Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Project	Construction and operation of a marine fuel storage and distribution, and biodiesel production facility.
Site	Greenleaf Road, Kooragang Island
Proponent	Manildra Park Pty Ltd
Date of Issue	22 May 2007
Date of Expiration	22 May 2009
General Requirements	The Environmental Assessment must include: • an executive summary; • a detailed description of the project including the: – need for the project; – alternatives considered; and – various components and stages of the project; • consideration of any relevant statutory provisions; • a general overview of the environmental impacts of the project, identifying the key issues for further assessment, and taking into consideration any issues raised during consultation; • a detailed assessment of the key issues specified below, and any other significant issues identified in the general overview of environmental impacts of the project (see above), which includes: – a description of the existing environment; and – an assessment of the potential impacts of all components of the project (including the pipework), as well as any cumulative impacts (particularly those impacts associated with other activities on Kooragang Island); • a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage and/or monitor the impacts of the project; • a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures; • a conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and the benefits of the project; and • a signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading.
Key Issues	• **Hazards and Risk –** including an assessment of the potential hazards and risks associated with the proposed project. A preliminary risk screening must be completed in accordance with *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development* (SEPP 33) and *Applying SEPP 33* (DUAP, 1994), and where necessary, a Preliminary Hazard Analysis (PHA) undertaken; • **Water and Soils** – including: - an assessment of the potential soil, groundwater and surface water impacts including impacts on Newcastle Harbour; - proposed erosion and sediment controls (during construction) and the proposed stormwater management system (during operation); - identification of the potential for spillage of contaminants on the site, the pipeline routes and at the shipping terminal, and proposed mitigation and management measures; and - an assessment of contaminated groundwater and soils, and acid sulfate soils, and proposed mitigation and management measures.

	• **Air Quality** – including a comprehensive air quality assessment focusing on dust, odour and vapour (including volatile compounds); • **Greenhouse Gas Emissions** – a full greenhouse gas assessment (including a quantitative analysis of the Scope 1, 2 and 3 emissions of the project and a qualitative analysis of the impacts of these emissions); • **Noise** – including construction, operation and traffic; • **Traffic** – including details of the traffic volumes likely to be generated during construction and operation, and an assessment of the predicted impacts of this traffic on the safety and capacity of the surrounding road network; • **Visual** – including impacts from the proposed pipelines over the public road network; • **Waste Management** – including classification of all potential sources of liquid and non-liquid wastes; and • **Aboriginal Heritage**.
References	The Environmental Assessment must take into account relevant State government technical and policy guidelines. While not exhaustive, guidelines which may be relevant to the project are included in the attached list.
Consultation	During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. The consultation process and the issues raised must be described in the Environmental Assessment. In particular, you should consult with: • Department of Environment and Climate Change; • Department of Water and Energy; • Newcastle Port Corporation; • NSW Maritime; • RTA; and • Newcastle City Council. The consultation process and the issues raised must be described in the EA.
Deemed refusal period	60 days

State Government Technical and Policy Guidelines - For Reference

Aspect	Policy /Methodology
Hazards and Risk	
	Criteria for Land Use Planning: Hazardous Industry Planning Advisory Paper No. 4 (DUAP, 1992)
	The storage and handling of flammable and combustible liquids (Standards Australia, 2004, AS 1940-2004)
	Bunding and Spill Management (DEC, 2001)
	Applying SEPP 33: Hazardous And Offensive Development Application Guidelines (DUAP, 1997)
	Multi-Level Risk Assessment (DUAP, 1997)
	Hazardous Industry Planning Advisory Paper No. 3 – Environmental Risk Impact Assessment Guidelines (DUAP, 1996)
Soil and Water	
	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
	Acid Sulfate Soil Manual (ASSMAC, 1998)
	Contaminated Sites: Sampling Design Guidelines (EPA, 1999)
	Contaminated Sites: Guidelines for the NSW Auditor Scheme (EPA, 1999)
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW State Groundwater Quality Protection Policy (DLWC, 1998)
	NSW State Groundwater Quantity Management Policy (DLWC) Draft
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC, 1995)
Air Quality	
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC, 2005)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC, 2005)
	Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006)
Greenhouse Gases	
	AGO Factors and Methods Workbook (Australian Greenhouse Office, 2006)
Noise	
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	NSW Industrial Noise Policy (DEC, 1999)
	Environmental Noise Control Manual (DEC)
Traffic & Transport	
	Guide to Traffic Generating Development (RTA, 2002)
	RTAs Road Design Guide (RTA, 1996)
Waste	
	Environmental Guidelines: Assessment Classification and Management of Non-Liquid and Liquid Waste (DEC, 1999)
	Waste Avoidance and Resource Recovery Strategy (Resource NSW, 2003)
Aboriginal Heritage	
	Draft Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DEC, 2005)
	Aboriginal Cultural Heritage Standards and Guidelines Kit (DEC, 1997)

NSW Government

DEPARTMENT OF WATER AND ENERGY

Our Ref: ER7301

10 May 2007

Manager - Manufacturing and Rural Industries
Major Development Assessment
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attention: Brad Deane

Dear Sir

Request for Key Issues and Assessment Requirements
Marine Fuel Storage and Distribution and Biodiesel Production Facility
Greenleaf Road, Kooragang Island

I refer to your letter of 4 May 2007 concerning the above proposal. From the information provided in the Preliminary Environmental Assessment the Department of Water and Energy (DWE) considers it unlikely that there is any approval required under legislation administered by the department. Notwithstanding the above, DWE provides the following advice:

Water Act 1912
Excavations that intercept the groundwater during construction or approval for bores for the purpose of dewatering and monitoring will require a licence under Part 5 of the *Water Act 1912*. If this is the case, DWE will not approve in a licence the discharge of groundwater to the surface or groundwater systems and will require the Environmental Assessment to address:

- Details of any proposed works likely to intercept groundwater;
- Details of any proposed groundwater extraction, including purpose, location and construction details of all proposed bores;
- Details of proposed method of disposal of waste water and approval from the relevant authority; &
- Details to prevent groundwater pollution so that future remediation is not required.

For information on approval requirements under the *Water Act 1912* and groundwater policies, please contact Hemantha De Silva, Senior Natural Resource Officer, Licensing North Branch, Newcastle on 4904 2525.

Yours sincerely

Peter Johns
Project Officer
Major Projects and Mining Assessments Branch
Newcastle

26 Honeysuckle Drive Newcastle NSW 2300 PO Box 2213 Dangar NSW 2309
Telephone (02) 4904 2500 Facsimile (02) 4904 2501

Our reference : DOC07/17118 File: FIL06/924 Part 3A
Contact : Ross Brylynsky (02) 4908 6809

Department of Planning
GPO Box 39
SYDNEY NSW 2001
Attention: Chris Ritchie

Dear Mr Ritchie

MARINE FUEL STORAGE & DISTRIBUTION, & BIODIESEL PRODUCTION FACILITY, KOORAGANG ISLAND
PART 3A ENVIRONMENTAL ASSESSMENT REQUIREMENTS

I refer to your letter of 4 May 2007 requesting the Department of Environment and Climate Change's (DECC's) requirements for an Environmental Assessment (EA) for a proposed marine fuel storage and distribution, and biodiesel production facility at Greenleaf Road, Kooragang Island. It is understood that the development application will be considered under Part 3A of the Environmental Planning and Assessment Act 1979 (EP&A Act).

General EA requirements

There are no specific guidelines for the preparation of an EA for a fuel storage and distribution, and biodiesel production facility. However, general information is required in any EA to provide sufficient information to enable the DECC to accurately assess a development's environmental implications.

It is assumed that the requirements of the Director General of the Department of Planning will adequately prescribe the required structure of the EA and the baseline information typically required by an EA for a development of this nature. This information would cover details such as descriptions of the site, the development, and individual elements of the development; considerations of alternatives; justifications for the development; impacts on existing infrastructure and services; planning issues; and a description of the existing environment.

Specific Information required by the DECC

Additional information is also required by the DECC, both to enable the assessment of the development in relation to the DECC's statutory responsibilities under the Protection of the Environment Operations Act 1997 (POEO), and to provide our general conditions of consent. Specifically, the requirements of Section 45 of the POEO and Section 5A of the Environmental Planning and Assessment Act 1979 must be addressed.

PO Box 488G, Newcastle NSW 2300
117 Bull Street, Newcastle West, NSW
Tel: (02) 4908 6800 Fax: (02) 4908 6810
ABN 30 841 387 271
www.environment.nsw.gov.au

In addition, the information provided in the EA should make it possible to determine whether a permit to disturb Aboriginal objects under Part 6 s87, or whether a licence to destroy, deface or damage Aboriginal objects may be required under Part 6 s90, of the National Parks and Wildlife Act 1974.

The DECC requires the EA to address the following issues in detail: -

1. Air Pollution

The EA should identify and describe in detail all possible sources of air pollution beyond the boundary of the development site. This should cover both the establishment and operational phases of the development. Cumulative impacts associated with existing developments and any developments that have been granted development consent but which have not commenced should also be addressed.

The EA should demonstrate that any proposed fuel storage tanks will be constructed in accordance with the Protection of the Environment (Clean Air) Regulation 2002.

The EA should also demonstrate that the facility will operate within the DECC's objectives, which are to minimise adverse effects on the amenity of local residents and sensitive land uses, and to limit the effects of emissions on local, regional and inter-regional air quality. Methodologies used and assumptions made to predict the impacts should be described, together with a description of any pollution control measures to be implemented. Details of vapour recovery systems should also be provided.

All potential emission sources should be identified and discussed. Detail should be provided regarding the expected parameters of all potential emission sources, including all operational variability, ie. location, release type (stack, volume or area) and release parameters (eg. stack height, stack diameter, exhaust velocity, temperature, emission rate). A detailed comparison of the expected emission concentrations for each pollutant from all proposed emission sources with the relevant standards of concentration prescribed by the Protection of the Environment (Clean Air) Regulation 2002 should be provided.

Air pollutant emission rates, ambient air quality data and meteorological data used in the assessment must be clearly stated and justified. For potentially odorous emissions, emission rates in terms of odour units should be established using techniques approved by the DECC.

The potential for the release of offensive odours will be an important consideration for this proposal. The EA should include a comprehensive evaluation of the potential for odours from the facility.

The EA should include a detailed evaluation of the potential for the release of volatile compounds from the facility and the likelihood of these gases impairing the effectiveness of any odour control system or exceeding appropriate ambient air quality guidelines.

The cumulative impact of all proposed and existing sources at the premises should be determined by dispersion modelling. The existing ambient air quality in the vicinity of the proposal should be accounted for in the assessment of potential impacts.

2. Water Quality

The EA must provide sufficient information to demonstrate that the construction and operation of the proposed development will not cause water pollution. The methodology, data and assumptions used to assess the potential impact of the development on water quality must be fully documented and justified.

Given the nature of this proposal, the EA must address the potential for spillage of fuels at transfer points, including any marine unloading facilities located on the Hunter River or Port of Newcastle, and proposed spillage controls to mitigate pollution of waters.

The quality of the stormwater to be drained from the development site should also be described, together with proposed measures to mitigate against impacts on water quality in the Hunter River. The DECC has adopted the Australian and New Zealand Environment Conservation Council Water Quality Guidelines for Fresh and Marine Waters (ANZECC, 1992) as a guide for the assessment of environmental impacts on aquatic ecosystems.

In considering any proposal to discharge polluted water from the site the DECC would take into account the extent to which the following principles have been applied:

- Maximising on-site re-use of process water;
- Preventing dry weather discharges and minimising wet weather overflows from polluted water storage;
- Minimisation of vegetation clearing and ensuring revegetation occurs as soon as practicable;
- Effective management of stormwater to segregate surface run-off from undisturbed areas and disturbed areas; and
- Spillage controls and bunding.

The methodology, data and assumptions used to design any pollution control works and assess the potential impact of the development on water quality in the Hunter River, Port of Newcastle and groundwater must be fully documented and justified.

Controls for preventing pollution of waters at transfer points, including the proposed distribution barge, should be clearly stated.

3. Noise Emissions

Noise levels within the Port of Newcastle have been identified as a significant issue. Recently prepared noise impact assessments for new developments indicate that the existing noise levels in residential areas of Carrington, Stockton and the Newcastle foreshore already exceed the DECC's recommended background planning noise levels.

The EA must include a comprehensive noise assessment of the existing environment, potential impacts, and proposed noise amelioration measures over the life of the development. The EA should identify all potential noise sources and describe the extent to which noise emissions are likely to impact on any residences in the vicinity of the site including, but not necessarily limited to, the residential areas of Newcastle, Stockton, and Carrington. The New South Wales Industrial Noise Policy (DECC, 2000) provides a comprehensive guide to the determination of background noise levels, prediction of likely noise levels and assessment of noise impacts. The EA should clearly show that the process detailed in this policy has been closely followed.

The evaluation should cover the construction and operational phases of the development over the operating hours proposed, and take into account adverse weather conditions including temperature inversions. Sound power levels measured or estimated for all plant and equipment should be clearly stated and justified. Additionally, the EA should include an assessment of

cumulative noise impacts, having regard to existing developments and any developments which have received development consent in the Port area but which have not commenced.

3.1 Road Traffic Noise

Road transport of cargo from the development site has the potential to increase disturbance in residential areas in the immediate vicinity of the development, and along transport routes more distant from the development site. To assess the extent of the impact, the noise assessment should identify the transport route(s) to be used and quantify the noise impacts. The guidelines contained in the DECC's publication "Environmental Criteria for Road Traffic Noise (June 1999) describes the methods used to determine noise planning levels for road traffic noise in locations of varying sensitivity.

The methodology, data and assumptions used to assess the impact of road haulage on residential properties must be fully documented and justified.

Where disturbance due to road transport is likely to exceed the recommended criteria, the EA must describe the measures proposed to mitigate the impacts and the extent to which the measures are likely to be effective in achieving the relevant criteria.

If the planning noise levels cannot be achieved after applying the best practicable noise control measures, additional information should be provided to demonstrate the socio-economic benefits of the proposal. This information may include:

i) the overall value of the development in an economic sense to the region and the State;
ii) the overall value of the development in a social sense to the region;
iii) changed land use values; and
iv) community acceptance.

4. Waste Management

The EA must identify all potential sources of liquid wastes and non-liquid wastes as defined in the DECC's environmental guideline titled "Assessment, Classification and Management of Liquid and Non-liquid Wastes" (DECC, 1999). It should detail the quantity of waste likely to be produced, and the measures to be used to store, treat and dispose of this material. The EA should identify all re-use options for useable waste products.

The EA must identify any chemical storage areas to be established on the site, and describe the measures proposed to minimise the potential for leakage or migration of pollutants into the soil, groundwater, the Hunter River or the Port of Newcastle.

5. Contaminated Land Assessment

The EA should include a quantitative assessment of the level of contamination of soil or groundwater on the site based on the known history of the site. Where contamination levels are known or suspected of exceeding appropriate public health or environmental guidelines, the EA should describe the actions or works to be implemented to address the issue. The following DECC guidelines provide a useful reference to the assessment and reporting on contaminated sites:

- Guidelines for Consultants Reporting on Contaminated Sites (DECC 1997); and
- Contaminated Sites, Sampling Design Guidelines (DECC 1995).

6. Construction Phase

Impacts of any specific activities involved in site preparation should be identified. Details of appropriate erosion and sedimentation controls, dust suppression and noise controls should be included in the EA.

The likelihood of disturbing acid sulfate soils during the construction phase must be detailed in the EA, and contingency plans proposed for the management of acid sulfate material proposed.

7. Flora

It is noted that the subject site has been modified from its natural condition. Therefore, the following requirements should be addressed at a level of investigation appropriate to the site's current condition.

A comprehensive description of the vegetation of the subject site should be prepared. This should include an assessment of the condition of the plant communities present, including the designation of conservation significance at a local, regional and State level, and an assessment of the likely occurrence of any threatened species, populations and/or ecological communities listed under Schedules 1 or 2 of the Threatened Species Conservation Act 1995 and any Rare or Threatened Australian Plant (ROTAP) species.

A plan showing the distribution of any threatened or ROTAP species and the vegetation communities on the subject site, and the extent of vegetation proposed to be cleared should be provided. This plan should be at the same scale as the plan of the area subject to development, and preferably showing the footprint of the proposed development superimposed on the vegetation, in order to assist in the assessment of impacts on existing vegetation.

Where the assessment concludes that threatened species, populations or their habitats, or endangered ecological communities exist on or are in close proximity to the subject site, the effect of the proposed development should be determined by an assessment pursuant to Section 5A of the Environmental Planning and Assessment Act 1979. An assessment of the impact of the development on the plant communities and / or ROTAP species should also be provided.

A description of the measures proposed to mitigate and/or ameliorate the impact of the development on the plant communities, threatened and ROTAP species.

8. Fauna

It is noted that the subject site has been modified from its natural condition. Therefore, the following requirements should be addressed at a level of investigation appropriate to the site's current condition.

A fauna survey to identify the distribution and abundance of fauna species known or likely to use the subject site should be undertaken. This should include a description of available fauna habitats and an assessment of the conservation status of each of the faunal components at a local, regional and State level.

A plan showing the results of the above survey should be provided. The plan should be at the same scale as (or as an overlay to) the plan of the development footprint and overall site, to assist in the assessment of potential impacts of the proposal on fauna.

An assessment of the potential impact of the development on fauna should be provided.

An assessment of the occurrence or likely occurrence of threatened species or populations, or their habitats, on the subject land should be provided. Where the assessment concludes that threatened species or populations, or their habitats, exist on or in close proximity to the subject site, the effect of the proposal should be determined in accordance with an assessment pursuant to Section 5A of the Environmental Planning and Assessment Act 1979.

A description of the measures proposed to mitigate and/or ameliorate the impact of the development on fauna should be provided.

9. Surveys and Assessments

Fauna, flora, vegetation and cultural heritage surveys should be undertaken by suitably qualified persons and the qualifications and experience of the persons undertaking the work should be provided.

Dates and times, site locations, survey design and methodology, analysis techniques and weather conditions at the time of the assessments and surveys must be provided. The limitations of surveys should be identified and the results interpreted accordingly.

Conclusions drawn in surveys and assessments should be substantiated by evidence resulting from those surveys and assessments. The document being supported by the surveys and assessments should reflect the conclusions and clearly state where recommendations of the survey and assessments have been incorporated in the proposal.

10. Aboriginal Cultural Heritage

It should be noted that Aboriginal cultural heritage is ubiquitous in the Lower Hunter area, even in areas that have already been highly modified. If any excavation is proposed, for example for piles or footings, then there may be potential to uncover Aboriginal objects.

The presence or absence of Aboriginal objects should be identified and the significance of the area to the local Aboriginal community must be determined. Accordingly, a search of the Aboriginal Heritage information Management System (AHIMS) should be conducted.

An assessment of the archaeological sensitivity of areas of the subject site and identification of significance of the site to the local Aboriginal community should be undertaken by an appropriately qualified person in consultation with the local Aboriginal community. Pending the outcome of this preliminary assessment, there may be a need for an archaeological survey of the subject site by a suitably qualified person.
Aboriginal objects and places of significance to the Aboriginal community should be detailed on a plan. This plan should be at the same scale as that of the subject site and development footprint, to assist in the assessment of the impact of the proposal on the identified cultural components.

A report discussing the results of survey and consultation, and including a description of measures proposed to mitigation impacts of the development on any identified Aboriginal objects and other recommendations, should be prepared in accordance with the NPWS Aboriginal Cultural Heritage Standards and Guidelines Kit and submitted with the EA for review.

A contingency plan that details the measures to be taken in the event that Aboriginal objects are discovered during the course of works on the subject site must be prepared.

11. Monitoring Programs

The EA should include a detailed assessment of any noise, air quality or water quality monitoring required during the construction phase and on-going operation of the facility to ensure that the development achieves a satisfactory level of environmental performance. The evaluation should

include a detailed description of the monitoring strategies, sample analysis methods, and the level of reporting proposed.

12. Statutory Requirements

The EA should examine whether proposed activities are listed on Schedule 1 of the Protection of the Environment Operations Act (1997) which specifies activities that require an Environment Protection Licence. General information on licence requirements can also be obtained from the DECC's Environment Line on 131555 or can be found on the DECC website at http://www.environment.nsw.gov.au/legal/.

If you have any questions concerning the DECC's requirements please contact Ross Brylynsky on (02) 4908 6809.

Yours sincerely

MITCHELL BENNETT
Head Regional Operations Unit – North East Branch
Climate Change and Environment Protection

NSW MARITIME

18 May 2007

File No:07/55

Mr Brad Deane
Major Development Assessment
Department of Planning
GPO Box 39
SYDNEY NSW 2001

By facsimile 02 9228 6466

Dear Mr Deane

Manildra Park Proposed Marine Fuel Storage & Distribution & Biodiesel Production Facility, Greenleaf Road, Kooragang Island, Newcastle — Major Project Request for Key Issues and Assessment Requirments

I refer to the Department's letter of 4 May 2007 seeking NSW Maritime's requirements for the preparation of an Environmental Assessment (EA) for the above project.

NSW Maritime's interest in the project relates to demolition and construction activities proposed adjacent to or upon/over submerged land under the ownership of NSW Maritime (Hunter River North and South Arms) and NSW Maritime's approval role under Part 3A of the *Rivers and Foreshores Improvement Act 1948*.

It is noted that the Minister for Planning has formed the opinion that the proposal is a Major Project under Part 3A of the *Environmental Planning and Assessment Act 1979*. Accordingly, a permit under Part 3A of the *Rivers and Foreshores Improvement Act 1948* from NSW Maritime as delegate of the Minister for Ports and Waterways is not required.

Further to the Preliminary EA, NSW Maritime recommends that the following matters be addressed in the EA prepared for the project:

- A more detailed description of the land (including land ownership) on which development is proposed including pipeline facilities and/or berthing facilities for receival and distribution.
- Notwithstanding that only minor excavation works are proposed, appropriate best practice sediment and erosion controls should be documented in the EA. In addition, any material that is to be stockpiled on site during construction must be stabilised to prevent erosion or dispersal of the material.

NSW MARITIME
James Craig Road Rozelle NSW 2039
Locked Bag 5100 Camperdown NSW 1450
T 02 9563 8511 F 02 9563 8530 www.maritime.nsw.gov.au

If you have any queries in relation to this letter please telephone me on (02) 9364 2176 or email me at prougellis@maritime.nsw.gov.au.

Yours sincerely

Persephone Rougellis
Manager Property Planning
Maritime Property Division

325.564;3
07/67
Natasha Waeger

Christopher Stapleton Consulting Pty Ltd
Level 1, 85 William Street
EAST SYDNEY NSW 2010

Attention: Mr Anton Reisch

PROPOSED BIODIESEL FACILITY, LOTS 10-13 DP 234887, GREENLEAF ROAD, KOORAGANG ISLAND

Dear Mr Reisch

I refer to your email dated 9 January 2007 requesting requirements to be considered for the subject proposal and any road infrastructure projects that may impact upon, or be impacted upon by the proposed development.

The RTA's primary interests are in the road network, traffic and broader transport issues, particularly in relation to the efficiency and safety of the classified road system, the security of property assets and the integration of land use and transport.

In accordance with the *Roads Act 1993*, the RTA has powers in relation to road works, traffic control facilities, connections to roads and other works on the classified road network. The road of interest to the RTA in the area is Cormorant Road / Teal Street (MR108) as a classified State Road. RTA concurrence is required for connections to these roads, and traffic control facilities, under Section 138 and 87 of the Act, with Council consent. Council is the roads authority for all public roads in the area.

As a minimum the RTA requires that a traffic study, undertaken in accordance with the RTA's *Guide to Traffic Generating Developments*, be prepared by suitably qualified traffic consultants, and shall include (but not limited to) the following:

- Identify all relevant vehicular traffic routes and intersections for access to / from the subject area
- Current traffic counts for all of the above traffic routes and intersections
- The anticipated additional vehicular traffic generated from the proposed construction and operation phases of the development
- Consideration of the traffic impacts on the existing intersections and the capacity of Teal Street / Cormorant Road to safely and efficiently cater for the additional vehicular traffic generated

- Traffic analysis for the relevant intersections including:
  - Current traffic counts, consideration of staged development and 10 year traffic growth projections (after commencement of full operation of the development);
  - 95th percentile back of queue lengths on all legs;
  - Delays and level of service on all legs;
  - Use of SIDRA or similar traffic model.
  - Electronic input/output data files for RTA review.

- Road safety considerations along the identified routes and relevant intersections.

- Any other impacts upon the regional and state road network including consideration of pedestrian, cyclist and public transport facilities and provision for service vehicles.

Comment: In the preliminary report provided, some traffic analysis has been undertaken. However, the traffic study shall be revised to clearly show the traffic generation from the proposed development, with regards to the respective construction and operation phases (including any overlapping between the phases), and the associated traffic distribution on the road network. Detailed traffic analysis results are required for each of the relevant intersections considered

Any necessary road and transport infrastructure improvements required as a direct result of the proposed development should be fully funded by the developer or alternatively through Council's section 94 contribution plan.

It is likely, due to the nature and scale of the proposed development, that the development will require consideration under Schedule 1 of State Environmental Planning Policy (SEPP) 11 – Traffic Generating Developments and referral to the Hunter Regional Development Committee (HRDC). The preparation of a traffic study in accordance with the above requirements is a minimum requirement for consideration by the HRDC.

The RTA can confirm that the Tourle Street Bridge is scheduled for replacement in the near future. In the long term Cormorant Road may be upgrade to four lanes between the existing four-lane section and Tourle Street Bridge when traffic volumes warrant. However, a timeframe for this project has not been identified.

The RTA encourages the proponent to discuss the above issues early in the planning process, with the RTA, Newcastle City Council and other relevant authorities.

The above is preliminary requirements only, the RTA will provide further comment on receipt of more detailed information referred as part of the development application process.

For more information please contact me on (02) 4924 0240.

Yours sincerely

Dave Young
Manager, Land Use Development
Hunter Operations & Engineering Services
22 February 2007

Cc Mr David Ryner
Newcastle City Council

07/2020

NEWCASTLE PORT CORPORATION

21 May 2007

Chris Ritchie
Manager-Manufacturing and Rural Industries
Major Development Assessment
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Chris

KEY ISSUES AND ASSESSMENT REQUIREMENTS: MARINE FUEL STORAGE & DISTRIBUTION & BIO DIESEL PRODUCTION FACILITY, GREENLEAF ROAD, KOORAGANG

I refer to your letter of 4th May 2007, requesting the Newcastle Port Corporation (NPC) requirements for the preparation of the Environmental Assessment for the above proposal.

NPC supports trade growth and diversification at the Port and welcomes port infrastructure development proposals such as the proposed marine fuels and bio diesel production and distribution facilities.

The NPC advice is based on information contained within Umwelt's Preliminary Environmental Assessment of Manildra Park's Marine Fuel Storage and Distribution and Bio Diesel Production Facility, Kooragang Island (May 2007).

The main areas of concern for NPC relating to the environmental impact of the proposed construction and operational phases (many of which have been identified in the Preliminary Environmental Assessment) include:

- Spill management during operations at the wharves. It should be noted the wharves included in the proposed development have not been specifically designed for bulk liquid products.
- Disaster planning and management systems may be required for the management of any high risk event.
- Water (e.g. stormwater management and sediment/erosion control).
- Resource conservation and sustainability (e.g. waste minimisation strategies).
- Cumulative noise impacts.
- Cumulative air impacts (e.g. dust emissions during construction and contaminant emission during operation).
- Pollution control measures.
- Dredging, if required to utilise Boskalis wharf.
- Contamination, including Acid Sulphate soils;
- Ship/barge navigation (particularly at Boskalis wharf during floods); and

Newcastle Port Corporation
ABN 50 825 884 846
Corner Scott and Newcomen Streets Newcastle NSW 2300 Australia P.O. Box 663
Telephone (02) 4985 8222 Toll Free NSW 1800 048 205 Facsimile (02) 4926 4596
Email: mail@newportcorp.com Website address: http://www.newportcorp.com

- Maritime security requirements as determined by the Maritime Transport and Offshore Facilities Security Act 2003 which is administered by the Department of Transport and Regional Services.

Umwelt have indicated the assessment will include consideration of cumulative impacts. NPC would encourage review of the cumulative impact of a catastrophic event arising from existing activities in the broad vicinity of the site and its implication for fire fighting infrastructure on the berths proposed to be utilised. Existing activities may include the transfer (and temporary storage) of ammonia nitrate between the Kooragang wharves No's 2 and 3, and to facilities operated by Orica on Kooragang Island.

A determination should be made as to whether the construction of the pipeline is subject to approval under the *Pipelines Act 1967.*

It is expected that where specific environmental impacts are identified in the Environmental Assessment appropriate control measures will be developed to mitigate impacts and form part of the conditions of consent for the development.

Yours sincerely

Annette Woods
GENERAL MANAGER - PLANNING AND DEVELOPMENT