refer item 9 above
24	Delete. Tank T-7 will no longer store flammable liquids or be in its own bund. LEL detectors not required.
25	Delete. Cooling of tank T-T-7 no longer required. AS1940 does not consider a combustible liquid storage tank as a potential tank on fire. Consistent approach as approved for all other combustible liquid tanks.
33	Delete. Foam system and BPP to tank T-7 not required as per item 9 above.
39	Delete cooling monitors M1 and M2 to be removed given the change for Tank T-7 to combustible service. Mobile monitors for gantry will be available.

Amendments regarding Kooragang Island Facility Final Hazard Analysis Feb 24, 2009

Section	Comment
1.2 (4)	Delete 2 monitors with foam uptake Tank T7 - no longer required as not flammable
1.2 (5)	Delete cooling system on T1 to protect from tank T7 - no longer required as not flammable
1.2 (6)	Delete roof deluge cooling system on tank T7 - no longer required as not flammable
1.2 (8)	Delete 2 monitors with foam uptake to protect pump bank no longer required as not flammable

Recommendations

In summary it is proposed to apply the same fire protection philosophy as previously approved for combustible liquid tanks to the entire tank farm now that flammable liquids have been removed. The fire booster pump capacity of 4300LPM and hydrant ring main capacity remains unchanged.

The following changes to the fire protection system are proposed.

1. Remove foam direct foam injection system into tank T-7.
2. Remove two permanent fire monitors M1 and M2 from tank T-7 bund.
3. Remove two permanent fire monitors M3 and M4 from tank pump compound.

NEW SOUTH WALES FIRE BRIGADES



COMMUNITY SAFETY DIVISION STRUCTURAL FIRE SAFETY

Amarina Avenue Greenacre NSW 2190

Locked Bag 12 Greenacre NSW 2190

Telephone: (02) 9742 7400 Facsimile: (02) 9742 7486

www.fire.nsw.gov.au info@fire.nsw.gov.au ABN: 12 593 473 110

Your Reference:

File No: NFB/01123

Contact Officer: A. Bruce/sh

Telephone: (02) 9742 7400

Facsimile: (02) 9742 7483

Email: firesafety.nswfb@fire.nsw.gov.au

Norman Disney and Young
115 Batman St
WEST MELBOURNE VIC. 3003

Attention: Anggraini Nitiwalujo

Dear Sir/Madam

REC 6 MAY 2009	
File No:	
COR	
MKUP	
ARC	
GEN	
Description:	
- 1 JUN 2009	
Recipients:	

Manildra Park Bulk Liquid Storage and Biodiesel Facility Kooragang Island NEWCASTLE

I refer to your correspondence dated 28th April 2009, regarding the above premises.

The New South Wales Fire Brigades (NSWFB) has reviewed the submitted Fire Safety Study (FSS) authored by Anggraini Nitiwalujo of Norman Disney and Young (NDY), revision 3, issued 5th March 2009. In relation to the following elements of the FSS the following comments and recommendations are provided:

Contents of the FSS

The NSWFB is satisfied that the FSS is generally thorough in its scope and the level of assessment appears to be comprehensive.

Identification of Hazards

The NSWFB is satisfied that all credible hazards have been identified.

Consequence of Incidents

The NSWFB is satisfied that all credible hazards have been carried forward and appropriately analysed for their respective consequences. The NSWFB looks forward to reviewing any future analysis relating to explosion and flash fire which is proposed to be included in the forthcoming Final Hazard Analysis.

Fire Prevention Strategies and Measures

The NSWFB is generally satisfied that appropriate fire prevention strategies and measures are proposed for the subject facility.

Details of Detection and Protection

The NSWFB is satisfied that adequate provisions for the detection of fire have been proposed. The NSWFB agrees with the recommendations detailed within the FSS that suitable LEL detectors be installed. The NSWFB also recommends audible and visual early warning alarm installations be investigated.

Fire Water Demand and Supply

The NSWFB is satisfied that Fire Water Demand and Supply has been adequately addressed in the FSS. This support is conditional on the proposed booster pump(s), as detailed in clause 5.8 of the FSS, meets the requirements of Clause 11 14.2 of Australian Standard (AS) 1940.

Provisions to contain and manage contaminated fire fighting water run off.

The NSWFB is satisfied that the fire safety system developed from the FSS incorporates sufficient provision for contaminated fire water/spillage containment.

First Aid Fire Protection

The NSWFB is satisfied that suitable first aid firefighting resources are to be provided throughout the facility and would expect that all extinguishers, hydrants and hose reels will comply with the relevant Australian Standards.

Should you have any further enquiries regarding any of the above matters, please do not hesitate to contact the Structural Fire Safety Unit.

Yours faithfully



For Commissioner

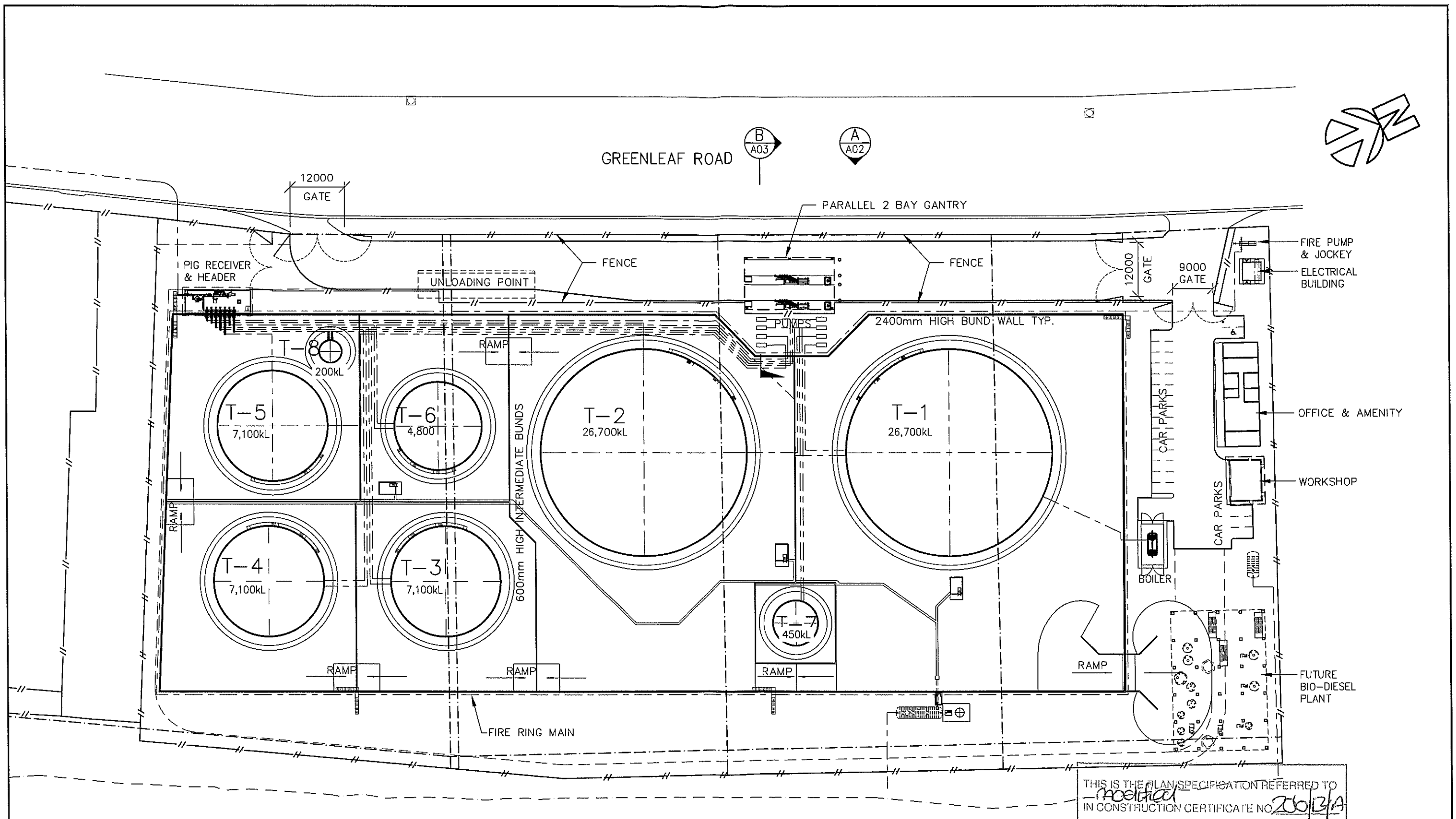
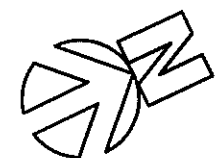
MODIFIED PLANS



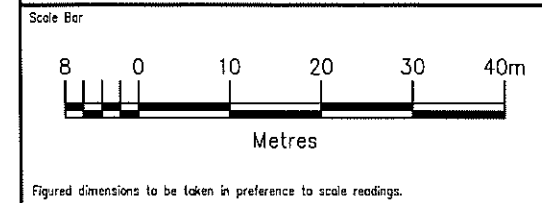
Appendix 3

Modified Construction Certificate Plans

31/10/2013 3:08:52 PM



THIS IS THE PLAN SPECIFICATION REFERRED TO
 IN CONSTRUCTION CERTIFICATE NO. 20613/A
 ENDORSED BY RON MOORE
 ACCREDITATION NO. BPB 0274
 SIGNED _____



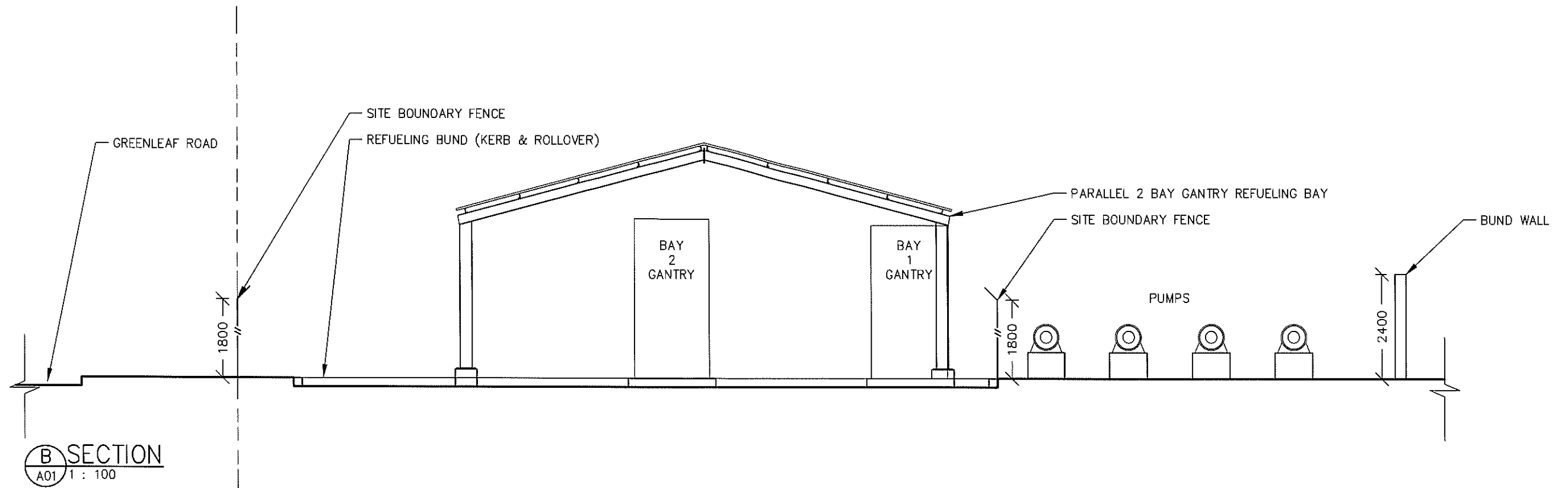
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 ACN 054 486 743

revision	date	by	description	approved
A	31.10.13	LCC	ISSUED FOR APPROVAL	

TFA Project Group
 Email: enquiry@tfa.com.au
 17 Dover Street, Albion QLD 4010 Australia
 Ph. 61 7 3854 2900 Fax. 61 7 3854 2999
 PROJECT MANAGERS | DESIGNERS | PLANNERS | ENGINEERS

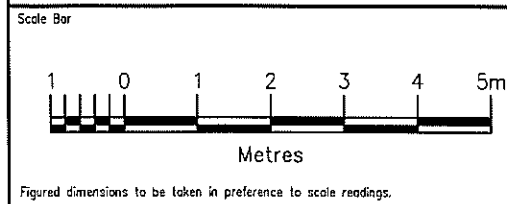
project
**PARK FUELS
 FUEL TERMINAL
 KOORAGANG ISLAND
 NEWCASTLE
 NSW**

title PROPOSED SITE LAYOUT				
drawn LCC	approved	date created 18.9.13	A1 scale 1:400	A3 scale 1:800
status APPROVAL		drawing no. 13163-A01	rev. A	



B SECTION
A01 1 : 100

THIS IS THE PLAN SPECIFICATION REFERRED TO
 IN CONSTRUCTION CERTIFICATE NO. *modified* 200613/A
 ENDORSED BY RON MOORE
 ACCREDITATION NO. BPB 0274
 SIGNED _____



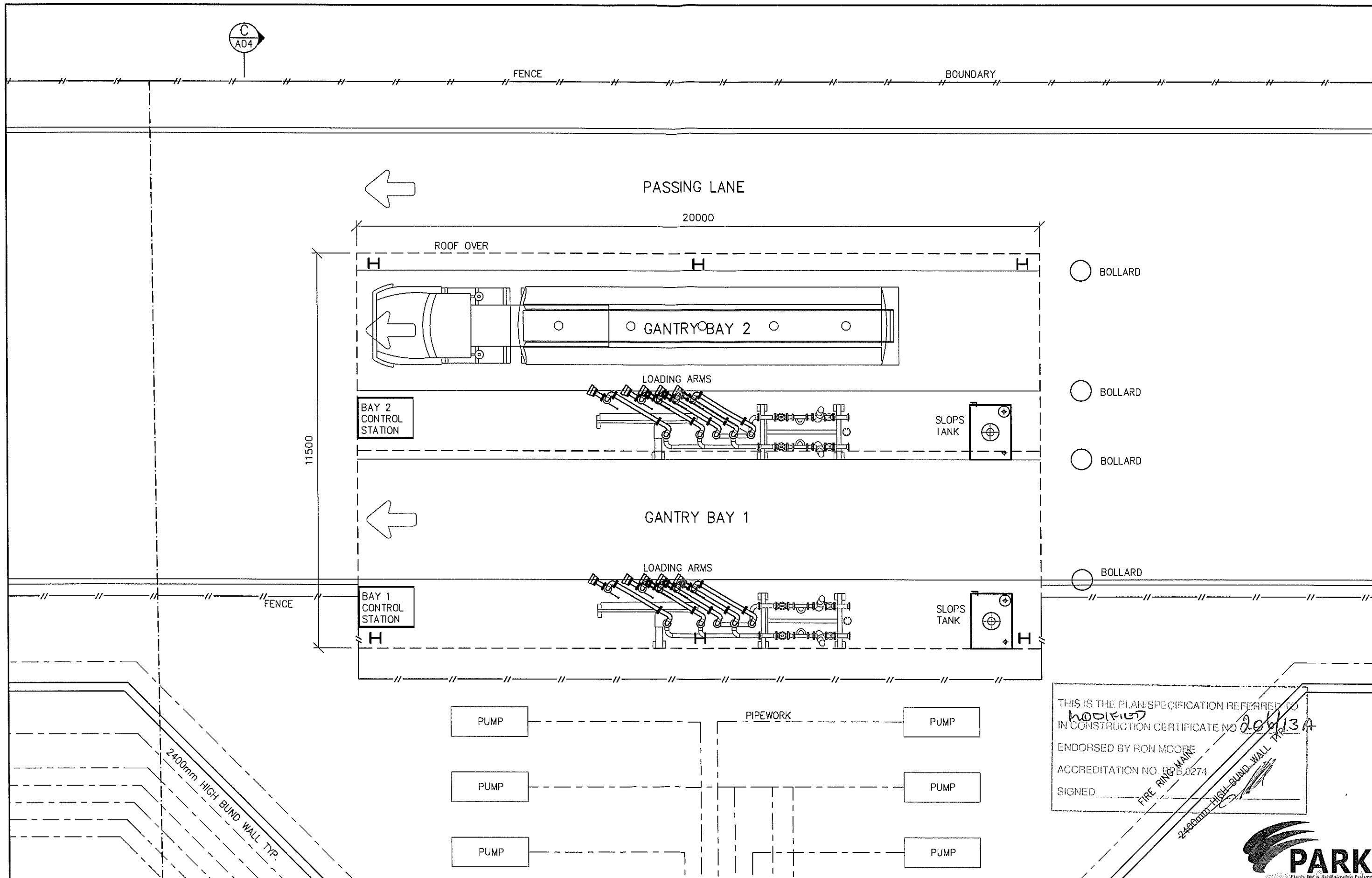
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revision	date	by	description	approved
A	31.10.13	AY	ISSUED FOR APPROVAL	

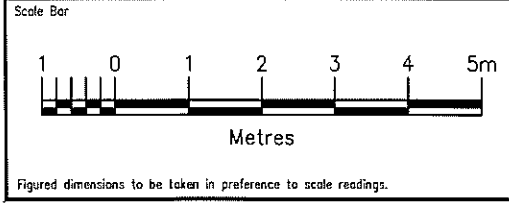
TFA Project Group
 Email: enquiry@tfa.com.au
 17 Dover Street, Albion QLD 4010 Australia
 Ph. 61 7 3854 2900 Fax. 61 7 3854 2999
 PROJECT MANAGERS | DESIGNERS | PLANNERS | ENGINEERS

project
**PARK FUELS
 FUEL TERMINAL
 KOORAGANG ISLAND
 NEWCASTLE
 NSW**

title PROPOSED SITE SECTION			
drawn AY	approved	date created 30.10.13	A1 scale 1:50
status APPROVAL		drawing no. 13163-A03	A3 scale 1:100
			rev. A



THIS IS THE PLAN/SPECIFICATION REFERRED TO
MODIFIED
 IN CONSTRUCTION CERTIFICATE NO. **20113A**
 ENDORSED BY RON MOORE
 ACCREDITATION NO. **FB0274**
 SIGNED _____
 FIRE RING MAIN
 2400mm HIGH BUND WALL TYP.



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 ACN 054 485 743

revision	date	by	description	approved
A	31.10.13	LCC	ISSUED FOR APPROVAL	

TFA Project Group
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 PROJECT MANAGERS | DESIGNERS | PLANNERS | ENGINEERS

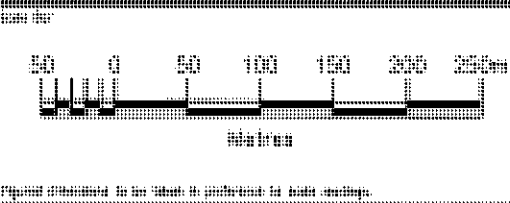
project
PARK FUELS FUEL TERMINAL KOORAGANG ISLAND NEWCASTLE NSW

title LOADOUT GANTRY PLAN		drawn LCC	approved	date created 23.10.13	A1 scale 1:50	A3 scale 1:100
status APPROVAL			drawing no. 13163-A10	rev. A		



LEGEND

- F — F — EXISTING APPROVED PIPE ROUTE
- F — F — PROPOSED ALTERNATIVE PIPE ROUTE



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TPA Project Group
120-120-120

NO.	DATE	BY	DESCRIPTION
1	11/10/03	AT	ISSUE FOR APPROVAL
2	11/10/03	AT	ISSUE FOR APPROVAL

TPA Project Group

120-120-120
120-120-120
120-120-120

Project MANAGER | DESIGNER | PLANNER | ENGINEER

PARK FUELS FUEL TERMINAL KOORAGANG ISLAND NEWCASTLE NSW.

UNDERGROUND PIPELINE MARKING PLAN

DATE: 17/10/13
SCALE: 1:500
DRAWING NO: 13163-P01

APPROVAL

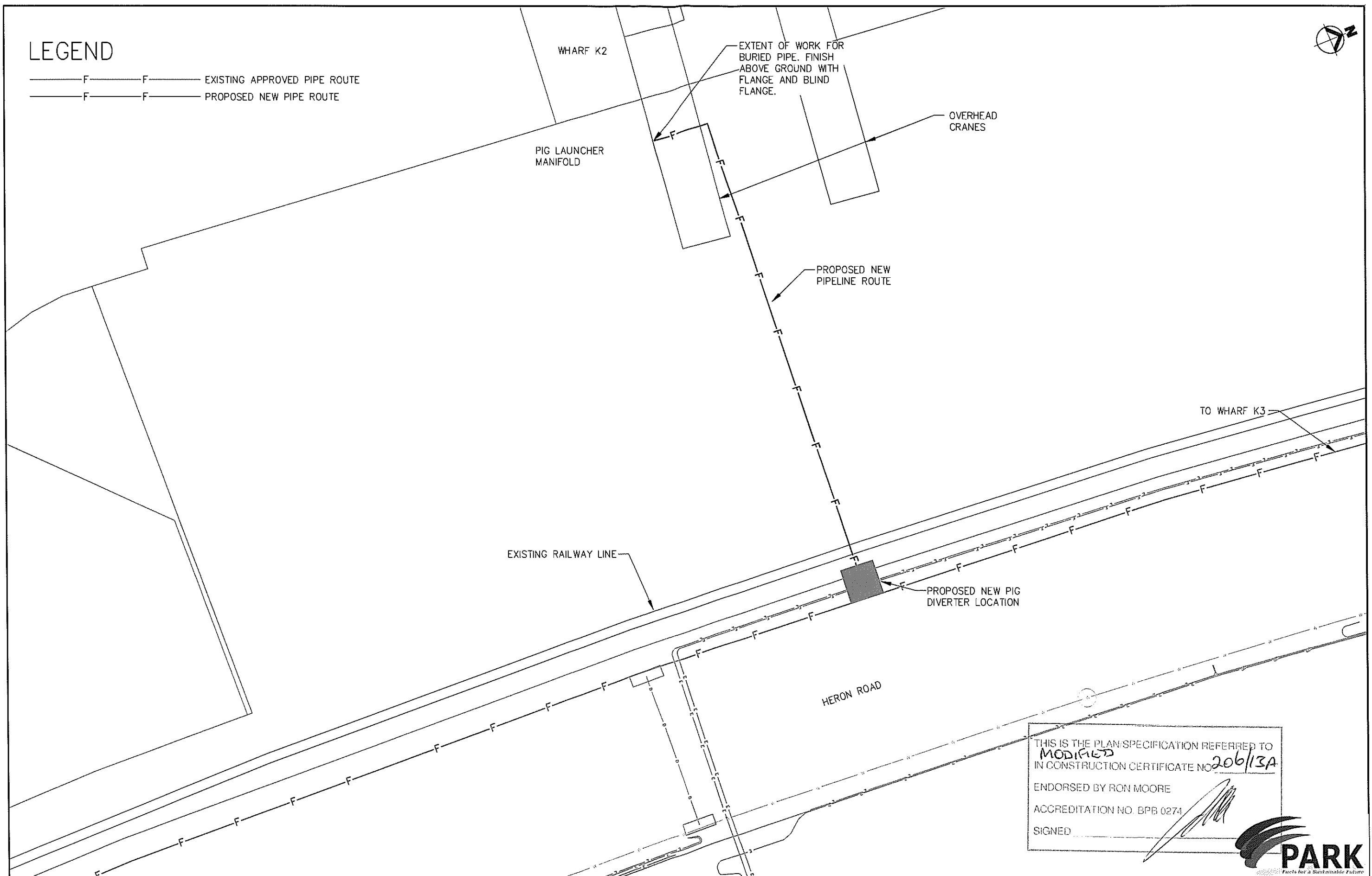
PARK

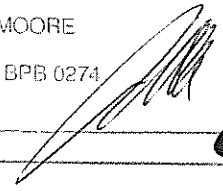
11/10/13 2:28:14 PM

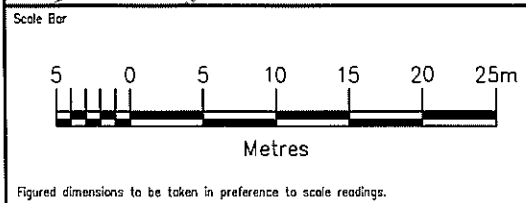


LEGEND

- F — F — EXISTING APPROVED PIPE ROUTE
- F — F — PROPOSED NEW PIPE ROUTE



THIS IS THE PLAN/SPECIFICATION REFERRED TO
MODIFIED
 IN CONSTRUCTION CERTIFICATE NO. **206/13A**
 ENDORSED BY RON MOORE
 ACCREDITATION NO. BPB 0274
 SIGNED 



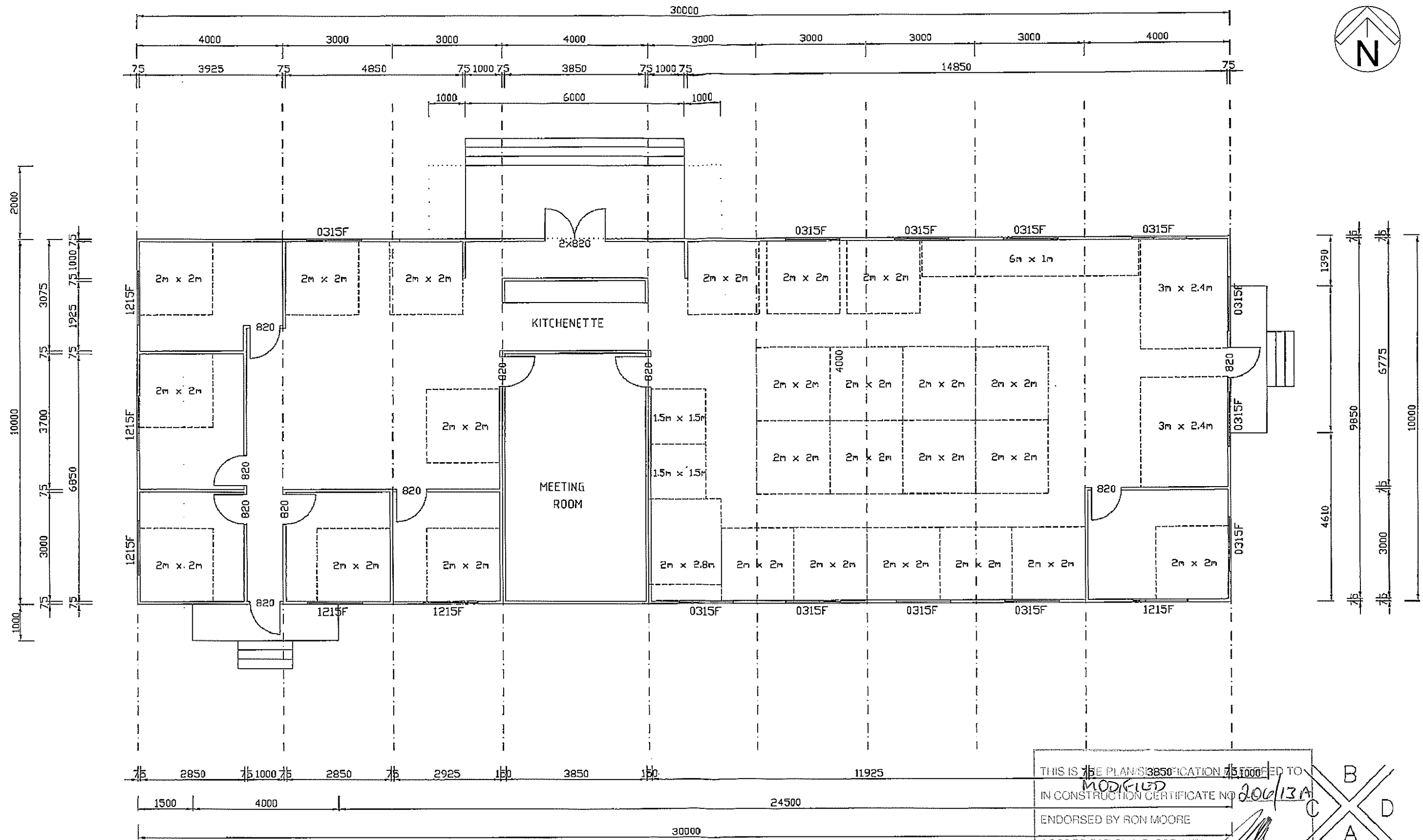
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 ACN 054 485 743

revision	date	by	description	approved
B	01.11.13	AY	ISSUED FOR APPROVAL	
A	31.10.13	LCC	ISSUED FOR APPROVAL	

TFA Project Group
 Email: enquiry@tfa.com.au
 17 Dover Street, Albion QLD 4010 Australia
 Ph. 61 7 3854 2900 Fax. 61 7 3854 2999
 PROJECT MANAGERS | DESIGNERS | PLANNERS | ENGINEERS

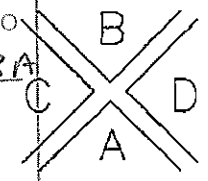
project
PARK FUELS FUEL TERMINAL KOORAGANG ISLAND NEWCASTLE NSW.

title UNDERGROUND PIPELINE WHARF K2 DETAIL		date created 17.10.13	A1 scale 1:250	A3 scale 1:500
drawn AWT	approved	drawing no. 13163-P05		rev. B
status APPROVAL				



DO NOT SCALE.

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 IN CONSTRUCTION CERTIFICATE NO. 200/13A
 ENDORSED BY RON MOORE
 ACCREDITATION NO. BPB 0274
 SIGNED _____

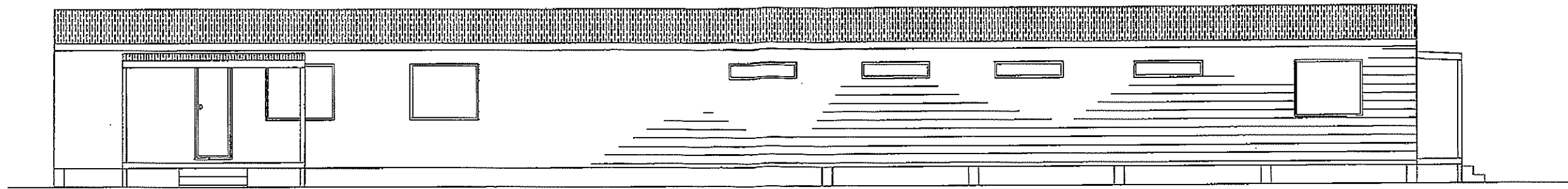


Floor Plan

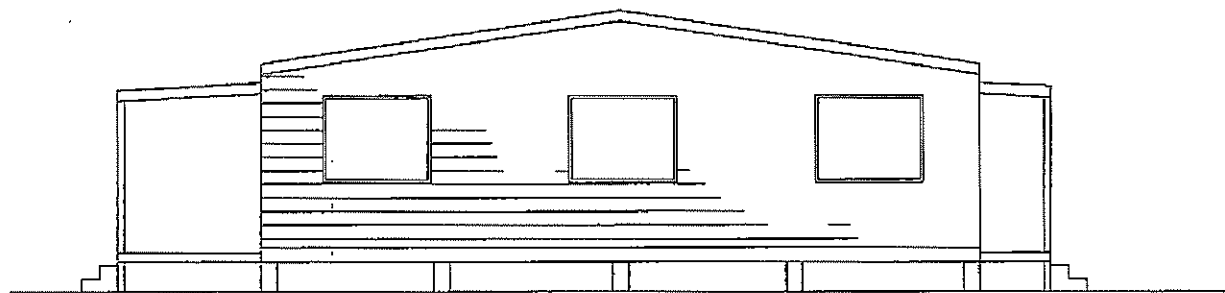
INTRODUCTION

JOB REFERENCE

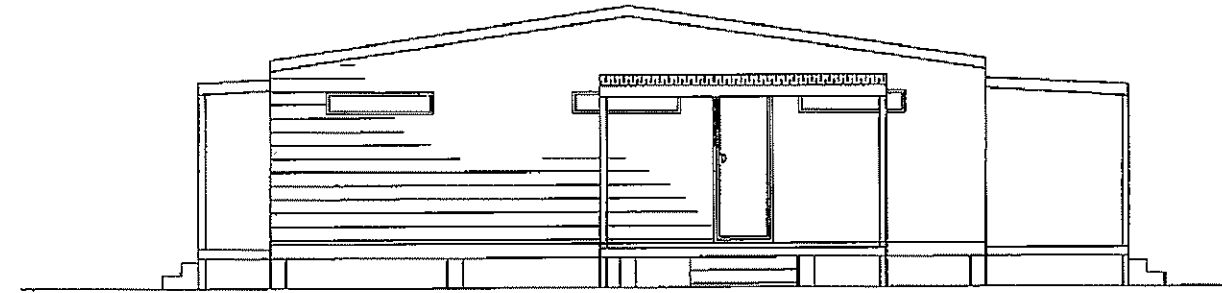
DATE DRAWN _____



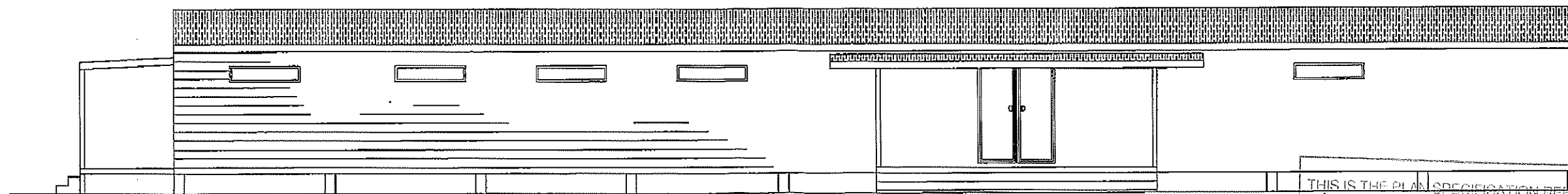
Elevation A



Elevation C



Elevation D



Elevation B

THIS IS THE PLAN SPECIFICATION REFERRED TO
~~MODIFIED~~
 IN CONSTRUCTION CERTIFICATE NO 206/13A
 ENDORSED BY RON MOORE
 ACCREDITATION NO. BPB 0274
 SIGNED _____

DO NOT SCALE.

JOB DETAILS

JOB REFERENCE



Appendix 4

MOD 1 Approval Park Fuels

Modification of Minister's Approval

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

As delegate of the Minister for Planning, under delegation dated 10 November 2014, I approve the modification of the project approval referred to in Schedule 1, subject to the conditions in Schedule 2.



Chris Ritchie
**Manager Industry
Industry Assessments**

Sydney *10 DECEMBER* 2014

SCHEDULE 1

Application Number: 07_0066

Proponent: Park Pty Ltd

Approval Authority: Minister for Planning

Land: Lots 10, 11, 12 and 13 DP 234887, Lot 7 DP 262783, Lots 3 and 4 DP 573972, Lot 361 DP 1104196 and Lots 28 and 34 DP 775776, Greenleaf Road, Kooragang Island, Newcastle

Project: Marine fuel storage facility, biodiesel production facility, pipeline and associated infrastructure

Modification: Construction and installation of an additional offtake pipeline connecting to new Berth K2.5 (07_0066 MOD 1)

SCHEDULE 2

1. In the definitions, delete the definitions for Department, Director-General, NPC and DWE and insert the following definitions in alphabetical order:

Department	Department of Planning and Environment
EPA	Environment Protection Authority
MOD 1	Modification application to MP 07_0066, including supporting documentation prepared by Umwelt (dated 21 February 2014)
NOW	NSW Office of Water
OEH	NSW Office of Environment and Heritage
PoN	Port of Newcastle
Secretary	Secretary of the Department of Planning and Environment

2. Replace all references to Director-General with Secretary.

3. Replace all references to Department of Planning and Infrastructure with Department of Planning and Environment.
 4. Replace all references to NPC with PoN.
 5. Replace the reference to DECC in Condition 35 of Schedule 3 and replace with OEH.
 6. Replace all other references to DECC with EPA.
 7. Replace all references to DWE and replace with OEH.
 8. Replace all references to RTA with RMS.
 9. In Condition 2 of Schedule 2, replace (d) with the following:
 - (d) MOD 1;
 10. Insert new condition 4A after Condition 4 of Schedule 2:
 - 4A. Prior to the commencement of construction, the Proponent shall submit detailed drawings of the proposed pipeline associated with MOD 1 to the satisfaction of PoN. The Proponent shall provide evidence of PoN's approval to the Secretary prior to the commencement of construction.
 11. Insert condition 13A after Condition 13(d) of Schedule 3:
 - 13A. At least one month prior to the commencement of construction, the Proponent shall update the approved **Construction Safety Study** to include changes introduced by MOD 1 to the satisfaction of the Secretary.
-



Appendix 5

MOD 2 Approval Park Fuels

Modification of Minister's Approval

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

As delegate of the Minister for Planning, under delegation dated 10 November 2014, I approve the modification of the project approval referred to in Schedule 1, subject to the conditions in Schedules 2 and 3.



Chris Ritchie
**Manager Industry
Industry Assessments**

Sydney 10 DECEMBER 2014

SCHEDULE 1

Application Number:	07_0066
Proponent:	Park Pty Ltd
Approval Authority:	Minister for Planning & Environment
Land:	Lots 10, 11, 12 and 13 DP 234887, Lot 7 DP 262783, Lots 3 and 4 DP 573972, Lot 361 DP 1104196 and Lots 28 and 34 DP 775776, Greenleaf Road, Kooragang Island, Newcastle
Project:	Marine fuel storage facility, biodiesel production facility, pipeline and associated infrastructure
Modification:	Alter the design of Tanks T1 and T2, and change the use of tank T7 (07_0066 MOD 2)

SCHEDULE 2

- In the definitions, insert the following definition in alphabetical order:

MOD 2	Modification application to MP 07_0066, including supporting documentation prepared by Umwelt (dated 21 May 2014).
-------	--
- In Condition 2 of Schedule 2 insert the following words after (d):
 - MOD 2; and
 - conditions of this approval.

3. Insert new condition 4B following condition 4A:
 - 4B. The Proponent shall:
 - a) design and construct tanks T1, T2 and T7 (see Figure1 in Appendix A) in accordance with *API 650: Welded Steel Tanks for Oil Storage*;
 - b) ensure that vented systems on all tanks comply with *API 2000: Venting Atmospheric and Low-pressure Storage Tanks*; and
 - c) comply with the requirements of the current edition of AS1940: *The storage and handling of flammable and combustible liquids*.
4. Replace condition 6 with the following:
 6. The Proponent shall not manufacture biodiesel on site, as outlined in MOD 2, unless a separate approval is granted by the Secretary.

SCHEDULE 3

HAZARDS AND RISK

Pre-Construction

4. Insert new condition 13B following condition 13A:
 - 13B. At least one month prior to the commencement of construction, the Proponent shall update the approved **Fire Safety Study** in relation to the project as modified by MOD 1 and MOD 2, in consultation with the NSW Fire Brigades and to the satisfaction of the Secretary.
5. Insert new condition 13C following condition 13B:
 - 13C. Prior to the storage of any fuel on site, the Proponent shall update the approved **Hazard and Operability Study** and **Final Hazard Analysis** in relation to the proposed project as modified by MOD 1 and MOD 2 to the satisfaction of the Secretary.

VAPOUR PRESSURE

6. Insert new condition 51, following condition 50:
 51. The Proponent shall ensure that only combustible liquids with a vapour pressure of <2 (Hg at 25°C and 101.3kPa) shall be stored in Tanks T1, T2 and T7.



Appendix 6

GPNSW signed LOC - Park Fuels S75W modification

Port of Newcastle Lessor Pty Limited
ACN 165 332 981

Our Ref: LOC 76 ⁵

To whom it may concern,

SUBJECT: LAND OWNERS CONSENT

Port of Newcastle Lessor Pty Limited is the registered owner of Lots 1, 2 and 3 of DP 557904, Greenleaf Road, Walsh Point.

Accordingly, Port of Newcastle Lessor Pty Limited consents to the lodgment of the following application by Park Pty Ltd:

1. Application to modify existing approval 07-0066 under Section 75W of the *NSW Environmental Planning and Assessment Act 1979*.

If you wish to discuss this matter, please contact Chris Georges on (02) 9273 3901 or Alistair Palmer on (02) 9334 9238.

Yours faithfully,

Date

29/10/15

Signed



Name (print)

SARAH STRANG

Position

company secretary



Request to modify a major project



NSW GOVERNMENT
Department of Planning

Date duly made: ___/___/___

Modification No. _____

1. Before you lodge

This form is required under section 75W of the *Environmental Planning and Assessment Act 1979* (the Act) in order to request the Minister to modify the Minister's approval to carry out a project or concept plan to which Part 3A of the Act applies.

Before making this request, it is recommended that you first consult with the Department of Planning (the Department) concerning your modification. The Director-General may issue environmental assessment requirements that must be complied with before your request will be considered by the Minister. If the changes proposed by the modification will result in a project that is consistent with the existing approval, the Minister's approval for a modification is not required.

Disclosure Statement

Persons making a request to modify a project or concept plan are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years.

Note: For more details about political donations disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

Lodgement

All modification requests must be lodged with the Director-General of the Department of Planning, by courier or mail. An electronic copy should also be e-mailed to the assessment contact officer assigned to the project.

NSW Department of Planning
Ground floor, 23-33 Bridge Street, SYDNEY NSW 2000
GPO Box 39 SYDNEY NSW 2001
Phone 1300 305 695

2. Details of the proponent

Company/organisation/agency		ABN	
Park Pty Ltd		17093014129	
<input checked="" type="checkbox"/> Mr <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/> Dr <input type="checkbox"/> Other			
First name		Family name	
Brett		Fletcher	
Position			
Director			
STREET ADDRESS			
Unit/street no.		Street name	
Lot 1		Creole Rd	
Suburb or town		State	Postcode
Albion Park Rail		NSW	2527
POSTAL ADDRESS (or mark 'as above')			
As above			
Suburb or town		State	Postcode
Daytime telephone	Fax	Mobile	
49201344	49201188	0409665887	
Email			
brettff@parkfuels.com.au			

3. Identify the land

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Greenleaf Rd

Suburb, town or locality

Kooragang

Postcode

2304

Local government area(s)

Newcastle

State Electorate(s)

Newcastle

REAL PROPERTY DESCRIPTION

Lots 10, 11, 12 & 13 DP 234887 – for approved development
Lots 1, 2 and 3 DP 557904 – for modification

Note: The real property description is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Lands.

Please ensure that you place a slash (/) to distinguish between the lot, section, DP and strata numbers. If the proposed modification applies to more than one piece of land, please use a comma to distinguish between each real property description.

OR: detailed description of land attached:

MAP: A map of the site and locality should also be submitted with this request.

4. Details of the original major project or concept plan

Briefly describe what the original approval allows

Bulk liquids import, storage and distribution facility including refurbishment of 2 existing tanks and construction of new tanks, pipeline and associated infrastructure and buildings.

What was the original project application no.?

07_0066

What was the date of the approval?

02/06/2008

What was the original application fee?

Note: Clause 245K of the *Environmental Planning and Assessment Regulation 2000* provides information on calculating the maximum fee for a request for modification.

5. Describe the modification you propose to make to the development

Describe the proposed modification

1. To include additional land adjacent to the approved project for an administration office and workshop.
2. Approval for the occupation of the refurbished office and workshop building on the adjacent land.
3. Approval for 1 additional small tank, T13 (30 kL), built for diesel additive on the original project site.

Your modification request may need to be accompanied by an Environmental Assessment, including plans. An electronic and hard copy of this document will be required.

ESTIMATED CAPITAL INVESTMENT VALUE

Please indicate the estimated capital investment value (CIV) of the modification to the project approval or concept plan (excluding GST).

\$30,000

FULL TIME EQUIVALENT JOBS

Please indicate the number of jobs created by the proposed modification. This should be expressed as a proportion of full time equivalent (FTE) jobs over a full year.

Construction jobs (FTE)

4

Operational jobs (FTE)

7

6. Landowner's consent (where required)

As the owner(s) of the above property, I/we consent to this request being made by the proponent:

Land

Signature

Name

Date

Land

Signature

Name

Date

Note: Under Clause 8F of the *Environmental Planning and Assessment Regulation 2000* (the Regulation), certain applications for approval under Part 3A of the Act do not require consent of the landowner, however, the proponent is required to give notice of the application (e.g. linear infrastructure, mining & petroleum projects, and critical infrastructure).

7. Political donation disclosure statement

Persons making a request to modify a project or concept plan are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years.

Have you attached a disclosure statement to this request?

Yes

No

Note: For more details about political donations disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

8. Proponent's signature

As the proponent(s) of the project and in signing below, I/we hereby:

- provide a description of the modification to the project approval or concept plan and address all matters required by the Director-General pursuant to Section 75W of the Act, and
- declare that all information contained within this form is accurate at the time of signing.

Signature



Name

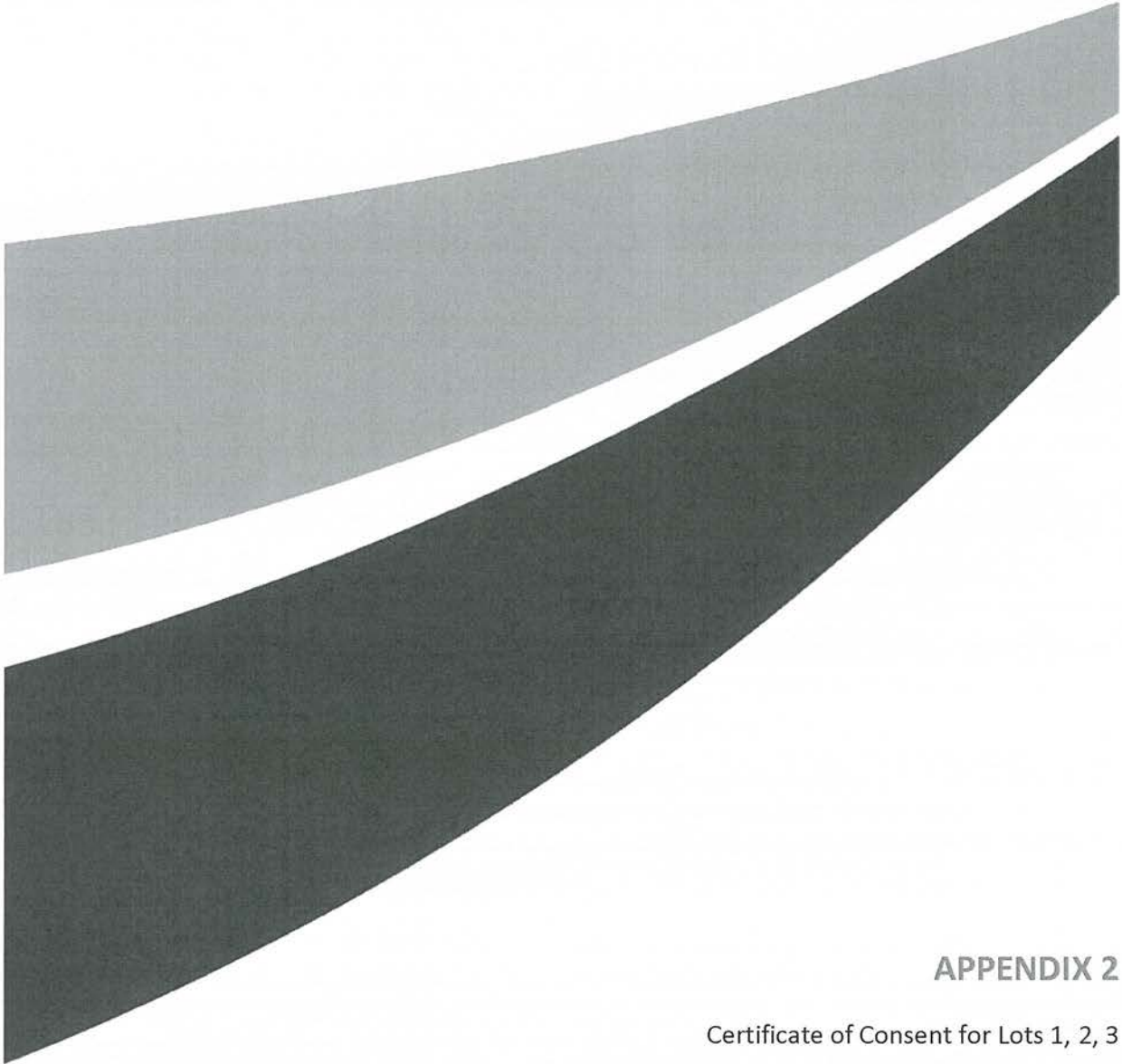
Brett Fletcher

Date

19/08/2015

In what capacity are you signing if you are not the proponent

Name, if you are not the proponent



APPENDIX 2

Certificate of Consent for Lots 1, 2, 3



NEWCASTLE CITY COUNCIL

No. **83/73**

LOCAL GOVERNMENT ACT, 1919 (AS AMENDED)

NORTHUMBERLAND COUNTY DISTRICT PLANNING SCHEME ORDINANCE
CLAUSE, 21

CERTIFICATE OF CONSENT

Applicant's full name **THE MANAGER,
GKN BUILDING & ENGINEERING,**

Address **P.O. BOX 23,
ISLINGTON, 2298
Lot 14 North, Greenleaf Road, Keoragang Island.**

Location of Proposed Development
Lot **14(North)** Section **- - - - -** D. P. **- - - - -**

The Newcastle City Council, as the responsible authority, hereby consents to:
the creation of an office and storage depot, generally in accordance with the layout plan submitted, subject to strict compliance with the following conditions :-

- (1) a staff/client parking area for eight(8) vehicles being provided within and adjacent the front boundary of the property, generally as indicated on the sketch plan,
- (2) scaffolding and formwork stored in the open yard being stacked to the requirements of the Chief Health Inspector to prevent harbourage for vermin,
- (3) the site at all times being kept in a clean and tidy condition,
- (4) a plantation screen at least five(5) feet wide being developed, to the satisfaction of the Town Planner and Parks and Gardens Superintendent, along the front boundary of the property and returned down the side boundaries to the front wall of the proposed building together with selected species of spot planting adjacent to side boundaries and across the rear boundary, such plantings to be permanently maintained,
- (5) the parking area being graded, drained and paved to the satisfaction of the City Engineer.

- 1. Any consent given under this clause shall be void if the development to which it refers is not substantially commenced within twelve months after the date of consent: provided that the responsible authority may, if good cause be shown, grant an extension or renewal of such consent beyond such period.
- 2. It is a condition precedent that all conditions of approval must be complied with before land use (including occupancy) takes place.

IMPORTANT:

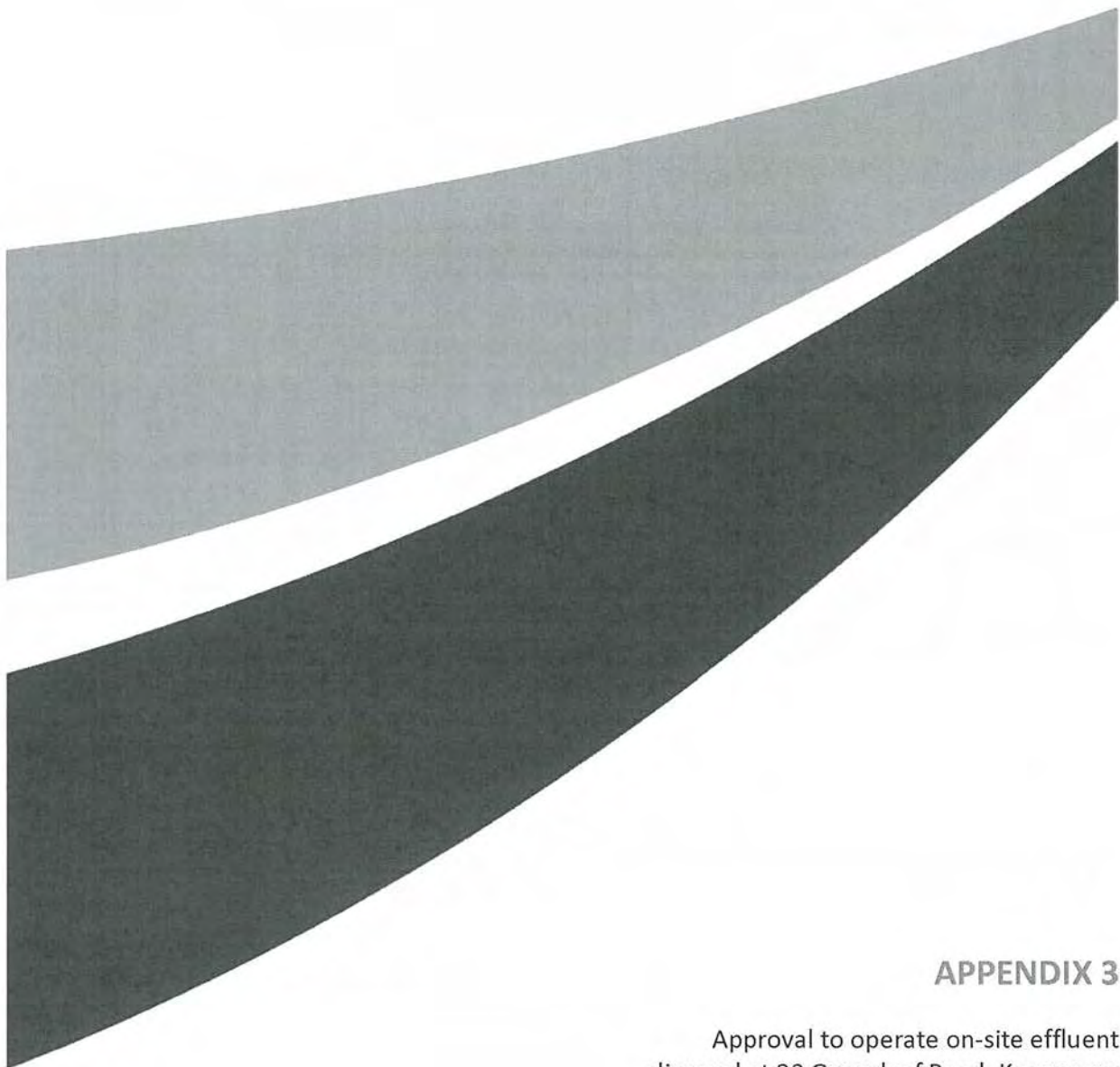
It is to be clearly understood that the above consent is not an approval to carry out any structural work. A formal Building Application must be submitted to Council and be approved before any structural work is carried out to implement the above consent, also the applicant is not relieved of any obligation to obtain any other approval required under any other Act. This consent is binding upon all successive owners or occupiers, and should be handed to any new owner or occupier for his information.

ELEVENTH

Dated this **APRIL,** **73.** day
of **19**

W. BURGESS, Townr

per



APPENDIX 3

Approval to operate on-site effluent disposal at 32 Greenleaf Road, Kooragang

142

Planning & Regulatory/H.Bingham
**NOTICE OF DETERMINATION
APPLICATION FOR APPROVAL
TO OPERATE A SYSTEM OF
SEWAGE MANAGEMENT**



Section 99 Local Government Act 1993

Park Pty Ltd
10-13 Greenleaf Road
KOORAGANG NSW 2304

Application No: 115.2015.486.1
(142)

Land to which the Application relates: Lot: 3 DP: 557904
32 Greenleaf Road
KOORAGANG NSW 2304

System description: Septic Tank and Collection Well Pump Out ("the System")

Determination

The Application for *Approval to Operate a System of Sewage Management* required by the *Local Government Act Section 68 PART C Item 6* has been determined by granting of **APPROVAL** subject to the conditions specified in the attached Schedule 1.

Date from which approval operates: 23 July 2015

Date on which the approval lapses: 30 June 2018

Review and Appeal

Section 100 of the Local Government Act 1993 allows you to request Council to review this decision, provided the request is lodged within 28 days of the date of determination and is accompanied by the prescribed fee.

Section 176 of the Local Government Act 1993 allows you to appeal this decision to the Land and Environment Court, provided the appeal is lodged within 28 days of the date of determination.

A handwritten signature in black ink that reads "Paul McMurray".

23 July 2015

Paul McMurray
ENVIRONMENTAL HEALTH SERVICES COORDINATOR
REGULATORY SERVICES

Date of determination

SCHEDULE 1

1. The System is maintained such that it complies with any applicable "Approval to Install a Human Waste Storage Facility" issued for the installation of the System except as modified by the conditions of this approval.

Reason: To ensure maintenance of the system in the form assessed and approved by Council.

2. The System must be maintained in a sanitary condition and must be operated in accordance with the relevant provisions of the NSW Local Government (General) Regulation, 2005 (as amended).

Reason: To make the applicant aware of the requirement of Section 45(2) of the Local Government Regulations.

3. The operation of the System must achieve the following performance standards:

- the prevention of the spread of disease by micro-organisms,
- the prevention of the spread of foul odours,
- the prevention of the contamination of waters,
- the prevention of the degradation of soil and vegetation,
- the discouragement of insects and vermin,
- ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned,
- the minimisation of any adverse impacts on the amenity of the premises and surrounding lands.

Reason: To make the applicant aware of the requirement of Section 44(1)a of the Local Government Regulations.

4. The System must be operated:

- in accordance with the relevant operating specifications and procedures for the component facilities and
- so as to allow removal of treated sewage in a safe and sanitary manner.

Reason: To make the applicant aware of the requirement of Section 44(3)a & b of the Local Government Regulations.

5. The System must not discharge into any watercourse or onto any land ("land application area").

Reason: To make the applicant aware of the requirement of Section 45(3) of the Local Government Regulations.

6. Waste from the System must not be permitted to overflow or be disposed of by any other method than that approved by Council.

Reason: To prevent the pollution of waters and minimise the risk to human health.

7. The conditions (if any) of any certificate of accreditation issued by the Director- General of the Department of Health under the Local Government (General) Regulation, 2005 (as amended) in respect of the plans or designs for any components of the sewage management facilities must be complied with.

Reason: To make the applicant aware of the requirement of Section 45(4) of the Local Government Regulations.

8. The person operating the System must provide details of the way in which it is operated and evidence of compliance with the relevant requirements of the Local Government (General) Regulation, 2005 (as amended) and of the conditions of approval, whenever the Council reasonably requires the person to do so.

Reason: To make the applicant aware of the requirement of Section 45(5) of the Local Government Regulations.

9. Where Council reasonably suspects that the System is not operating in accordance with an approval, wastewater and/or effluent samples may be collected from the System by Council for analysis. Laboratory analysis charges may be recovered from the operator of the System on a cost to Council recovery basis, together with any administrative and delivery costs.

Reason: To notify the applicant of Council's powers to collect wastewater samples of Systems for analysis and to recover the costs associated with sampling and analysis from the applicant.

10. All effluent shall be contained in the collection well until removal by a licensed service provider.

Reason: To ensure the appropriate disposal of effluent from the System.

11. There is to be no interference with the residential amenity of the area by reason of the emission of any noise, smell or otherwise.

Reason: To protect the amenity of any surrounding residential premises.

12. The collection well is to be emptied of effluent at such frequency that will prevent any overflow and permit safe and healthy operating conditions as approved by Council.

Reason: To prevent the pollution of waters and minimise the risk to human health.

13. Cleaning agents, detergents, disinfectants, bleaches, alkalis, acids, pesticides, herbicides shall be prevented from entering the System in large quantities.

Reason: These chemicals can upset the biological processes necessary for the proper operation of the system and to achieve appropriate levels of treatment of effluent.

14. Fats and oils and food waste shall be prevented from entering the System in large quantities.

Reason: Fats and oils will increase the scum layer (top layer), reducing the tanks treatment capacity and increasing the maintenance requirements.

15. All inspection openings and access points shall be maintained to prevent insect/vermin access.

Reason: To prevent the System becoming a food source or breeding ground for insects and vermin.

16. The emergency telephone number of the maintenance contractor must be fixed and located on the collection well so it is readily visible.

Reason: To allow immediate contact to be made with the appropriate maintenance contractor in the case of failure of the System.

17. The high level alarm/indicator is to be maintained in working condition and tested regularly to insure its reliability.

Reason: To ensure that an alarm operates correctly and provides appropriate warning of the high level of effluent in the tank.

18. If the System includes a septic tank the System must be serviced annually by a suitably qualified person. The service must include inspection of the sludge and scum levels and cleaning of any potential blockages around inlet and outlet pipes of the septic tank. The septic tank must also be regularly desludged by a water disposal contractor who is licensed to handle and remove septic tank sludge. Desludging is usually required three yearly. During desludging, some waste water should be retained in the tank. The tanks should be immediately refilled with water to the outlet level to prevent the tank from being lifted by soil hydrostatic pressure.

Reason: To ensure the System operates effectively and to minimise the potential for significant failure or overflow of effluent from the System.

19. Adequate clear access to the collection well must be provided to allow for the regular pump out of effluent.

Reason: To ensure the System can be accessed for regular pump out of effluent.

20. The repair and maintenance of plumbing and drainage lines associated with the System, shall only be carried out by a plumber licensed by the Department of Fair Trading.

Reason: To minimise the potential for inappropriate or substandard repair and maintenance on the System.

21. Safe access to the System is to be provided for the purposes of maintenance and inspection.

Reason: To allow Council and other service companies to carry out their work on the System in a safe environment.

22. Council reserves the right to revoke or modify this approval, or require remedial works to be undertaken to ensure the System meets the conditions of this approval.

Reason: To make the applicant aware of Council's powers in relation to this approval as provided by Section 109 d of the Local Government Regulations.

Advisory Notes:

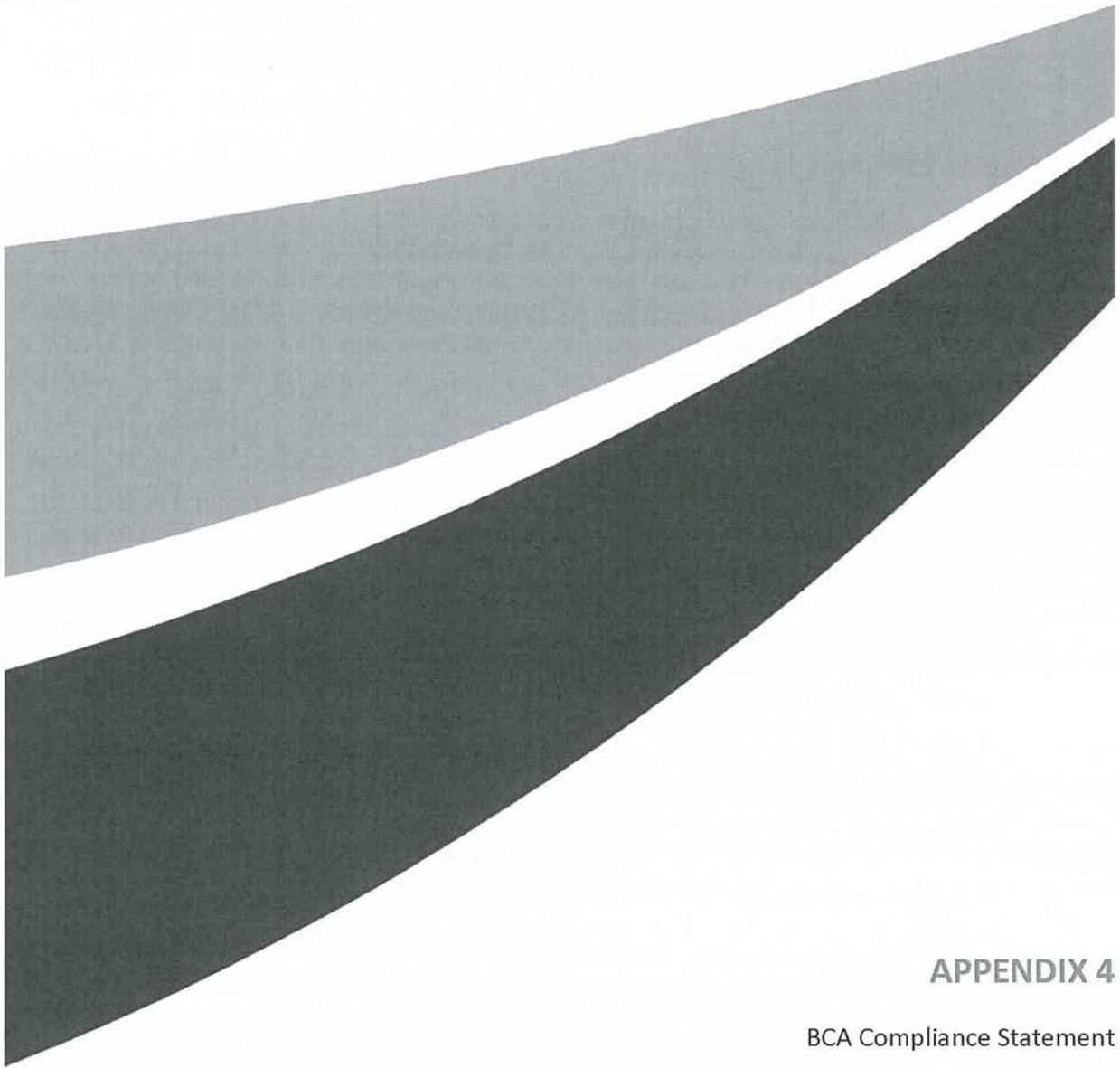
1. The Council may carry out compliance inspections of any premises, facilities or records related to the operation the System in order to assess compliance with this approval. Council may carry out one (1) compliance inspection per year. The Council may also carry out follow up inspections in relation to any matter requiring rectification about which the applicant has been notified. The fee for each such inspection is the approved fee determined in accordance with the Local Government Act 1993.

The approved fee is the amount specified in the Council Management Plan for the period in which the compliance inspection is carried out unless another amount is specified in regulations or determined by the Director General, Department of Local Government.

In addition to compliance inspections in relation to the approval Council may carry out general inspections of any premises in accordance with §191 – 201 of the Local Government Act. If as a result of a general inspection Council requires that rectification work must be carried out, Council may recover the costs of entry and inspection from the owner or occupier of the premises. If no remedial action is required no fee is charged for general inspections of non-commercial premises.

2. A person who purchases (or otherwise acquires) land on which any sewage management facilities are installed may operate a system of sewage management without the approval required under the Local Government Act for the period of three (3) months after the date on which the land is transferred or otherwise conveyed to the person, whether or not an approval is in force, as at that date, in relation to the operation of a system of sewage management on that land.

Further, if the person duly applies, within the period of two (2) months after the date on which the land is transferred or otherwise conveyed to the person, for approval to operate the system of sewage management concerned, the person may continue to operate that system of sewage management without approval until the application is finally determined.



APPENDIX 4

BCA Compliance Statement



BUILDING APPROVALS
BASIX CERTIFICATES
BUSHFIRE AND BCA CONSULTATION
SWIMMING POOL COMPLIANCE

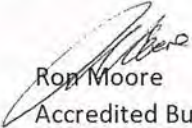
3rd September 2015

Park Pty Ltd
wreader@exemail.com.au

SUBJECT LAND: Greenleaf Road, Kooragang Island Newcastle
DESCRIPTION: Refurbishment of 2 existing tanks, piping, 1 new tank and buildings
MODIFICATION - to general layout
OUR REF: 206/13

The office building located on Lot 10-13 Greenleaf Road, Kooragang Island, Newcastle has been inspected and found to comply with the requirements of the Building Code of Australia with regard to fire safety.

Kind regards


Ron Moore
Accredited Building Certifier
BPB 0274



Appendix 7

Certificate of Consent for Lots 1 2 3



LOCAL GOVERNMENT ACT, 1919 (AS AMENDED)

NORTHUMBERLAND COUNTY DISTRICT PLANNING SCHEME ORDINANCE
CLAUSE, 21

CERTIFICATE OF CONSENT

Applicant's full name

THE MANAGER,
GKN BUILDING & ENGINEERING,

Address

P.O. BOX 23,
ISLINGTON, 2206

Location of Proposed Development

Lot 14 North, Greenleaf Road, Keoragang Island.

Lot

Section

D.P.

The Newcastle City Council, as the responsible authority, hereby consents to:
the erection of an office and storage depot, generally in accordance
with the layout plan submitted, subject to strict compliance with the
following conditions :-

- (1) a staff/client parking area for eight(8) vehicles being provided within and adjacent the front boundary of the property, generally as indicated on the sketch plan.
- (2) scaffolding and formwork stored in the open yard being stacked to the requirements of the Chief Health Inspector to prevent harboursage for vermin.
- (3) the site at all times being kept in a clean and tidy condition.
- (4) a plantation screen at least five(5) feet wide being developed, to the satisfaction of the Town Planner and Parks and Gardens Superintendent, along the front boundary of the property and returned down the side boundaries to the front wall of the proposed building together with selected species of spot planting adjacent to side boundaries and across the rear boundary, such plantings to be permanently maintained.
- (5) the parking area being graded, drained and paved to the satisfaction of the City Engineer.

- 1. Any consent given under this clause shall be void if the development to which it refers is not substantially commenced within twelve months after the date of consent: provided that the responsible authority may, if good cause be shown, grant an extension or renewal of such consent beyond such period.
- 2. It is a condition precedent that all conditions of approval must be complied with before land use (including occupancy) takes place.

IMPORTANT:

It is to be clearly understood that the above consent is not an approval to carry out any structural work. A formal Building Application must be submitted to Council and be approved before any structural work is carried out to implement the above consent, also the applicant is not relieved of any obligation to obtain any other approval required under any other Act. This consent is binding upon all successive owners or occupiers, and should be handed to any new owner or occupier for his information.

ELEVENTH

Dated this

day

W. BURGESS, Townr

APRIL,

73.

of

19

per



Appendix 8

Approval to operate on-site effluent disposal at 32 Greenleaf Road Kooragang

**Planning & Regulatory/H.Bingham
NOTICE OF DETERMINATION
APPLICATION FOR APPROVAL
TO OPERATE A SYSTEM OF
SEWAGE MANAGEMENT**



Section 99 Local Government Act 1993

Park Pty Ltd
10-13 Greenleaf Road
KOORAGANG NSW 2304

Application No: 115.2015.486.1
(142)

Land to which the Application relates: Lot: 3 DP: 557904
32 Greenleaf Road
KOORAGANG NSW 2304

System description: Septic Tank and Collection Well Pump Out ("the System")

Determination

The Application for *Approval to Operate a System of Sewage Management* required by the *Local Government Act Section 68 PART C Item 6* has been determined by granting of **APPROVAL** subject to the conditions specified in the attached Schedule 1.

Date from which approval operates: 23 July 2015

Date on which the approval lapses: 30 June 2018

Review and Appeal

Section 100 of the Local Government Act 1993 allows you to request Council to review this decision, provided the request is lodged within 28 days of the date of determination and is accompanied by the prescribed fee.

Section 176 of the Local Government Act 1993 allows you to appeal this decision to the Land and Environment Court, provided the appeal is lodged within 28 days of the date of determination.

23 July 2015

**Paul McMurray
ENVIRONMENTAL HEALTH SERVICES COORDINATOR
REGULATORY SERVICES**

Date of determination

SCHEDULE 1

1. The System is maintained such that it complies with any applicable "Approval to Install a Human Waste Storage Facility" issued for the installation of the System except as modified by the conditions of this approval.

Reason: To ensure maintenance of the system in the form assessed and approved by Council.

2. The System must be maintained in a sanitary condition and must be operated in accordance with the relevant provisions of the NSW Local Government (General) Regulation, 2005 (as amended).

Reason: To make the applicant aware of the requirement of Section 45(2) of the Local Government Regulations.

3. The operation of the System must achieve the following performance standards:

- the prevention of the spread of disease by micro-organisms,
- the prevention of the spread of foul odours,
- the prevention of the contamination of waters,
- the prevention of the degradation of soil and vegetation,
- the discouragement of insects and vermin,
- ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned,
- the minimisation of any adverse impacts on the amenity of the premises and surrounding lands.

Reason: To make the applicant aware of the requirement of Section 44(1)a of the Local Government Regulations.

4. The System must be operated:

- in accordance with the relevant operating specifications and procedures for the component facilities and
- so as to allow removal of treated sewage in a safe and sanitary manner.

Reason: To make the applicant aware of the requirement of Section 44(3)a & b of the Local Government Regulations.

5. The System must not discharge into any watercourse or onto any land ("land application area").

Reason: To make the applicant aware of the requirement of Section 45(3) of the Local Government Regulations.

6. Waste from the System must not be permitted to overflow or be disposed of by any other method than that approved by Council.

Reason: To prevent the pollution of waters and minimise the risk to human health.

7. The conditions (if any) of any certificate of accreditation issued by the Director- General of the Department of Health under the Local Government (General) Regulation, 2005 (as amended) in respect of the plans or designs for any components of the sewage management facilities must be complied with.

Reason: To make the applicant aware of the requirement of Section 45(4) of the Local Government Regulations.

8. The person operating the System must provide details of the way in which it is operated and evidence of compliance with the relevant requirements of the Local Government (General) Regulation, 2005 (as amended) and of the conditions of approval, whenever the Council reasonably requires the person to do so.

Reason: To make the applicant aware of the requirement of Section 45(5) of the Local Government Regulations.

9. Where Council reasonably suspects that the System is not operating in accordance with an approval, wastewater and/or effluent samples may be collected from the System by Council for analysis. Laboratory analysis charges may be recovered from the operator of the System on a cost to Council recovery basis, together with any administrative and delivery costs.

Reason: To notify the applicant of Council's powers to collect wastewater samples of Systems for analysis and to recover the costs associated with sampling and analysis from the applicant.

10. All effluent shall be contained in the collection well until removal by a licensed service provider.

Reason: To ensure the appropriate disposal of effluent from the System.

11. There is to be no interference with the residential amenity of the area by reason of the emission of any noise, smell or otherwise.

Reason: To protect the amenity of any surrounding residential premises.

12. The collection well is to be emptied of effluent at such frequency that will prevent any overflow and permit safe and healthy operating conditions as approved by Council.

Reason: To prevent the pollution of waters and minimise the risk to human health.

13. Cleaning agents, detergents, disinfectants, bleaches, alkalis, acids, pesticides, herbicides shall be prevented from entering the System in large quantities.

Reason: These chemicals can upset the biological processes necessary for the proper operation of the system and to achieve appropriate levels of treatment of effluent.

14. Fats and oils and food waste shall be prevented from entering the System in large quantities.

Reason: Fats and oils will increase the scum layer (top layer), reducing the tanks treatment capacity and increasing the maintenance requirements.

15. All inspection openings and access points shall be maintained to prevent insect/vermin access.

Reason: To prevent the System becoming a food source or breeding ground for insects and vermin.

16. The emergency telephone number of the maintenance contractor must be fixed and located on the collection well so it is readily visible.

Reason: To allow immediate contact to be made with the appropriate maintenance contractor in the case of failure of the System.

17. The high level alarm/indicator is to be maintained in working condition and tested regularly to insure its reliability.

Reason: To ensure that an alarm operates correctly and provides appropriate warning of the high level of effluent in the tank.

18. If the System includes a septic tank the System must be serviced annually by a suitably qualified person. The service must include inspection of the sludge and scum levels and cleaning of any potential blockages around inlet and outlet pipes of the septic tank. The septic tank must also be regularly desludged by a water disposal contractor who is licensed to handle and remove septic tank sludge. Desludging is usually required three yearly. During desludging, some waste water should be retained in the tank. The tanks should be immediately refilled with water to the outlet level to prevent the tank from being lifted by soil hydrostatic pressure.

Reason: To ensure the System operates effectively and to minimise the potential for significant failure or overflow of effluent from the System.

19. Adequate clear access to the collection well must be provided to allow for the regular pump out of effluent.

Reason: To ensure the System can be accessed for regular pump out of effluent.

20. The repair and maintenance of plumbing and drainage lines associated with the System, shall only be carried out by a plumber licensed by the Department of Fair Trading.

Reason: To minimise the potential for inappropriate or substandard repair and maintenance on the System.

21. Safe access to the System is to be provided for the purposes of maintenance and inspection.

Reason: To allow Council and other service companies to carry out their work on the System in a safe environment.

22. Council reserves the right to revoke or modify this approval, or require remedial works to be undertaken to ensure the System meets the conditions of this approval.

Reason: To make the applicant aware of Council's powers in relation to this approval as provided by Section 109 d of the Local Government Regulations.

Advisory Notes:

1. The Council may carry out compliance inspections of any premises, facilities or records related to the operation the System in order to assess compliance with this approval. Council may carry out one (1) compliance inspection per year. The Council may also carry out follow up inspections in relation to any matter requiring rectification about which the applicant has been notified. The fee for each such inspection is the approved fee determined in accordance with the Local Government Act 1993.

The approved fee is the amount specified in the Council Management Plan for the period in which the compliance inspection is carried out unless another amount is specified in regulations or determined by the Director General, Department of Local Government.

In addition to compliance inspections in relation to the approval Council may carry out general inspections of any premises in accordance with §191 – 201 of the Local Government Act. If as a result of a general inspection Council requires that rectification work must be carried out, Council may recover the costs of entry and inspection from the owner or occupier of the premises. If no remedial action is required no fee is charged for general inspections of non-commercial premises.

2. A person who purchases (or otherwise acquires) land on which any sewage management facilities are installed may operate a system of sewage management without the approval required under the Local Government Act for the period of three (3) months after the date on which the land is transferred or otherwise conveyed to the person, whether or not an approval is in force, as at that date, in relation to the operation of a system of sewage management on that land.

Further, if the person duly applies, within the period of two (2) months after the date on which the land is transferred or otherwise conveyed to the person, for approval to operate the system of sewage management concerned, the person may continue to operate that system of sewage management without approval until the application is finally determined.



Appendix 9

BCA Compliance Statement

3rd June 2016

Warwick Reader
Park Pty Ltd
28 Greenleaf Road
Koorangang NSW 2304
wreader@exemail.com.au

SUBJECT LAND: Lots 1, 2 & 3 DP 557904 Greenleaf Road, Koorangang Island Newcastle
DESCRIPTION: Refurbishment of 2 existing tanks, piping, 1 new tank and buildings
MODIFICATION - to general layout
OUR REF: 206/13

I refer to previous correspondence in relation to the use of an existing office workshop building at the subject premises.

I also refer to Council's letter dated 22nd December 2015 in which Council requested a more comprehensive consideration of the relevant classes of the Building Code of Australia.

However, in order to clarify the situation, I provide the following assessment advice.

1. BUILDING CLASSIFICATION

The building is classified as a Class 5 & 8 building contained within a single storey and any new building work is required to be carried out to Type C Construction requirements of the Building Code of Australia

2. NEW WORK

The new work involved provision of exterior cladding to the existing steel framed workshop and construction of two (2) internal rooms within the workshop

3. BCA COMPLIANCE

(i) STRUCTURE

As the building works involved cladding to existing steel framework and provision of internal partitioning to the existing workshop, this work is not considered structural. Attached is a statement from the builder and a certificate from the plasterer regarding the two (2) internal rooms.

It is considered that the works are compliant with the provision of Part B of the Building Code of Australia

(ii) FIRE RESISTANCE

Table 5 of Specification C1.1 of the Building Code of Australia provides for fire resistance of building elements.

Generally, external walls of the office and workshop we required to have an FRL of 60/60/60 if located less than 3m from a side or rear boundary, and an FRL of 90/90/90 located less than 1.5m from a side or rear boundary.

The site plan attached indicates that the building is located more than 3m from the northern and eastern boundaries, but is located on the southern boundary.

Under the provisions of Clause 5.1 of Specification C1.1 of the Building Code of Australia the wall on the southern boundary is required to have an FRL of 90/90/90.

It is understood that it is intended to undertake a lot consolidation to remove the boundary, so that the building will achieve compliance with the fire rating requirements of the Building Code of Australia

(iii) EGRESS

Clause D1.4 of the Building Code of Australia provides that no point on the floor of a Class 5 or 8 building must be more than 20m from an exit, or a point from which travel in different directions to 2 exits is available, in which case the maximum distance to one of these exits must not exceed 40m.

The egress provisions within the building are compliant with the above requirements. See plans attached.

(iv) ACCESS

Access to and within the existing building is generally satisfactory. As this is an existing building there is no requirement to upgrade disabled persons' access or facilities.

(v) FIRE SAFETY SERVICES

The following fire safety services are required to service the building in accordance with the provision of Part E of the Building Code of Australia

- FIRE HYDRANT SYSTEM
- FIRE HOSE REEL
- EXIT SIGNAGE
- EMERGENCY LIGHTING
- PORTABLE FIRE EXTINGUISHER

Please find attached certification of each fire safety service installed to the building, including comments regarding the availability of an existing fire hydrant.

An inspection of the premises has disclosed the above services have been provided in accordance with Building Code of Australia requirements

E1.3 – FIRE HYDRANT

E1.4 - FIRE HOSE REELS

E1.6 – PORTABLE FIRE EXTINGUISHER

E4.2 – EMERGENCY LIGHTING

E4.5 - EXIT SIGNS

The attached fire safety schedule should be used to obtain required certification.

(vi) FACILITIES

Clause F2.3 of the Building Code of Australia provides requirements for facilities on Class 3 to 9 buildings.

Given the size and use of the existing office area, the existing facilities are compliant with the requirement of this clause.

(vii) ENERGY EFFICIENCY

As there was no real building work, the requirement of Section J of the Building Code of Australia are restricted to any new light fittings or air conditioning or mechanical installation system.

It is understood that no new ventilation or air conditioning system were installed to the building and the new lighting installed has been certified as meeting the requirements of Section J of the Building Code of Australia (copy attached).

CONSLUSION

The building is generally compliant with the provision of the Building Code of Australia. Lot consolidation is required to avoid the necessity of fire fating the external wall on the southern boundary and when completed the building will be fully compliant.



Ron Moore
Principal Certifying Authority

W.A.BROWN BUILDING PTY LTD

Industrial – Commercial – Project Management

Ref WAB791

25th February, 2016

Park Fuels

30 Greenleaf Road

Kooragang NSW 2304

Attn: Glenn O'Brien

**RE: CERTIFICATE OF COMPLIANCE
WORKS COMPLETED AT 30 GREENLEAF ROAD, KOORAGANG**

Dear Glenn,

W.A. Brown Building Pty Ltd confirms the work undertaken at 30 Greenleaf Road, Kooragang (two small rooms to the rear of the existing building) comply with the relevant sections of the Building Code of Australia (BCA) and Australian Standards (AS).

Attached is the certificate from the plastering contractor for the works completed - MA & JL Webster Plastering dated 23.09.15.

We trust this certificate meets with your approval. If you have any questions or require any further information please do not hesitate to contact the undersigned.

Regards,

Wayne Brown
Director
W.A. Brown Building



MA & JL WEBSTER PLASTERING

CERTIFICATE OF COMPLIANCE

Building Contractor/Client: W A Brown Building.

Project/Job Site: Park Fuels,
30 Greenleaf Road,
KOORAGANG. N.S.W. 2304.


Project Specification: Sheet, set and sand walls with 10mm gyprock.
In 2 small rooms at the rear of existing building.

I certify that the installation of all gyprock and Plastering work by MA & JL WEBSTER PLASTERING, at 30 Greenleaf Road, KOORAGANG. is in accordance with requirements relevant to the current Australian Standards:

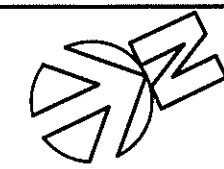
- Australian Standard "Gypsum Plasterboard" AS 2588 - 1998.
- Australian Standard "Gypsum Linings in Residential and Light commercial construction - application and finishing AS 2589.1: 1997.

NOTE: ANY PENETRATIONS TO THE WORK OTHER THAN THOSE SHOWN ABOVE WILL VOID THIS CERTIFICATE...

Date of this Certificate: 23/09/2015

Signed 
Mark Webster

Licence No. 111835.C

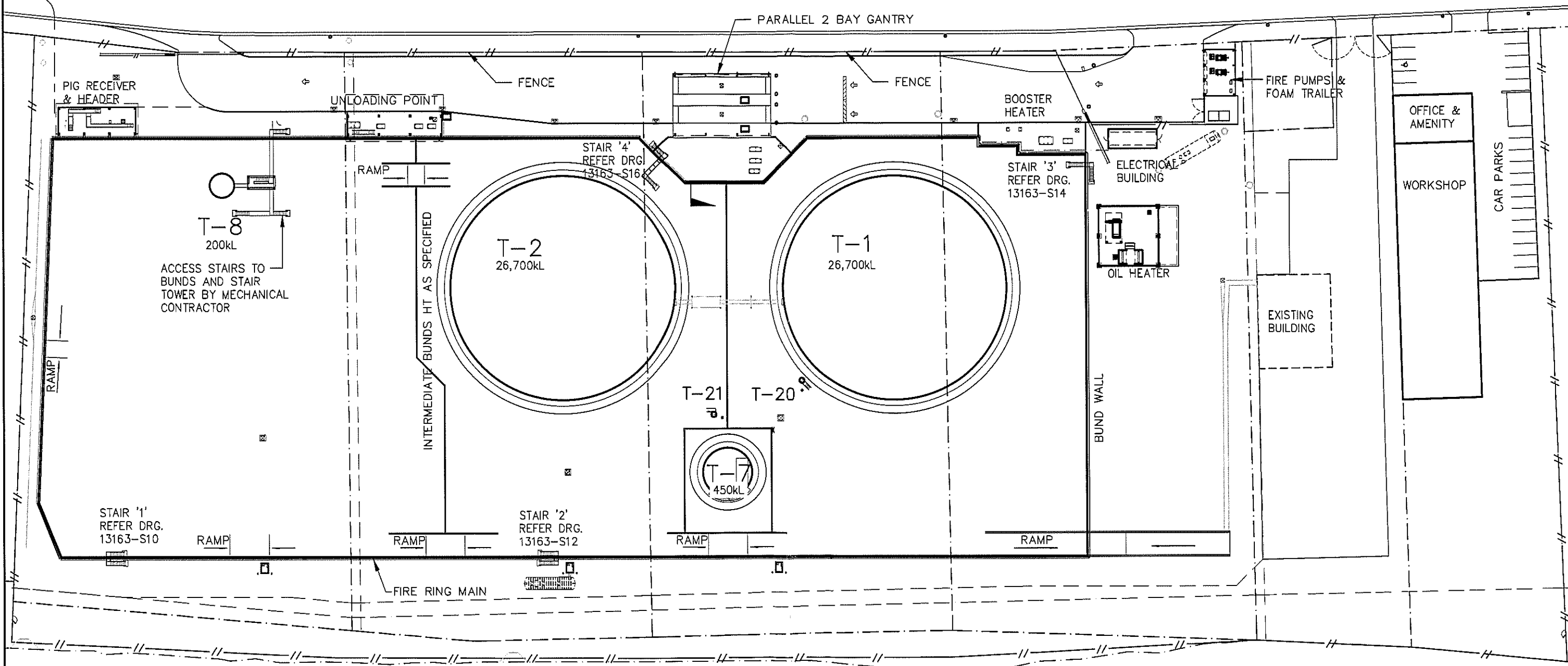


GREENLEAF ROAD

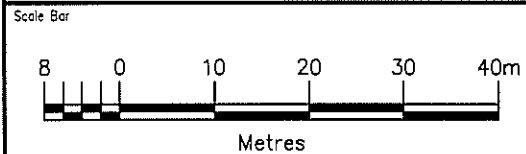
B
A03

A
A02

PARALLEL 2 BAY GANTRY



HUNTER RIVER (NORTH ARM)



Figured dimensions to be taken in preference to scale readings.

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ACN 054 486 743

revision	date	by	description	approved
E	20.05.14	JRM	ISSUED FOR CONSTRUCTION	TF
D	21.02.14	DGC	ADDENDUM No 9	
C	27.11.13	DGC	REVISED TENDER ISSUE	
B	26.11.13	DGC	TENDER ISSUE	
A	31.10.13	LCC	ISSUED FOR APPROVAL	

TFA Project Group
 Email: enquiry@tfa.com.au
 17 Dover Street, Albion QLD 4010 Australia
 Ph. 61 7 3854 2900 Fax. 61 7 3854 2999
 PROJECT MANAGERS | DESIGNERS | PLANNERS | ENGINEERS

project
**PARK FUELS
 FUEL TERMINAL
 KOORAGANG ISLAND
 NEWCASTLE
 NSW**

title				
PROPOSED SITE LAYOUT				
drawn LCC	approved	date created 18.9.13	A1 scale 1:400	A3 scale 1:800
status CONSTRUCTION		drawing no. 13163-A01	rev. E	

-  FLOOR FINISH - CARPET
-  FLOOR FINISH - VINYL
-  FLOOR FINISH - NEW TILES

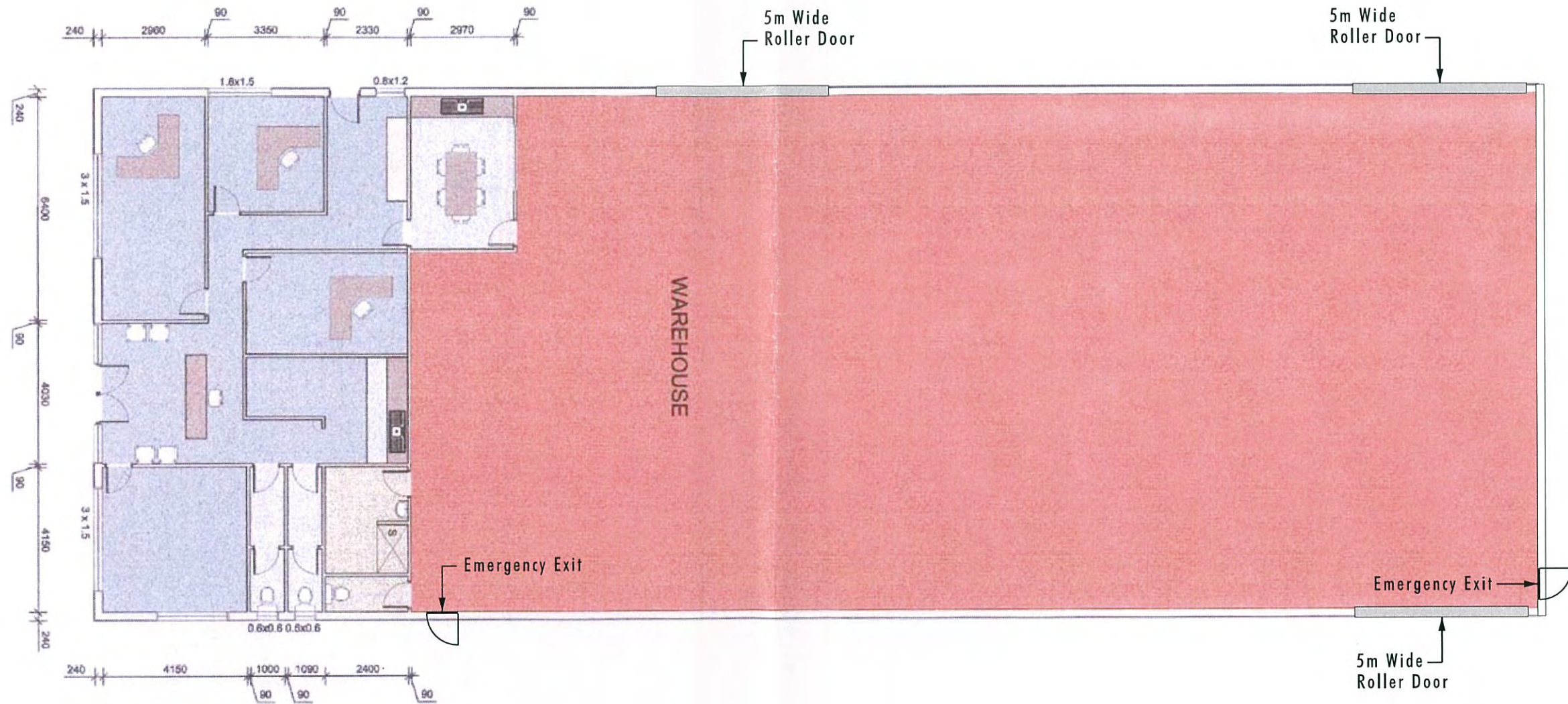


FIGURE 2.3
Full Building Plan

0 2.5 5.0 10.0m
1:200

Image Source: W.A. Brown Building Pty Ltd

File Name (A4): V1/3356_006.dgn
20150706 9.06

-  FLOOR FINISH - CARPET
-  FLOOR FINISH - VINYL
-  FLOOR FINISH - NEW TILES

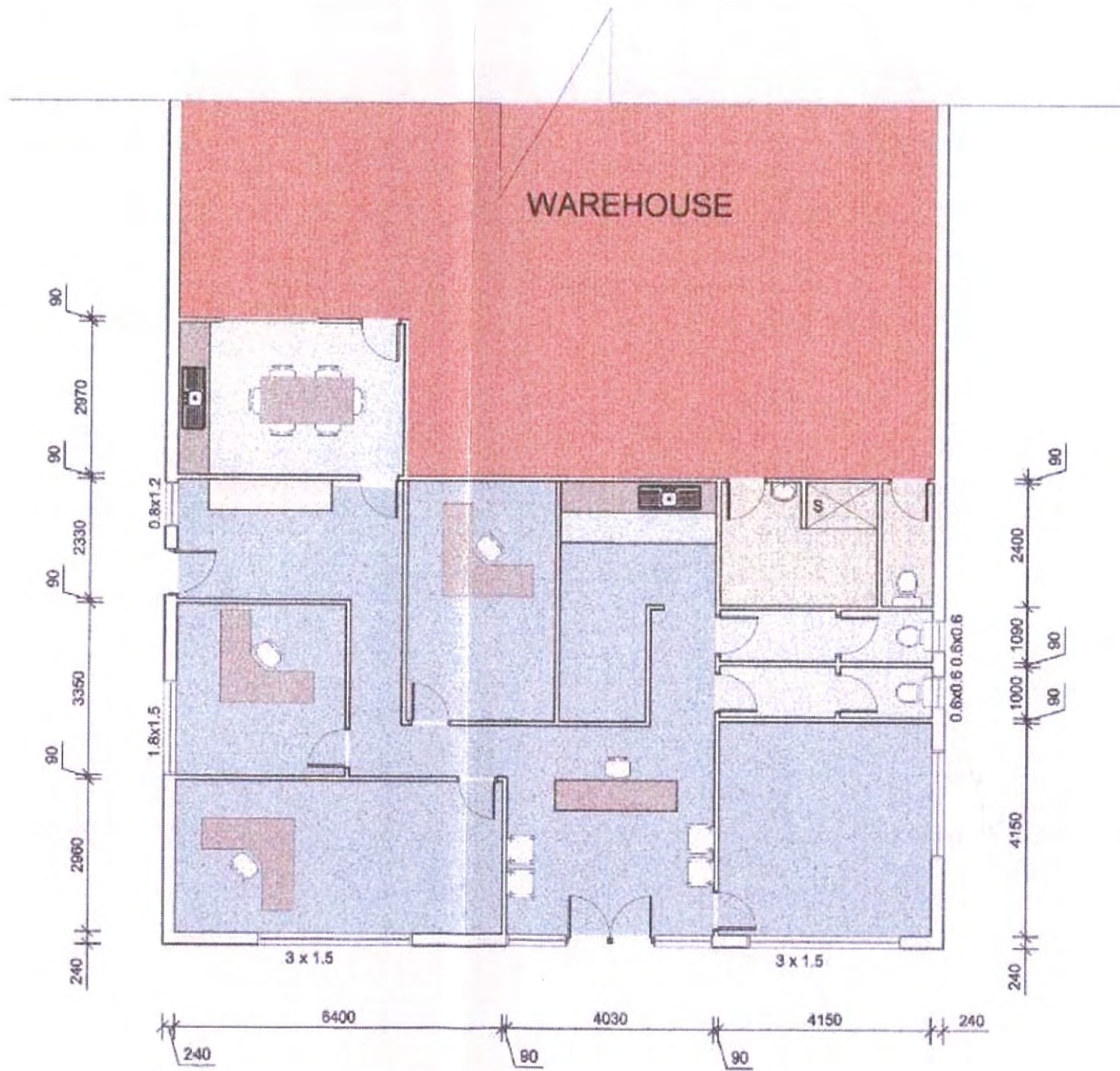


FIGURE 2.4
Renovated Office Floor Plan



Image Source: W.A. Brown Building Pty Ltd

File Name (A4): V1/3356_004.dgn
20150706 9.05

20 April 2016

Park Pty Ltd
Lot 1 Creole Rd
Albion Park Rail NSW 2527

OPERATION OF ESSENTIAL FIRE & OTHER SAFETY MEASURES

PREMISES: Office & Workshop
28 Greenleaf Road
Kooragang NSW 2304

I, Bruce McNaughton of Chubb Fire & Security, being the Fire Compliance Certifier hereby verify to the best of my knowledge that at the date of inspection the following list of Essential Fire and Other Safety Measures were found to be tested to a standard no less than the nominated Australian Standards listed below and due to Chubb Fire not having installation details have made the assumption that of time of installation the systems nominated complied with relevant BCA and Australian Standards – Excludes any recently nominated faults.

STATUTORY FIRE SAFETY MEASURES	STANDARD OF PERFORMANCE	DATE OF INSPECTION
AUTOMATIC FIRE DETECTION AND ALARM SYSTEM	As1670.1 – 2004	March 2016
EMERGENCY LIGHTING	BCA E4.2, 4.4 & As2293.1 – 2005	March 2016
EXIT SIGNS	BCA E4.5, NSW E4.6, 4.8 & As2293.1 – 2005	March 2016
HOSE REEL SYSTEMS	BCA E1.4 & As2441 – 2005	March 2016
PORTABLE FIRE EXTINGUISHERS	BCA E1.6 & As2444 – 2001	March 2016

SIGNATURE: _____



*** NOTE:** This Certificate is being supplied to the owner by the Chubb Fire and Security as supporting documentation.

The OWNER is to submit the Original Annual Fire Safety Certificate back to Council.



Chubb Fire & Security P/L

94 Elizabeth St.
Tighes Hill NSW 2297

Tel: +61 (0) 2 4924 4500

Fax: +61 (0) 2 4924 4543

www.chubb.com.au

20th April 2016

Park Fuels
Creole Rd.
Albion Park NSW 2527

Pronto: 20541-006

Attention: Brendon Handsaker
Ph: 02 4920 1334
Fax:
Mob: 0429 423 557
Email: brendonh@parkfuels.com.au

Fire Safety Assessment at Park Fuels, 28 Greenleaf Rd. Kooragang NSW 2304

Dear Brendon,

The following report has been prepared to provide the client with evidence that the fire safety measures listed within this report have been assessed and or reported upon. The report attempts to indicate rectification works (if any) that are required to enable the fire safety measure to perform at the respective performance standards listed within this report.

This assessment report will assist the building owner / agent in submitting the final (overall) Annual Fire Safety Statement in accordance with the Environmental Planning and Regulations 2000 Part 9, Division 5 *clauses* 175, 176 & 177. The building owner or agent should only submit the Complimentary Annual Fire Safety Statement to Council and the NSW Fire Brigade. Additionally this report should not be forwarded or relied on by third parties.

Should the assessment identify any deficiencies, appropriate rectification works should be undertaken prior to submission of an Annual Fire Safety Statement. Only at such time that the building owner / agent is satisfied the rectification works have been completed in full, should an annual fire safety statement be issued. The client should seek a fire safety certificate in accordance with the Environmental Planning and Regulations 2000 Part 9, Division 4 *clauses* 170 – 174 from any provider that has undertaken any rectification work to the respective performance standards.

Chubb Fire & Security does not warrant all deficiencies will be identified during this assessment, the required resources and costs associated with an assessment of this type would be prohibitive for the client. Chubb Fire & Security's aim is the initial assessment would identify the major non-compliant issues closing the gap largely on non-compliance items throughout the building. Subsequent assessments would then close the gap even further to a point where (ideally) the annual assessment is a formality.

Any requests for quotation for rectification works can be forwarded to our office on the numbers provided above.

This Report has been compiled to comply in principle with AS4655-2005 Fire Safety Audits.

Should you require further assistance in direct reference to this report please do not hesitate to contact the undersigned on: 4924 4500 or 0401 779 350.

Yours sincerely

Bruce McNaughton
Compliance Certifier
Chubb Fire & Security
ABN 4700 006 7451

Building Description

Inspection date	31st March 22016
Building Name	Park Fuels
Building Address	28 Greenleaf Rd.
Nearest Cross Street	
Clients Site Contact	Brendon Handsaker
Clients Site Contact Phone / Mob / Fax	4920 1334
Rise in Storeys	1
Number of levels contained	1
Areas Assessed by CFS:	Whole building
Use of building	Office & Workshop
Building Classification	Classes 5 & 8
Effective Height	Approx. 4mts
Floor Area	Approx. 630sqm
Building Construction Date :	Circa. 2015
Building Code at time of Construction:	
Type of Construction (Fire Resist.) Required	BCA type C
Inaccessible Areas:	

Site record information

The following information has been provided by the client to assist with the clarification & identification of the fire safety measures

Council Reference Letter	Not Available
Fire safety schedule	Not Available
Last years annual fire safety statement (AFSS)	Not Available
AFSS Due date to council	
Site plans	Not Available
Manuals	Not Available
Emergency lights register	Not Available
Engineered (Performance Based) Solution Details:	Not Advised to apply:

Key points for reviewing this report

Essential Actions:

Identifies items that require attention prior to this measure being certified as complying with the “performance standards” listed within this report. It is most likely that these items directly affect or impair the performance of this measure or may require remedial works to strictly comply with the listed standard of performance.

Comments:

Identifies items that have been highlighted as a duty of care, that may be of interest to the client or issues that do not directly affect the performance of the fire safety measure.

Assessment Report (Fire Safety Measures)

The following measures listed below have been assessed by Chubb Fire & Security or have been identified to be installed in the building. (CFS does not warrant that all measures have been identified).

1. Automatic fire detection and alarm systems

This measure is installed in the building and appears to comply generally with the requirements listed in the attachment certificate of this report, with the exception of any deficiencies identified or outstanding maintenance issues. For your convenience this measure has been included on the complimentary Annual Fire Safety Statement for you to complete and issue to council.

This measure has been assessed to As1670.1 – 2004.

Areas identified with deficiencies are indicated below.

Essential Actions

- a) No Essential actions required.

Comments

- a) The building is not fully covered by this system but is connected to the fire system for this site. The coverage is confined to the office area only. There are several MCP's within the workshop.

2. Emergency Lighting

This measure is installed in the building and appears to comply generally with the requirements listed in the attachment certificate of this report, with the exception of any deficiencies identified or outstanding maintenance issues. For your convenience this measure has been included on the complimentary Annual Fire Safety Statement for you to complete and issue to council.

Log books were not accessible or un-available at the time of inspection, Log books are required to be provided to comply with AS2293.

This measure has been assessed to BCA E4.2, 4.4 & As2293.1 – 2005.

Areas identified with deficiencies are indicated below.

Essential Actions

- a) No Essential actions required.

Comments

- a) Supply a log book for this system to cl.8.3.
- b) Supply an installation plan of all self-contained luminaries on site to cl.8.2.3.

3. Exit signs

This measure is installed in the building and appears to comply generally with the requirements listed in the attachment certificate of this report, with the exception of any deficiencies identified or outstanding maintenance issues. For your convenience this measure has been included on the complimentary Annual Fire Safety Statement for you to complete and issue to council.

Log books were not accessible or un-available at the time of inspection, Log books are required to be provided to comply with AS2293.

This measure has been assessed to BCA E4.5, NSW E4.6, 4.8 & As2293.1 – 2005.

Areas identified with deficiencies are indicated below.

Essential Actions

- a) No Essential actions required.
- b) Obtain annual assessment and routine maintenance from your nominated provider.

Comments

- a) Confirm the latest test results for this system to As2293.2.

4. Hydrant systems

This measure is installed in the building and appears to comply generally with the requirements listed in the attachment certificate of this report, with the exception of any deficiencies identified or outstanding maintenance issues. For your convenience this measure has been included on the complimentary Annual Fire Safety Statement for you to complete and issue to council.

This measure has been assessed to BCA E1.3 & As2419.1 – 2005.

Areas identified with deficiencies are indicated below.

Essential Actions

- a) No Essential actions required.

5. Hose reel systems

This measure is installed in the building and appears to comply generally with the requirements listed in the attachment certificate of this report, with the exception of any deficiencies identified or outstanding maintenance issues. For your convenience this measure has been included on the complimentary Annual Fire Safety Statement for you to complete and issue to council.

This measure has been assessed to BCA E1.4 & As2441 – 2005.

Areas identified with deficiencies are indicated below.

Essential Actions

- a) No Essential actions required.

Comments

- a) The mains water supply to the building requires the addition of a lock & label to the isolation valve as required by cl.6.2. (FIRE SERVICE VALVE/CLOSE ONLY TO SERVICE FIRE HOSE REEL). Lettering is to be in 8mm upper case on a non-corrosive material. (Chubb can supply if required).
- b) Install a location sign above the hose reel not less than 2mts in height. **Refer to Photo #1.**

6. Portable Fire Extinguishers & blankets

This measure is installed in the building and appears to comply generally with the requirements listed in the attachment certificate of this report, with the exception of any deficiencies identified or outstanding maintenance issues. For your convenience this measure has been included on the complimentary Annual Fire Safety Statement for you to complete and issue to council.

This measure has been assessed to BCA E1.6 & As2444 – 2001.

Areas identified with deficiencies are indicated below.

Essential Actions

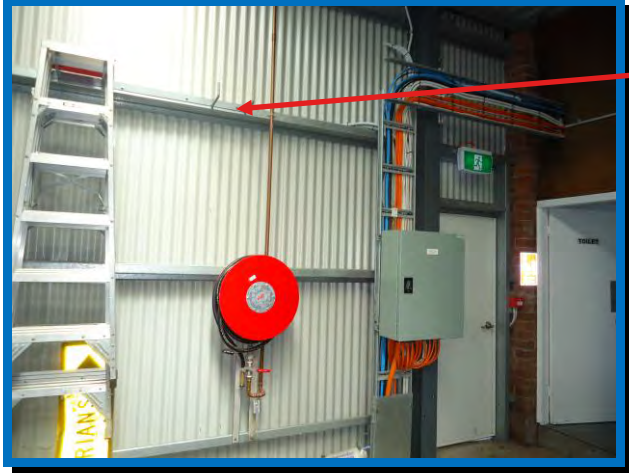
- a) No Essential actions required.

Comments

- a) Several portables are required to be lowered to the correct height as follows below.
 - Lunch room.
 - Kitchenette.
- b) Location signs are required to be altered so that they are above the portables at a height not less than 2mts.
 - Kitchenette.
 - Reception.
 - Lunch room.
- c) Ensure that all portables have an identification sign directly above or to the side of each extinguisher. **Refer to Photo #2.**

Photographs

Photograph 1 – Hose reel



Install a new location sign above this hose reel.

Photograph 2 – Portable signs



Ensure that all portable extinguishers have identification signage above or adjacent to each unit.

Extracts

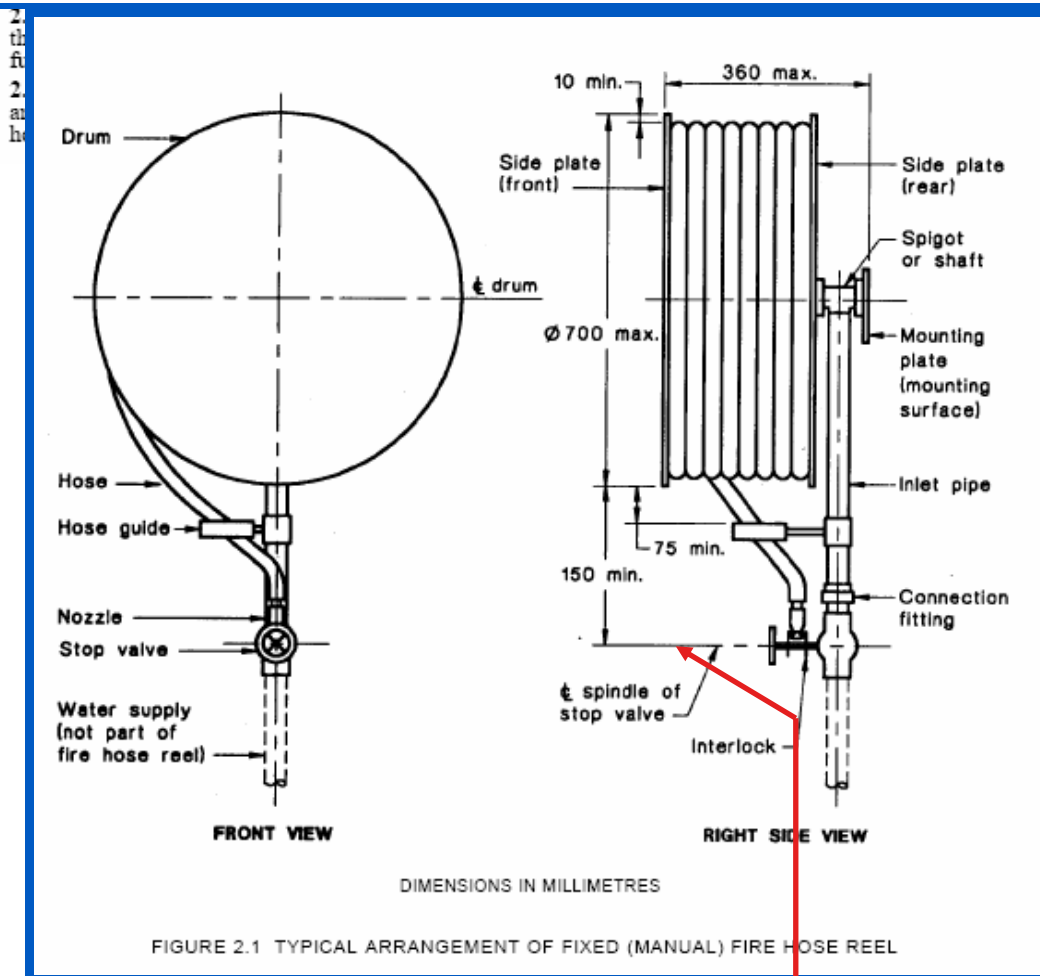
Extract 1

AS1221- 1991 Fire Hose Reels (Stop Valve)

2.2.6 Stop valve and interlock

2.2.6.1 *Manual stop valve* Where a manual stop valve is used, it shall be an approved type of a nominal diameter 25 mm, and be threaded RP1/25 or RL1/25 in accordance with AS 1722.1.

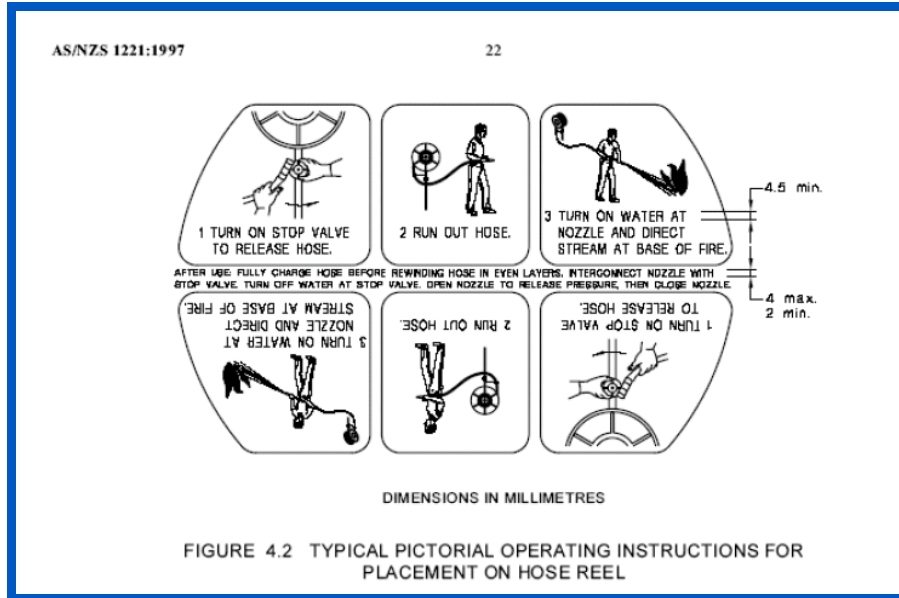
An interlock shall be provided for the retention of the hose or nozzle to the stop valve (see Figures 2.1 and 2.2) that will prevent the hose from being disengaged until the stop valve is open not less than two-thirds through its spindle travel. For the purpose of depressurization the nozzle shall be capable of being held in a vertical position, with the nozzle outlet pointing downwards, when the stop valve is closed.



Stop valve interlock

Extract 2

AS1221-1997 Fire Hose Reels (Instruction Disk)



Extract 3

AS2441- 1988 Fire Hose Reels

3	AS 2441—1988								
STANDARDS ASSOCIATION OF AUSTRALIA									
Australian Standard									
INSTALLATION OF FIRE HOSE REELS									
<p>1 SCOPE. This Standard specifies requirements for the installation of fire hose reels.</p> <p>NOTE: Requirements for the maintenance of fire hose reels are set out in AS 1851.2.</p>	<p>9.1 General. Each fire hose reel shall be located in a readily accessible position and its location shall be clearly indicated.</p> <p>Fire hose reels shall not be located in fire-isolated exits unless approval is obtained from the Regulatory Authority.</p> <p>Where a fire hose reel is installed in an external situation or an aggressive environment, it shall be protected by a cabinet or other suitable means.</p>								
<p>2 REFERENCED DOCUMENTS. The following Standards are referred to in this Standard.</p> <p>AS</p> <table><tr><td>1221</td><td>Fire hose reels</td></tr><tr><td>1319</td><td>Safety signs for the occupational environment</td></tr><tr><td>1851</td><td>Maintenance of fire protection equipment Part 2: Fire hose reels (AS 1851.2)</td></tr><tr><td>2941</td><td>Fixed fire protection installations—Pumpset systems</td></tr></table>	1221	Fire hose reels	1319	Safety signs for the occupational environment	1851	Maintenance of fire protection equipment Part 2: Fire hose reels (AS 1851.2)	2941	Fixed fire protection installations—Pumpset systems	<p>9.2 Indication of location.</p> <p>9.2.1 Cabinets. Where the fire hose reel is mounted in a cabinet, the door of the cabinet shall have the words 'FIRE HOSE REEL' in white lettering not less than 50 mm high on a contrasting background.</p> <p>9.2.2 Obscured locations. Where a fire hose reel is obscured by storage racks or other obstructions, its location shall be indicated by a sign with the words, FIRE HOSE REEL, not less than 50 mm high on a contrasting background. The sign shall comply with AS 1319 and shall be readily visible to occupants in the protected area.</p>
1221	Fire hose reels								
1319	Safety signs for the occupational environment								
1851	Maintenance of fire protection equipment Part 2: Fire hose reels (AS 1851.2)								
2941	Fixed fire protection installations—Pumpset systems								
<p>3 DEFINITIONS. For the purpose of this Standard, the definitions below apply.</p> <p>3.1 Approved—approved by the Regulatory Authority.</p>									

Hose reel protection

Hose reel location

Attachment Certificate

In the Case of an Annual Fire Safety Statement (AFSS) the information listed within the Attachment Certificate is required to be transferred to the clients AFSS (*with any other fire safety measures not assessed by CFS*) for submission to council and the NSW Fire Brigade. Alternatively a partially completed (*complimentary*) Annual Fire Safety Statement may have been provided with this report for your convenience. This statement should be signed by the building owner / agent with any other fire safety measures included and submitted to council and the NSW Fire Brigades. **The complimentary Annual Fire Safety Statement is the only part of this document that should be issued to Council or NSW Fire Brigade.** Additionally this report should not be forwarded or relied on by third parties.

Chubb Fire & Security does not endorse submission of an annual fire safety statement based on the information provided within this report, until such time as any deficiencies identified have been rectified.

In other cases the fire safety measures and standards of performance tabled on the Attachment Certificate and any deficiencies identified, should be clearly identified in other mechanisms. This assessment must not be considered a building code assessment.

Exclusions

This fire safety assessment / report is intended to highlight deficiencies or short comings found, relating to the nominated fire safety measures clearly outlined in the accepted quotation or contract agreement only.

Comments may be made regarding matters of concern relating to other fire safety measures found within the building. These measures may require further remedial works, assessment and or investigation by other providers.

The assessor has relied upon information made available by the client or identified on site regarding the performance standards applying to the assessed fire safety measures. Should this information be incomplete or inaccurate then the outcome of this report may alter significantly. The nominated essential fire safety measures are assessed typically with that of the standard of performance listed on the current fire safety schedule. Any measure requested to be assessed that is not listed on the current fire safety schedule, or if a fire safety schedule is not made available, has been assessed based on the system installation dates, approval dates, client statements (assessors knowledge) etc.

All reasonable efforts will be made to access occupied areas throughout the building to assess the services contained. This report does not cover areas of the implemented systems that are not immediately accessible (e.g. concealed spaces, roof voids, risers, sub flooring, supply air shafts and tunnels etc.) therefore system components including pipe sizes, fire ratings, service separation or conductor size etc have to be assumed that the original installation contractor has installed as per the requirements at the time of installation.

This assessment does not intend to include an assessment of impacts on the essential services installed in the building due to the change of use or occupancy however the assessor may make comment.

Chubb Fire & Security's Goal

Chubb Fire & Security's aim is the initial assessment would identify the major non-compliant issues closing the gap largely on non-compliance items throughout the building. Subsequent assessments would then close the gap even further to a point where (ideally) the annual assessment is a formality.

Chubb Fire & Security does not warrant that all defective items will be identified during this assessment. For this to happen, an assessment lasting an indefinite time would be required to be carried out by different individuals covering their specialist respective fields/systems. The costs associated with this method of assessment would be prohibitive for the client.

ATTACHMENT CERTIFICATE

NOT FOR SUBMISSION TO COUNCIL

(Supporting Document for preparation of an Fire Safety Statement)

Building Identification

Building Name Park Fuels
Street Address 28 Greenleaf Rd. **Suburb** Kooragang NSW 2304
Nearest Cross Street
Building Use Office & Workshop
Assessment Date 31st March 2016

This assessment covers the following areas only The whole building

STATUTORY FIRE SAFETY MEASURES	STANDARD OF PERFORMANCE	
Automatic fire detection and alarm system	As1670.1 – 2004	<i>Comment</i>
Emergency lighting	BCA E4.2, 4.4 & As2293.1 – 2005	<i>Comment</i>
Exit signs	BCA E4.5, NSW E4.6, 4.8 & As2293.1 – 2005	<i>Comment</i>
Hydrant system	BCA E1.3 & As2419.1 – 2005 (excluding pump set requirements)	
Hose reel systems	BCA E1.4 & As2441 – 2005	<i>Comment</i>
Portable fire extinguishers	BCA E1.6 & As2444 – 2001	<i>Comment</i>

In the Case of an Annual Fire Safety Statement (AFSS) the information listed in the above table and any notes stipulated, are required to be transferred to the clients AFSS (with any other fire safety measures) for submission to council and the NSWFB, together with copy of the current fire safety schedule.

Statement I, Bruce McNaughton of Chubb Fire & Security

Certify that the above fire safety measures have been assessed to the standard of performance listed above and have found when it was assessed, to be capable of performing to a standard not less than that specified in the fire safety schedule or, to a standard no less than that to which the measure was originally designed and implemented. With the exception of any outstanding maintenance issues or deficiencies identified.

The information contained in this certificate must be read in conjunction with the attached and unaltered document and is to the best of my knowledge and belief, true and accurate.

Signature



Report Date

20th April 2016

Chubb Fire & Security does not endorse submission of an annual fire safety statement based on the information provided above, until such time as the deficiencies listed in the attached annual fire safety assessment report has been rectified.

Lee-Anne Foster

From: McNaughton, Bruce Chubb Fire Safety <Bruce.McNaughton@chubb.com.au>
Sent: Monday, 2 May 2016 12:12 PM
To: Lee-Anne Foster; Brendon Handsaker
Subject: PARK FUELS
Attachments: 02052016115502-0001.pdf

Hi Ron, I have reviewed the sites hydrant coverage for Park Fuels in response to your letter the other week. Measurements taken can prove that the available street hydrant on Greenleaf Road can cover the entire warehouse building by itself using the 90 meter rule under As2419.1- 2005. If you refer to the attached site plan I have added measurements to indicate which hydrants have coverage to this warehouse.

Kind Regards

Bruce McNaughton
Chubb Fire
Fire Compliance Certifier
Australia

LOREP - ACCEPTED

UTC Climate, Control & Security
94 Elizabeth St.
Tighes Hill, NSW 2297
Tel: +61 (2) 4924 4500
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Mobile: 0401 779 350
bruce.mcnaughton@chubb.com.au

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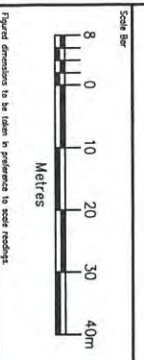
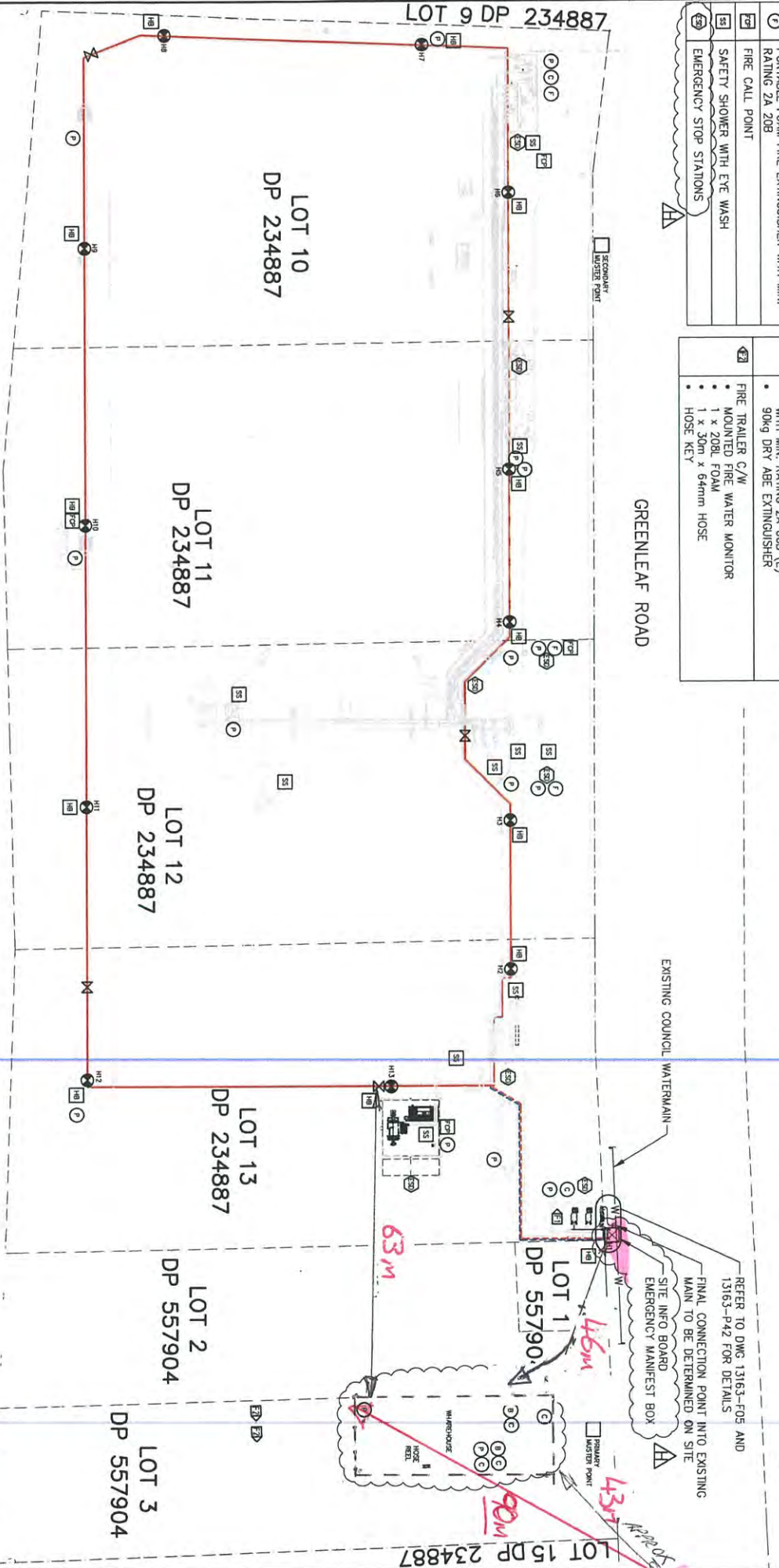
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FIRE FIGHTING EQUIPMENT LEGEND	
1	FIRE HYDRANT
2	9KG PORTABLE POWDER FIRE EXTINGUISHER WITH MIN. RATING 2A 60B (E)
3	5KG PORTABLE CO2 FIRE EXTINGUISHER WITH MIN. RATING 10B
4	PORTABLE FOAM FIRE EXTINGUISHER WITH MIN. RATING 2A 20B
5	FIRE CALL POINT
6	SAFETY SHOWER WITH EYE WASH
7	EMERGENCY STOP STATIONS

FIRE FIGHTING EQUIPMENT LEGEND CONT.	
8	FIRE TRAILER C/W MOUNTED FIRE WATER MONITOR
9	3 x 200L FOAM
10	1 x 30m x 64mm HOSE
11	HOSE KEY
12	2 x 9KG PORTABLE POWDER FIRE EXTINGUISHER WITH MIN. RATING 2A 60B (E)
13	90KG DRY ABE EXTINGUISHER
14	FIRE TRAILER C/W MOUNTED FIRE WATER MONITOR
15	1 x 200L FOAM
16	1 x 30m x 64mm HOSE
17	HOSE KEY

FIRE FIGHTING EQUIPMENT LEGEND CONT.	
18	HOSE BOX C/W • 1 x 30m x 64mm HOSE • 1 x FOG NOZZLE • 2 x HOSE KEY
19	ISOLATING GATE VALVE

LEGEND	
---	POTABLE WATER ABOVE GROUND
---	POTABLE WATER BURIED
---	FIREWATER ABOVE GROUND
---	FIREWATER BURIED



Scale bar: 0, 10, 20, 30, 40m. Metres.

Notes: Figures dimensions to be taken in preference to text readings.

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revision	date	by	description
G	10/01/14	JMW	AWM WATER CONNECTION DETAILS AMENDED
F	2/2/14	JMW	LCC LOT NUMBERS ADDED
E	18/05/14	JMW	DWG REVISED AS CLOUDED
D	20/05/14	JMW	ISSUED FOR CONSTRUCTION
C	28/04/14	JMW	BRANCH TO EXISTING MAIN ADDED
B	27/02/14	JMW	HYDRANT LAYOUT REVISED
A	15/03/13	JMW	ADDED HMD, HOS, & ESD STATIONS

TJA Project Group
 ENGINEERING, ARCHITECTURE AND INTERIOR DESIGN
 17 Deane Street, Newcastle NSW
 Ph: 017 2084 2000 Fax: 017 2084 2000
 PROJECT MANAGERS | DESIGNERS | PLANNERS | ENGINEERS

PROJECT: **PARK FUELS FUEL TERMINAL KOORAGANG ISLAND NEWCASTLE NSW**

ISSUED FOR CONSTRUCTION

EMERGENCY FIRE SERVICES SITE LAYOUT

DATE OF REVISION: 08.11.13 1:400

SCALE: 1:800

13163-F01



26th May 2016

Park Fuels Pty Ltd
Lot 13 Greanleaf Road
Kooragang, NSW 2304

RE: Park Fuels – Lighting Efficiency – Letter of Compliance

The following calculation has been performed on internal lighting system as installed by J A Martin Electrical Pty Ltd within the office area of Park Fuels – Bulk Fuel Terminal Installation at Kooragang Island in accordance with clause J6.2 of the BCA of Australia. The number of lamps, individual power rating of the installed lamps, office area and classification was provided to J A Martin Electrical by Park Fuels

Area Classification	Sole Occupancy
Number of Lamps	19
Individual Lamp Power	30W
Total Lamp Power	570W
Total Offices Area	167.7m ²
W/m ²	3.4W/m ²
Allowable W/m ²	5W/m ²

The above calculation of 3.4W/m² is below the upper prescribed limit of the BCA of Australia of 5W/m² and is therefore compliant with same.

If you require any further information, please do not hesitate to call me.

Yours faithfully
J.A. Martin Electrical Pty Ltd



Anthony Robertson
Senior Electrical Engineer



Appendix 10

NCC S94 Letter

Future City.S Turkington
Reference: 2792928
Phone: 02 4974 2869



8 December 2009

Mr Nick Fletcher
Manildra Park
Lot 1 Creole Road
ALBION PARK RAIL NSW 2520

PO Box 489, Newcastle
NSW 2300 Australia
Phone 02 4974 2000
Facsimile 02 4974 2222
Email mail@ncc.nsw.gov.au

Dear Mr Fletcher

S94A CONTRIBUTION FOR MARINE FUEL IMPORT AND DISTRIBUTION FACILITY, PORT OF NEWCASTLE

Thank you for your letter dated 24 November 2009 and attached capital cost estimate for the marine fuel import and distribution facility.

In regard to condition 7 of the development consent, the section 94A contribution will be calculated on the cost of the following proposed works:

Description	Estimated Cost
Storm water drainage	\$45,000
Graded drain	\$42,000
Asphalt area	\$1,110,000
Gates	\$3,200
Fencing	\$133,000
Landscaping	\$12,500
Road works, driveway and kerbs	\$23,400
Sewer and water	\$30,000
Site works preparation	\$10,000
Permits and approvals	\$60,000
Signage	\$12,500
Slab	\$300,000
Office and amenities building	\$80,000
Workshop	\$25,000
Loading bays including structure	\$225,000.00
Total development cost	\$2,111,600.00

The section 94A Contribution will be calculated as 1% of the development cost and is payable to Council prior to the release of the construction certificate, not following completion of the development as outlined in your letter.

Pursuant to clause 25J(4) of the Environmental Planning and Assessment Regulation, the proposed cost of carrying out the development will be indexed before payment to reflect any increase in the Consumer Price Index between the date of determination by the consent authority and the date the levy is required to be paid.

