



NSW GOVERNMENT
Department of Planning

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Our ref: 06_0191
Your ref:

Mr Graeme Richardson
Orica Australia Pty Ltd
16-20 Beauchamp Road
MATRAVILLE NSW 2036

Dear Mr Richardson

**Proposed Remediation and Redevelopment of the Orica Southlands Site
(Application: 06_0191)**

I refer to your request for Director-General's requirements for the abovementioned proposal. The Director-General's Environmental Assessment Requirements for the abovementioned project are attached, pursuant to section 75F(2) of the *Environmental Planning and Assessment Act 1979*.

Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary in light of any additional information that may be provided prior to the proponent seeking approval for the proposal.

The Environmental Assessment should be prepared using valid and accepted technical and scientific tools and methodologies, focussing on key environmental impacts and robust mitigation measures to address potential impacts from the project. You should also ensure that you consult with the Department prior to submission of a draft Environmental Assessment to determine:

- fees applicable to the application;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy and/or CD-ROM) of the Environmental Assessments that will be required.

Once you have lodged the Environmental Assessment, the Department will consult with the relevant authorities to determine the adequacy of the Environmental Assessment. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

You should keep the contact officer for this project, Scott Jeffries ((02) 9228 6426 or scott.jeffries@planning.nsw.gov.au), up to date with the progress of preparation of the Environmental Assessment, and seek clarification of any issues that may be unclear or may arise during this process.

Yours sincerely

12.9.06

Chris Wilson
Executive Director
As delegate for the Director-General

ORICA SOUTHLANDS REMEDIATION AND REDEVELOPMENT, BOTANY BAY LOCAL GOVERNMENT AREA

ENVIRONMENTAL ASSESSMENT REQUIREMENTS UNDER PART 3A OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Project	Remediation and redevelopment of the Orica Southlands site generally for warehousing and distribution land uses, including associated road infrastructure.
Site	Lot 1 DP 254392, Lot 1 DP 1078077, Lot 1 85542, Lot 11 DP 109505, and Lot 1 DP 873898, Botany local government area.
Proponent	Orica Australia Pty Ltd
Date of Issue	12 September 2006
Date of Expiration	12 September 2008
General Requirements	<p>The Environmental Assessment must be prepared to a high technical and scientific standard and must include:</p> <ul style="list-style-type: none"> • an executive summary; • a description of the proposal, including construction, operation, and staging; • an assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below; • justification for undertaking the project with consideration of the benefits and impacts of the proposal; • a draft Statement of Commitments detailing measures for environmental mitigation, management and monitoring for the project; and • certification by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.
Key Assessment Requirements	<p>The Environmental Assessment must include assessment of the following key issues:</p> <ul style="list-style-type: none"> • Scope and Timing of Proposal – the Environmental Assessment must outline the proposed staging and timing of the development, having regard to the staging and timing of remediation works on the site and associated with contaminated groundwater. The Assessment shall demonstrate a design philosophy that provides flexibility in implementation of components of the proposal to accommodate any changes in the timing or nature of necessary soil or groundwater remediation activities. The Environmental Assessment must also demonstrate how implementation of the proposal will be phased consistent with the timing of road infrastructure provisions/ upgrades to accommodate the likely traffic volumes generated by the proposal. • Remediation Criteria and Remediation Action Plan – the Environmental Assessment must include or be accompanied by a Remedial Action Plan (RAP) prepared in accordance with <i>Guidelines for Consultants Reporting on Contaminated Sites</i> (EPA, 1997) and relevant components of other guidelines made or approved under section 105 of the <i>Contaminated Land Management Act 1997</i>. The RAP must clearly demonstrate that the site will be remediated to a standard commensurate with the intended final land use. The RAP must be audited by an EPA-accredited site auditor, and include a site audit statement detailing the findings of the audit. The Environmental Assessment must also clearly detail the proposed remediation criteria to be applied to all or respective parts of the site. Remediation criteria must be developed consistently with <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i> (NEPC, 1999), and to address the requirements of relevant Chemical Control Orders under the <i>Environmentally Hazardous Chemicals Act 1985</i>. Where contaminants are present on the site that are not listed under the aforementioned NEPM or Orders, specific remediation criteria for those contaminants must be derived having regard to relevant NSW standards, national standards, then international standards, with justification for use of any criterion not currently endorsed by the NSW Department of Environment and Conservation. • Strategic Planning and Regulatory Interaction - the Environmental Assessment must detail the strategic basis for the proposal with specific reference to the need to remediate the site, proposed future land uses and

development on the site, related and relevant existing development approvals and pending applications (particularly with respect to development on the Discovery Cove site), and how the remediation outcome will avoid the unnecessary sterilisation of land or potential future land use conflicts. The Environmental Assessment must make specific reference to any remediation-related activities proposed and/ or approved that are relevant to the strategic remediation outcomes for the site, but not included in the scope of the application for the project. The Environmental Assessment must also detail how the proposal will interact with Environment Protection Licence No. 2148 and the Notice of Clean Up Action (NCUA) currently applying to the site.

- **Human Health Impacts** - the Environmental Assessment must include an assessment of the human health impacts of the project, undertaken in accordance with the risk assessment approach outlined in *Environmental Health Risk Assessment – Guidelines for Assessing Human Health Risk from Environmental Hazards*. The Assessment must include:
 - justification for the exclusion/ inclusion of specific chemicals, along with toxicological profiles of chemicals;
 - exposure parameters/ scenarios including the development of a multi-exposure pathway risk assessment model to account for inhalation, contact and ingestion pathways;
 - consideration acute/chronic and carcinogenic impacts of chemical exposures for children and adults including nearby residences and sensitive land uses;
 - consideration of existing background exposure levels of criteria chemicals, and cumulative risks of any known or expected sources of the chemicals of concern during the remediation process that may contribute to acute or lifetime exposure (eg. any emissions from the HCB repacking plant or the GWTP);
 - chemicals present at low concentrations but with similar mode of action of other chemicals present at the site must be retained in the risk assessment and a cumulative toxicological effect estimated;
 - specific consideration of any health effects generated through the concurrent occupation and remediation of the site;
- **Traffic and Transport Impacts** – the Environmental Assessment must include an assessment of the traffic implications of the proposal, both at a local and regional level, in accordance with the RTA's publication *Guide to Traffic Generating Developments*. The Assessment must include consideration of the traffic impacts of the proposal during each phase of implementation, and include:
 - preliminary design details for all roadworks proposed as part of the development, and timing for implementation of these works;
 - details of the proposed means of vehicular access to/ from the site;
 - likely daily and peak traffic movements to be generated by the proposal and the increase in the level and type of traffic associated with the proposal;
 - impacts of the proposal on the surrounding arterial road network and intersections, and any need for road upgrades or improvement works;
 - consideration of any need for the preparation of a local area traffic management plan;
 - an assessment of the likely impacts of heavy vehicle traffic on the major arterial and local road network;
 - an assessment of the potential for increased transport of dangerous goods or hazardous materials on the arterial and local road network, and the need for an incident management strategy should accidents occur;
 - acknowledgement of the need for the preparation of a Traffic Management Plan prior to commencement of the proposal, consistent with the requirements of the RTA's *Road Occupancy Manual*, *RTA Delegation to Councils Regulation of Traffic*, *Preparing TMP and Traffic Control at Work Sites* (Version 3, September 2003);
 - details of future ownership of any new roads created as part of the proposal;
 - demonstration of adequate carparking and manoeuvring areas associated with the proposal, and for each phase of the works
- **Noise and Vibration Impacts** – the Environmental Assessment must include an assessment of the noise impacts of the project in accordance with the *NSW Industrial Noise Policy* (EPA 2000) and noise control guidelines *Construction Site Noise* (previously Chapter 171 of the Environmental Noise Control Manual,

	<p>1994). With respect to potential vibration impacts, the Environmental Assessment must include consideration in accordance with the DEC's <i>Environmental Noise Management – Assessing Vibration: a Technical Guideline</i>. The Environmental Assessment must consider noise and vibration impacts during construction and operation, and in a cumulative context with existing developments.</p> <ul style="list-style-type: none"> • Ecological Impacts - the Environmental Assessment must include an ecological impact assessment, in accordance with the DEC's <i>Guidelines for Threatened Species Assessment</i>. The Environmental Assessment must include specific consideration of impacts on the Green and Golden Bell Frog (<i>Litoria aurea</i>) and consistency with the Recovery Plan for that species. • Land Use Safety Planning Implications - the Environmental Assessment must include a screening of potential hazards on site to determine the potential for off site impacts and any requirement for a Preliminary Hazard Analysis (PHA). The PHA, should potential off-site impacts be identified, must be prepared in accordance with the Department's <i>Hazardous Industry Planning Advisory Paper No. 3</i>, <i>Hazardous Industry Planning Advisory Paper No. 6</i> and <i>Multi-level Risk Assessment</i>. Risk impacts associated with the transport of dangerous goods and hazardous materials must be documented with reference to the Department's draft <i>Route Selection</i> guideline. The Environmental Assessment must also consider any potential conflict between existing industrial hazards and the proposed future land use on the site (for example, heat and overpressure effects from adjacent fuel tanks). The Environmental Assessment must consider the proposal in the context of the findings and recommendations of the Department's <i>Botany/ Randwick Industrial Area Land Use Safety Study</i> (2001) and <i>Port Botany Land Use Safety Study</i> (1996). • General Environmental Risk Analysis – notwithstanding the above key assessment requirements, the Environmental Assessment must include an environmental risk analysis to identify potential environmental impacts associated with the project (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of the additional key environmental impact(s) must be included in the Environmental Assessment.
Consultation Requirements	<p>You must undertake an appropriate and justified level of consultation with the following parties during the preparation of the Environmental Assessment:</p> <ul style="list-style-type: none"> • NSW Department of Environment and Conservation; • NSW Department of Natural Resources; • NSW Department of Health; • the Council of the City of Botany Bay and Randwick City Council; and • the Botany Environment Watch, Botany Bay and Catchment Alliance and any other relevant community or environmental groups. <p>In addition, appropriate consultation with the local community should be undertaken. The Environmental Assessment must clearly indicate issues raised by stakeholders during consultation, and how those matters have been addressed in the Environmental Assessment.</p>
Deemed refusal period	<p>Under clause 8E(2) of the <i>Environmental Planning and Assessment Regulation 2000</i>, the applicable deemed refusal period is 60 days from the end of the proponent's environmental assessment period for the project.</p>