



Mr Nathan Robinson
Senior Specialist – Environment
ORICA AUSTRALIA PTY LTD
15 Greenleaf Road
Kooragang New South Wales 2304

25 June 2021

Dear Mr Robinson

**Orica Ammonium Nitrate Facility (MP08_0129-Mod-6)
Environmental Assessment Requirements (EARs)**

Please find attached a copy of the environmental assessment requirements (EARs) for the preparation of the Statement of Environmental Effects (SEE) to support the modification application of the Orica Ammonium Nitrate Facility (MP08_0129) at 15 Greenleaf Road, Kooragang in the Newcastle local government area (LGA).

The EARs below have been prepared in consultation with Newcastle City Council (Council), Environment Protection Authority (EPA), SafeWork NSW, Hunter Water Corporation and Fire and Rescue NSW and are based on the information provided to date. Agency requirements and comments are available on the Department's Planning portal.

Your modification application must be accompanied by an SEE which addresses the requirements of agencies and includes the following:

- **Detailed Description of the Modification** – including:
 - detailed justification for the proposed modification
 - a description of how the modification integrates with existing, approved and proposed construction works and operations of the site
 - detailed plans of all proposed building works
 - identification of conditions proposed to be modified
- **Statutory and Strategic Context** – including:
 - demonstration the application constitutes a modification under section 4.55 of the EP&A Act and that the development will remain substantially the same as originally approved.
- **Community and Stakeholder Engagement** – including:
 - a community and stakeholder participation strategy identifying key community members and other stakeholders
 - details and justification for the proposed consultation approach(s)
 - clear evidence of how each stakeholder identified in the community and stakeholder participation strategy has been consulted
 - issues raised by the community and surrounding landowners and occupiers
 - clear details of how issues raised during consultation have been addressed and whether they have resulted in changes to the development,
 - details of the proposed approach to future community and stakeholder engagement based on the results of consultation.
- **Hazards and Risk** – including:
 - a comprehensive Preliminary Hazard Analysis (PHA) prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'* showing that the cumulative risk of the whole Kooragang Island facility comprising of all approved components up to MOD 5 and including the proposed components under MOD 6. It must demonstrate the whole facility with MOD 6 components would comply with all qualitative and

quantitative risk criteria in the Department's *Hazardous Industry Planning Advisory Paper No. 4, 'Risk Criteria for Land Use Safety Planning'*. The PHA must:

- be comprehensive including both on-site and off-site consequences and with consideration of the most updated and relevant information assessed for the Major Hazard Facility (MHF) Safety Case required under *Work Health and Safety Regulation 2017*
- identify all proposed safeguards associated with MOD 6 components and provide details of any additional safeguards for the existing facility since the most recent approval
- estimate the cumulative impacts from the overall site and the surrounding potentially hazardous developments (existing and proposed) and demonstrate that the proposed development does not increase the cumulative risk of the area to unacceptable levels
- consider all relevant findings and recommendations in the Department's 1992 *Newcastle and Kooragang Island Area Risk Assessment Study*.
- reporting of all consultation outcomes with SafeWork NSW verifying that the whole Kooragang Island facility comprising of all approved components up to MOD 5 and including the proposed components under MOD 6 can:
 - comply with all MHF requirements under Chapter 9 of the *Work Health and Safety Regulation 2017*
 - maintain, renew or obtain an explosives licence required under the *Explosives Act 2003*.
- evaluation of the impacts of the road transport of Dangerous Goods to and from the site in the surrounding area, if any.
- **Air Quality and Odour** – including:
 - a detailed emissions inventory that characterises the emissions from existing and proposed operations, including approved but not yet constructed components of the development used to inform the quantitative assessment
 - a quantitative assessment of the potential air quality, dust and odour impacts of the development in accordance with relevant Environment Protection Authority guidelines, with an assessment that models various emission scenarios, including but not limited to:
 - the cumulative impacts of the development and all current operations of the site
 - the cumulative impacts of the development including all current operations and all approved but not yet constructed components of the site
 - the details of building and air handling systems and strong justification for any material handling, processing or stockpiling external to buildings
 - details of proposed mitigation, management and monitoring measures.
- **Traffic and Transport** – a quantitative traffic impact assessment prepared in accordance with relevant Roads and Maritime Services and Austroads guidelines, that includes:
 - details of all daily and peak traffic volumes likely to be generated during all key stages of construction and operation, including a description of key access / haul routes, vehicle types and potential queuing impacts
 - an assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections using SIDRA or similar traffic model
 - plans demonstrating how all vehicles likely to be generated during construction and operation and awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the street network
 - details of road upgrades, infrastructure works or new roads or access points required for the development if necessary.
- **Marine Traffic, Navigation and Safety** – including:
 - details on the relationship of the modification and vessel movements including frequency and vessel size.
- **Noise and Vibration** – including:
 - a quantitative noise and vibration impact assessment undertaken by a suitably qualified acoustic consultant in accordance with the relevant Environment Protection Authority guidelines and Australian Standards which includes:

- identification of impacts associated with site emission and traffic generation at noise affected sensitive receivers
- details of noise monitoring survey, background noise levels and noise emission levels of proposed activities
- consideration of annoying characteristics of noise and prevailing meteorological conditions in the study area
- the cumulative impacts of the development and all current operations of the site
- the cumulative impacts of the development including all current operations and all approved but not yet constructed components of the site
- details and analysis of the effectiveness of proposed management and mitigation measures to adequately manage identified impacts, including a clear identification of residual noise and vibration following application of these measures and details of any proposed compliance monitoring programs.
- **Soils and Water** – including:
 - an assessment of potential surface and groundwater impacts associated with the modification, including potential impacts on watercourses.
 - a detailed site water balance including a description of the water demands and breakdown of water supplies, and any water licensing requirements
 - details of stormwater and wastewater management system and how they integrate with existing operations including measures to treat, reuse or dispose of water
 - a description of the proposed erosion and sediment controls during construction
 - characterisation of the nature and extent of any contamination on the site and surrounding area and any proposed ground disturbance.
- **Urban Design and Visual** including an assessment of the potential visual impacts of the modification on the amenity of the surrounding area.
- **Greenhouse Gas and Energy Efficiency** – including an assessment of the energy use of the proposal and all reasonable and feasible measures that would be implemented on site to minimise the proposal's greenhouse gas emissions (reflecting the Government's goal of net zero emissions by 2050).
- **Planning agreement/development contributions** – demonstration that satisfactory arrangements have been or would be made to provide, or contribute to the provision of, necessary local and regional infrastructure required to support the modification.

The Department strongly recommends that you consult with relevant agencies and stakeholders including surrounding landowner/occupiers and previous submitters prior to submitting your modification application and SEE.

Please contact the Department at least two weeks before you proposed to submit your application. This will enable the Department to confirm the:

- applicable fee (see Division 1AA, Part 15 of the Environmental Planning and Assessment Regulation 2000); and
- consultation and public exhibition arrangements, including copies and format requirements of the application and SEE.

If you have any questions, please contact Shaun Williams on (02) 8275 1345 or shaun.williams@planning.nsw.gov.au.

Yours sincerely,



Chris Ritchie
Director
Industry Assessments