

Planning and Regulatory. G.Mansfield
PB2017/01875
Phone: 02 4974 2767

3 April 2017

Mr Andrew Beattie
A/Team Leader
Industrial Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001



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

Response by email: susan.fox@planning.nsw.gov.au

Dear Mr Beattie

NOTIFICATION OF DEVELOPMENT APPLICATION ORICA KOORAGANG ISLAND REMEDIATION PROJECT (SSD 7831)

I refer to your letter of 27 February 2017 advising Council that Orica Australia Pty Ltd has submitted a development application for the Orica Kooragang Island Remediation Project on land known as 15 Green Leaf Road Kooragang and inviting Council to comment on the development.

Council officers have reviewed the Environmental Impact Statement (EIS) submitted in support of the application and the following comments are offered for your consideration:

1. Remediation Action Plan

The proposed project is seeking approval to implement the proposed remediation works specified in the Remediation Action Plan (RAP) prepared by Golder Associates dated July 2016. An independent review of the plan prepared by C M Jewell & Associates Pty Ltd dated November 2016 (Refer to Appendix E of the EIS) while generally supporting the investigation process and proposed remedial and validation works did outline a number of important issues with the plan and recommended a number of actions be taken to address the issues. It should be ensured that the issues raised and further works recommended are adequately addressed by the applicant to the satisfaction of the consent authority.

If the above issues had been raised as part of a site audit process then they would typically need to be addressed to the auditor's satisfaction prior to the issue of a final site audit statement. The EIS, however, does not indicate that a site audit statement is proposed to be issued at the completion of the remedial works and as such it is not clear how the consent authority can be reasonably satisfied these issues will be addressed at the completion of the project.

Given the complexity and scale of the proposed remedial works and requirements for long term management with the potential for future onsite or offsite impacts, Council would reasonably expect a requirement for a site auditor's review of the investigation, remediation and validation process and a site audit statement prepared at the completion of remedial works. Without such a statement it cannot be ensured that the remediation, validation and long term environmental management plan will necessarily comply with environmental best practice and all appropriate contaminated land guidelines.

2. Section 94A Development Contributions Plan 2009

The provisions of the City of Newcastle Section 94A Development Contributions Plan 2009 apply to the subject land. The proposal is not identified in the plan as a type of development exempt from the imposition of the section 94A levy and therefore formal consideration of the Plan by the consent authority is required.

If you have any questions in relation any of the matters raised in this submission, please contact me by email at gmansfield@ncc.nsw.gov.au or telephone 02 4974 2767.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'G. Mansfield', with a stylized flourish at the end.

Geof Mansfield
PRINCIPAL PLANNER (DEVELOPMENT)