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2 April 2026

Rasmus Altenkamp  
Department of Planning, Housing and Infrastructure

Via: Major Projects Portal

### **EPA Advice on Submissions Report – Kurnell Refinery MOD 7 Infrastructure Consolidation and Remediation – SSD-5544-Mod-7**

Dear Rasmus

I am writing in response to your request for the NSW Environment Protection Authority (EPA) to review the Submissions Report for the proposed Ampol Refinery infrastructure consolidation and remediation (SSD-5544-Mod-7).

The EPA has reviewed the following documents:

- Kurnell Terminal SSD-5544-MOD-7 Submissions Report – AECOM – 16 March 2026.
- Kurnell Terminal SSD-5544 MOD 7 Appendix H – Updated Noise & Vibration Impact Assessment – AECOM – 16 March 2026.
- Kurnell Terminal SSD-5544-MOD-7 Appendix G – Updated Surface Water, Wastewater and Flooding Report – AECOM – 16 March 2026.
- Kurnell Terminal SSD-5544 MOD-7 Appendix E – Remedial Action Plan – AECOM – 16 March 2026.

The EPA understands the proposal is for 5 stages consisting of:

- Stage 1 Preparing the project area for proposed modification works.
- Stage 2 Removal, relocation and augmentation of infrastructure, including:
  - Relocation and/or augmentation of freshwater sewer and oily water sewer systems and construction of new operational facilities, including replacement warehouse.
- Stage 3 Remediation of the site addressing legacy ground contamination, including asbestos containing soil.
- Stage 4 Land forming the project area following removal of infrastructure and ground remediation activities.
- Stage 5 Demobilisation of construction and remediation equipment.

Based on the information provided, the proposal is subject to an environment protection licence under sections 43 of the *Protection of the Environment Operations Act 1997* (POEO Act) for chemical storage clause 9 of Schedule 1 of the POEO Act.

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NSW Environment Protection Authority

As the environmental steward and regulator of our State we are committed to a sustainable future. Join us on our mission to protect tomorrow together.

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The EPA has reviewed the Submissions Report and notes it has not addressed the EPA's submission on this project from 14 August 2025.

The EPA has the following comments and recommendations:

**1. Matters to be addressed prior to determination (Attachment A)**

a. Noise

**2. Matters to be addressed with conditions**

The EPA recommends that the Department of Planning, Housing and Infrastructure (DPHI) considers the conditions to address contaminated land in Attachment B. Additional conditions may be provided following review of the additional information requested in Attachment A for Noise.

If you have any questions about this request, please contact Nick Vlasoff via email at [environmentprotection.planning@epa.nsw.gov.au](mailto:environmentprotection.planning@epa.nsw.gov.au).

Yours sincerely



**Christie Jackson**  
**Unit Head – Environment Protection Planning**  
**NSW Environment Protection Authority**

## ATTACHMENT A – MATTERS TO BE ADDRESSED PRIOR TO DETERMINATION

The EPA recommends that DPHI consider addressing the matters in this attachment prior to determination of the application and provisions of recommended conditions.

### Noise

#### Application of the Noise Policy for Industry

As previously stated, the EPA considers that the *Noise Policy for Industry* (NPfI) (EPA, 2017) should be used to assess potential noise impacts from the modification. The EPA acknowledges that there are noise conditions within the existing consent for SSD-5544 and EPL 837. However, the premises is proposing to be modified, and therefore any noise impact assessment supporting the modification should be conducted using the NPfI. This is consistent with Sections 1.4.1 and 1.4.2 of the NPfI.

The Submissions Report has referenced the *Implementation and transitional arrangements for the Noise Policy for Industry* (transitional arrangements), published in 2017. The EPA considers the transitional arrangements are relevant. The transitional arrangements state the following:

4. *The Noise Policy for Industry (2017) will be used to assess and develop requirements for existing industrial developments/activities under the circumstances and through the processes described in points 5 and 6 below.*

5. *Modification to a planning approval:*

- a. *where the planning authority requires a noise impact assessment to support the modification; or,*
- b. *where a significant change to existing plant, equipment or processes is proposed.*

In consideration of previous comments and the above, the EPA reiterates that it considers the *Noise Policy for Industry* (EPA, 2017) should be used to assess noise from the modified premises.

### Recommendation

The EPA recommends that DPHI consider requesting the modified premises is assessed consistent with the Noise Policy for Industry (EPA, 2017).

#### Assessment locations

The updated noise contour maps provided in the Updated Noise & Vibration Impact Assessment (UNVIA) indicate that the selected receiver locations (Receivers R1 to R6) may not be representative of the predicted impacts at the surrounding residences. For example, the first contour map in Appendix B of the UNVIA, receivers R5 and R6 appear to have been selected to represent the residences in and around Sharn Street, Captain Cook Drive, Reserve Road and Polo Street. The predicted noise levels for R5 and R6 during normal operations under noise enhancing meteorological conditions are Leq,15min 50 and 36 dBA respectively. However, the noise contour map indicates that receivers surrounding R6 may receive a substantially higher noise level than is reported in Table 5-2, given they appear to be in the 45-49 dBA contour band.

Where a select number of receivers are used to represent a larger area of sensitive receivers, the location should be carefully chosen to be representative of predicted impacts. The information provided in the UNVIA indicates that the currently selected receivers may not be representative of impacts across the surrounding sensitive receivers, and alternative and additional locations may be required.

The EPA requires transparent reporting of predicted impacts in order to inform licensing decisions.

### Recommendation

The EPA recommends that DPHI consider requesting the Applicant review the receivers used to represent impacts at surrounding sensitive receivers to ensure that they are representative of potential impacts and amend the assessment accordingly.

### Assessment of mitigation

The assessment of the 2 options for the firewater system (FWS) locations in Chapter 5 of the UNVIA indicates that there is a substantial difference in noise emissions depending on which option is chosen, with Option 2 having predicted noise levels more than 10 dB lower than Option 1.

However, in Table 5-7 it appears that the adoption of Option 2 was disregarded solely on the basis of “*site constraints other than noise.*” This is not a sufficient level of information to demonstrate why this option was disregarded as a mitigation option, particularly since noise levels are more than 10 dB lower for Option 2.

When the assessment is updated to be consistent with the NPfl, including any provisions relevant to applying the policy to existing sites, this may require consideration of alternative or additional measures to those currently considered in the UNVIA.

### **Recommendation**

The EPA recommends that DPHI consider requesting the Applicant provides:

- Appropriate assessment of mitigation consistent with the NPfl.
- Transparent reporting and robust assessment of why an option has not been adopted.
- Consideration of alternative or additional mitigation measures as appropriate.

### Environment Protection Licence EPL 837

The EPA notes that the boundary for EPL 837 includes the wharf as well as the terminal (EPL Condition A2) however, it does not appear that the wharf forms part of the SSD-5544 application. There are currently special conditions on EPL 837 which specifically relate to shipping noise protocols at Kurnell wharf (EPL Condition E4). The EPA notes that any future licence variation that may be required if this SSD Modification Application is approved, may therefore need to consider potential environmental impacts from the premises as defined in the EPL, which includes the wharf. The EPA notes that SSD-5353 concerned operations of Kurnell Wharf, however this does not appear to have been considered in the assessment of cumulative impacts.

### **Recommendation**

The EPA recommends that DPHI consider requesting the Applicant:

- Clarify the considerations of Kurnell Wharf operations relevant to either this modification, and/or cumulative impacts.
- Note the boundary of the EPL with respect to this modification.

### Assessed noise sources

The EPA notes that the Submissions Report states that some sound power levels for the assessment were based on the levels used in the 2013 assessment. Chapter 2.5 of the UNVIA states that attended source measurements were done for some noise sources on the premises. It’s not clear if the additional noise sources identified in the Submissions Report are based on contemporary information and are reflective of current noise emissions. Furthermore the 2013 assessment had usage factors associated with each sound power level. It’s not clear if the 2013 sound power level usage factors are reflective of proposed operations.

### **Recommendation**

The EPA recommends that DPHI consider requesting the Applicant clarify the validity of sound power levels and any usage factors used in the assessment, particularly where they have been based on information in the 2013 assessment.

## **ATTACHMENT B – RECOMMENDED CONDITIONS**

The EPA recommends that DPHI consider the following conditions as part of their determination of the application, should the project be approved.

### **Contaminated land**

- The EPA recommends that DPHI require as part of any approval conditions a NSW EPA-accredited site auditor be engaged by the applicant throughout the entire remediation of the proposal.
- All surface water that has interacted with hydrocarbon contaminated soil must be directed to the wastewater treatment plant for treatment. This includes surface water that has interacted with excavation areas and soil stockpiles.
- Hydrocarbon contaminated soil stockpiles must be stored in a manner that limits odours occurring beyond the premises boundary.