

19 December 2013

Executive Director
Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2000

Dear Sir

**Submission : Shell Clyde Refinery Conversion
State Significant Development Application SSD-5147**

I am a long term resident of Victoria St in Greenwich. Our property has been significantly adversely impacted by Shell's operations at their Gore Bay terminal, particularly since the end of refining at the Clyde refinery in September 2012. The change of use at Gore Bay to a refined product terminal (petrol, diesel, jet fuel) has occurred without a thorough examination or approval by any government authority, of Shell's operation as a whole. The health, safety implications of these changes have caused significant stress and concern to myself and other Greenwich residents. The amenity impacts, particularly the increase in noise and airborne pollution from the terminal, have been significant and caused myself and my partner to move out of the Greenwich. The SSD for changes to the Clyde refinery site, including reduction of storage capacity, will have a significant flow on effect to the Shell terminal in Gore Bay. I therefore wish to make the following submissions in respect of the above application.

Submission 1

- (a) That assessment of SSD - 5147 should be delayed until exhibition of the EIS for SSD- 5148 (Gore Bay Terminal) has been completed and all submissions in respect of SSD-5148 have been received**
- (b) That assessment of SSD - 5147 and SSD- 5148 should take place concurrently.**

The operations of Clyde and Gore Bay Terminal are integral parts of a single operation being a product import, storage and distribution operation.

Any assessment made in respect of Clyde impacts on what takes place at Gore Bay Terminal.

Prior approval of the Clyde SSD will constrain the capacity of the authority assessing the Gore Bay Terminal to make sound decisions in respect of the Gore Bay Terminal as these decisions will be limited or impacted by what has been approved for Clyde.

A delay in the assessment of the Clyde SSD will not unduly disadvantage Shell on the following grounds:-

- it has taken Shell 22 months since the release of the Director General's requirements to submit their EIS

- a delay in assessment of SSD-5147 will not constrain Shell from conducting a petrol import and transfer operation as it has been doing this since October 2013 without lodgement or assessment of an EIS for either SSD-5147 or SSD-5148
- Shell has advised that lodgement of the Gore Bay EIS is expected in March 2014.

I also understand that it is on the public record of the Legislative Council on 26 March 2013 that the relevant minister advised the house as follows:

I am advised that Shell proposes to submit two SSD applications, one relating to the Clyde Refinery (SSD 5147) and one relating to the Gore Bay Terminal (SSD 5148). It is my understanding that the applications will be lodged simultaneously and the Department of Planning and Infrastructure will conduct its assessment of both applications concurrently.

[http://www.parliament.nsw.gov.au/Prod/lc/lcpaper.nsf/0/ED16D15A8A2C46A5CA257B3A002D4FCA/\\$file/QA_136_26_MARCH_2013%20P.pdf](http://www.parliament.nsw.gov.au/Prod/lc/lcpaper.nsf/0/ED16D15A8A2C46A5CA257B3A002D4FCA/$file/QA_136_26_MARCH_2013%20P.pdf)

It is understood that Mr Chris Ritchie of NSW Department of Planning and Infrastructure has advised verbally that SSD-5147 will not be delayed until it is possible to conduct a concurrent assessment with SSD-5148. This is of very serious concern as no authority has ever examined the impacts of Shell's operation as a whole.

Submission 2

(a) The EIS for SSD-5147 (Clyde) should be withdrawn and amended to include the pipeline that runs between Gore Bay Terminal and Clyde. It should be then be considered concurrently with the Gore Bay SSD and all residents and businesses located near the 19km pipeline from Greenwich to Clyde be included in the notification and consultation process.

The pipeline that carries product from Gore Bay Terminal to Clyde is a key component of the Shell operation. It is 19km long and a critical part of Shell's infrastructure but it is not included as part of the EIS for Clyde and it is not contemplated within the Scoping Report for Gore Bay Terminal SSD-5148. Unless the pipeline is brought within the SSD process, there will be no external assessment of the pipeline as part of the SSD process.

The operational changes that took place at Clyde in October 2012 have already resulted in a significant change in product flowing through the pipeline - crude oil has been replaced by petrol. It is understood that flow rates within the pipeline have increased recently. I am personally aware of at least one leak of petrol from the pipeline near the Gore Bay terminal in the last year. Myself and another resident were able to smell petrol fumes from outside the terminal and notified Shell. They were unaware at the time that a leak had occurred, and a Shell employee later advised me that a leak was due to a maintenance error at an inspection point on the pipeline. If such a leak occurred and was to go undetected, particularly under increased flow rates that we Shell will likely be employing in the future, the consequences could be disastrous.

Petrol transfer poses different risks from crude oil. In particular, leakages of petrol are far more volatile and explosive than leakages of crude oil and yet those who live and work adjacent to the pipeline have had no notification of either SSD-5147 or SSD-5148.

The SSD should be amended to include the pipeline and the consultation and exhibition processes should be adapted appropriately to allow a fuller review of the whole operation by both the government authorities responsible for public health and safety, and by the communities through

which the pipeline passes and may be impacted by it.

Submission 3

The proposed decommissioning of storage capacity at Clyde (currently proposed from 638ML to 264ML.) should be reviewed to ensure that no petrol or other similar highly refined and potentially explosive products be stored at Gore Bay.

Petrol is a volatile product and a leakage of petrol, even a small amount, has the capacity to cause a major explosion. Recent examples include the Buncefield incident, petrol tanker incident at Mona Vale , and the extensive disruptions adjacent to the Caltex Port Botany facility when a leak was detected.

The Shell Gore Bay Terminal is surrounded by residential areas, bushland and is located on inner Sydney harbour. All other petrol import facilities have long since moved out of the inner harbour to Port Botany or other more appropriate locations. It is noted that my residence, which Shell has constructed an enormous storage tank within 15m of, is a listed heritage item and existed prior to Shell's operations at Gore Bay. The storage of any petroleum products at the Gore Bay Terminal is entirely inappropriate and would place the community at an unacceptable level of risk.

The Clyde site has a significantly wider buffer area between it and residential development.

It is critical to ensure that the proposed storage capacity at Clyde can handle all importation of petrol so that under no circumstances will petrol need to be stored at Gore Bay.

Yours faithfully

Name and address withheld