



Our Ref: 3556/BC/SB/021115

25 September 2015

Kerry Hamann
Industry Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Kerry

Re: Section 75W Minor Minor Modification to Project Approval 07_0066 – Marine Fuel Storage/Distribution and Biodiesel Production Facility, Kooragang Island

Park Pty Ltd (Park) proposes to modify Project Approval 07_0066 for the Marine Fuel Storage/Distribution and Biodiesel Production Facility located at Kooragang Island under Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to allow for the following changes:

1. Inclusion of additional land adjacent to the approved project area for an administration office and workshop building, being Lots 1, 2 and 3 on DP557904;
2. Approval for the occupation of the refurbished office and workshop building on the additional land to be included within the approved project area; and
3. Approval for 1 additional minor tank to store diesel additive.

This letter has been prepared to detail the proposed modifications and provide an assessment of any potential environmental impacts arising from the proposed changes to support the minor modifications to PA07_0066.

1.0 Background

The Marine Fuel Storage/Distribution Facility is located at the southern end of Kooragang Island known as Walsh Point (refer to **Figure 1.1**). The land included in the original approval is outlined below:

Lot	DP	County	Parish
10	234887	Newcastle	Northumberland
11	234887	Newcastle	Northumberland
12	234887	Newcastle	Northumberland
13	234887	Newcastle	Northumberland
7	262783	Newcastle	Northumberland
3	573972	Newcastle	Northumberland
4	573972	Newcastle	Northumberland
361	1104196	Newcastle	Northumberland
28	775776	Newcastle	Northumberland
34	775776	Newcastle	Northumberland

Inspired People.
Dedicated Team.
Quality Outcomes.

Newcastle

75 York Street
Teralba NSW 2284

Ph. 02 4950 5322

Perth

PO Box 8177
Subiaco East WA 6008
33 Ventnor Avenue
West Perth WA 6005

Ph. 08 6260 0700

Canberra

PO Box 6135
56 Bluebell Street
O'Connor ACT 2602

Ph. 02 6262 9484

Sydney

Level 3
50 York Street
Sydney, NSW, 2000

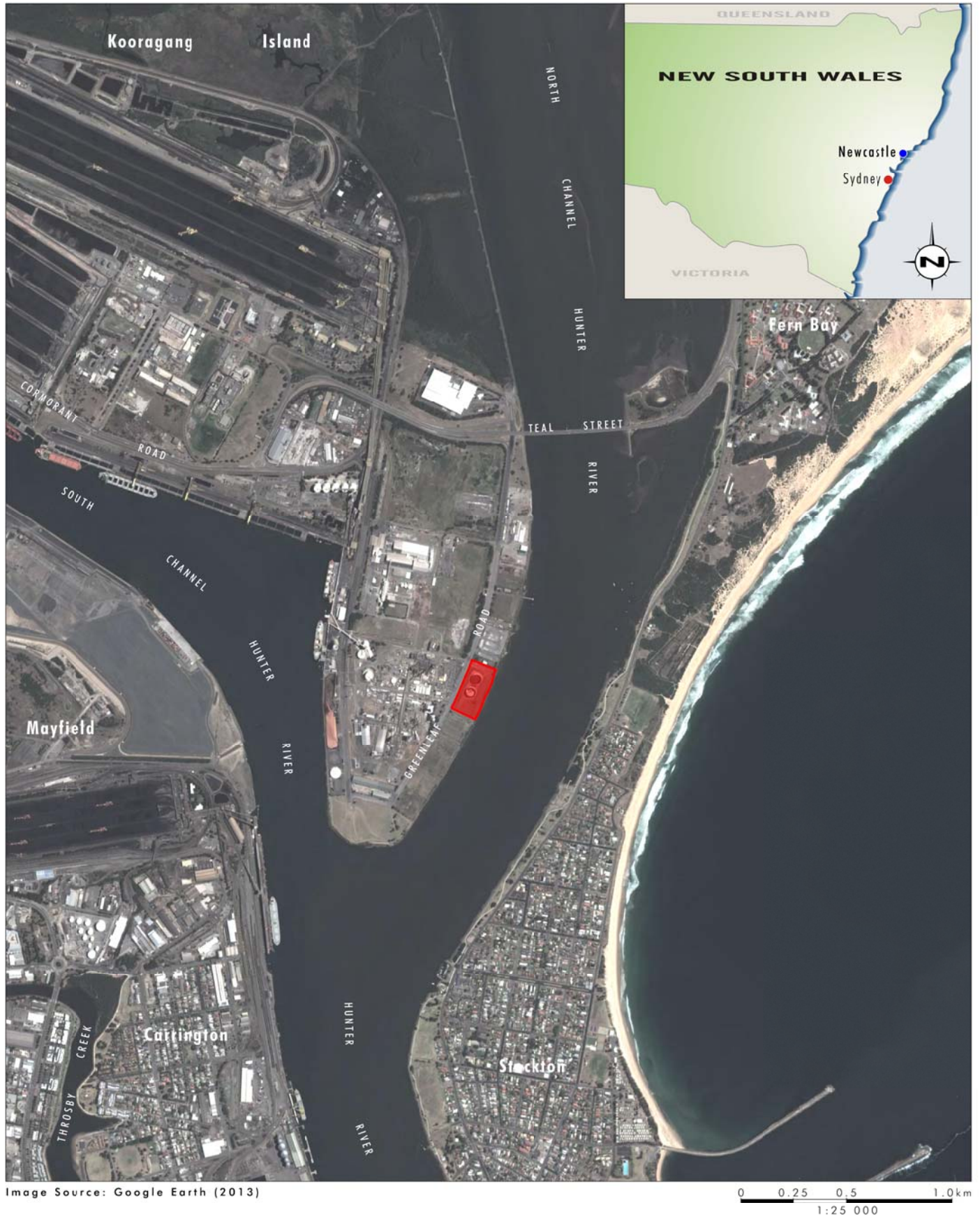
Ph. 1300 793 267

Brisbane

GPO Box 459,
Brisbane, QLD, 4001

Ph. 1300 793 267

www.umwelt.com.au



Legend

■ Approved Distribution and Production Facility

FIGURE 1.1
Locality Plan

Associated with the approved facility are berth, receival and distribution facilities, a pipeline connecting the terminal with the berth facilities, a biodiesel plant and administration and amenities buildings. The current approval provides for the phased construction of the facility generally consisting of three phases of construction and operation including:

Phase 1: Involves refurbishing the two existing storage tanks (T-1 and T-2), constructing the pipeline and operating fuel receival and distribution facilities at the berths, constructing a road tanker loading/receival bays and constructing amenities and service buildings and the purchase of a barge to distribute products around the port. Under this phase the fuel storage capacity was estimated to be approximately 51 ML. Phase 1 of the approved works are now complete.

Phase 2: Involves constructing three additional fuel storage tanks (T-3 to T-5), associated with the increased storage capacity. Under this phase, the storage capacity was proposed to be increased by approximately 21 ML, taking the total storage capacity to approximately 72 ML. Phase 2 of the approved works have not yet commenced.

Phase 3: Involves constructing a biodiesel production facility with a production capacity of approximately 52 ML per year. Under this phase, the construction of a 5 ML and 0.5 ML tanks (T-6 and T-7 respectively) increases the total storage capacity to approximately 77 ML. However, it is noted that the biodiesel production facility will not proceed at this stage and, should it proceed in the future, a new application for the approval of this Phase from the Secretary of the Department of Environment and Planning (DPE) will be required.

The current approved layout is shown on **Figure 1.2**.

2.0 Proposed Modifications

The proposed minor modifications to Project Approval are detailed below, with the proposed overall site layout being as shown on **Figure 2.1**.

2.1 Inclusion of Additional Land

The additional land to be included in the proposed modification to the Major Project Approval includes Lots 1, 2 and 3 on DP557904 (see **Figure 2.2**). This land forms part of the Lease Area under *State Environmental Planning Policy (Three Ports) 2013* (the Three Ports SEPP). All port land is owned by the Port of Newcastle Lessor Pty Limited and is managed by the Port of Newcastle. Park has taken a lease over this land from the Port of Newcastle, which has provided its consent as land owner for the application to modify the Major Project Approval (see Part 6 of Application Form contained in **Appendix 1**).

2.2 Proposed Office and Workshop Building

As outlined above, Park has taken a lease over adjoining land to the north in order to occupy the existing building located on Lot 3 for the purposes of the administrative, amenities and service functions as identified in Phase 1 of the Major Project Approval. This building was previously approved by Newcastle City Council on 11 April 1975 (see Certificate of Consent contained in **Appendix 2**). However, this building has been disused for a number of years and the consent has now lapsed.

The office and workshop buildings approved in the original development were not built. Instead, the proponent's intention was to refurbish the existing buildings to make them fit for purpose and to comply with current Building Code of Australia (BCA) requirements through the Complying Development provisions prescribed by Clause 25 of the Three Ports SEPP. However, the proponent has undertaken the refurbishment and fit out works prior to a Complying Development Certificate being issued by a Principal Certifying Authority (PCA) and, as a result, the proponent is now required to obtain consent for the refurbishment works and occupation of the existing building. The refurbished office and workshop are integral to the operation of the fuel terminal. For example, the office building contains the operational equipment, PLC's and computers to control the running of the facility including pumps, truck loading bays and security monitoring.

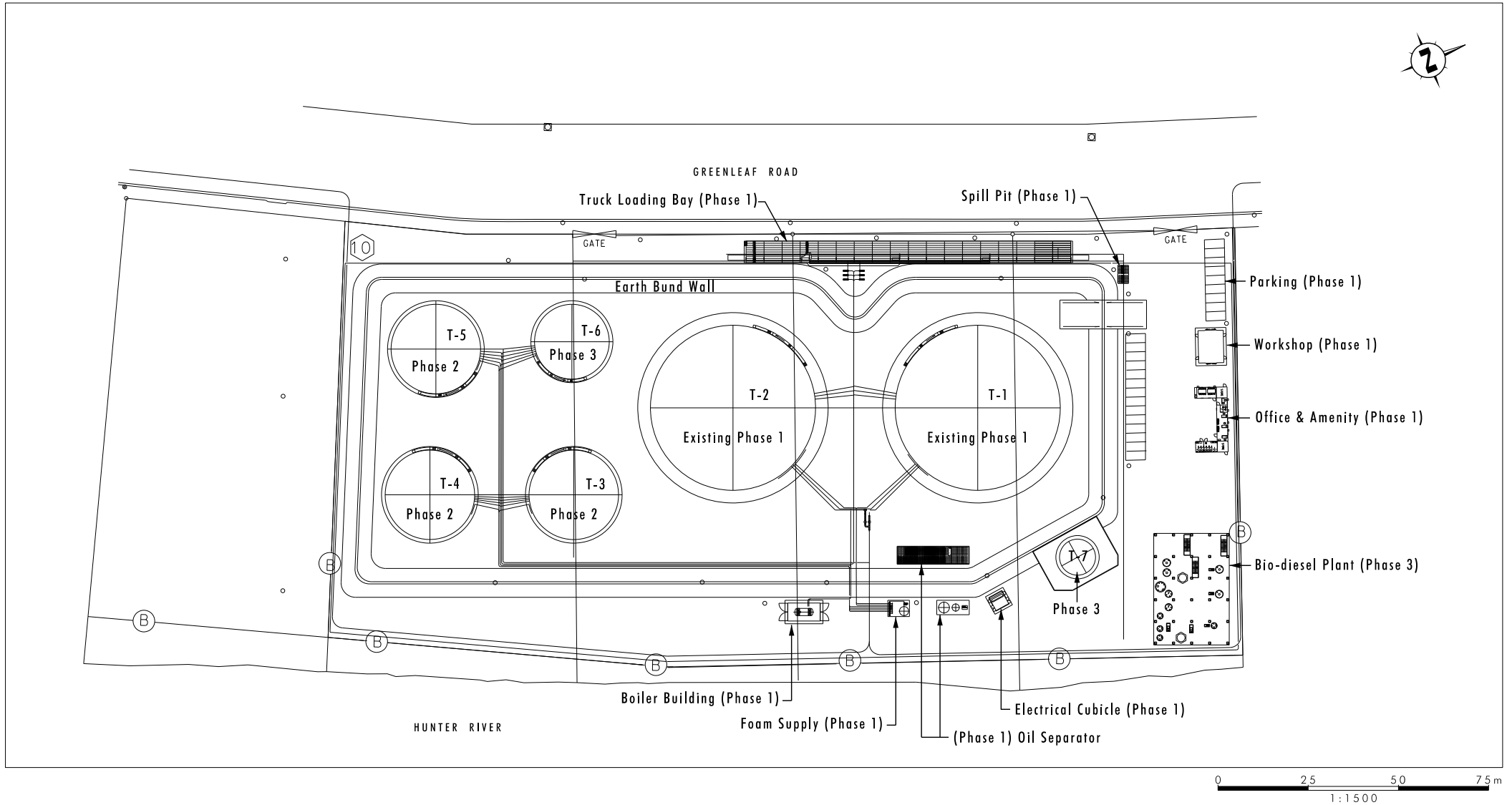


FIGURE 1.2

General Arrangement of Approved
Distribution and Production Facility

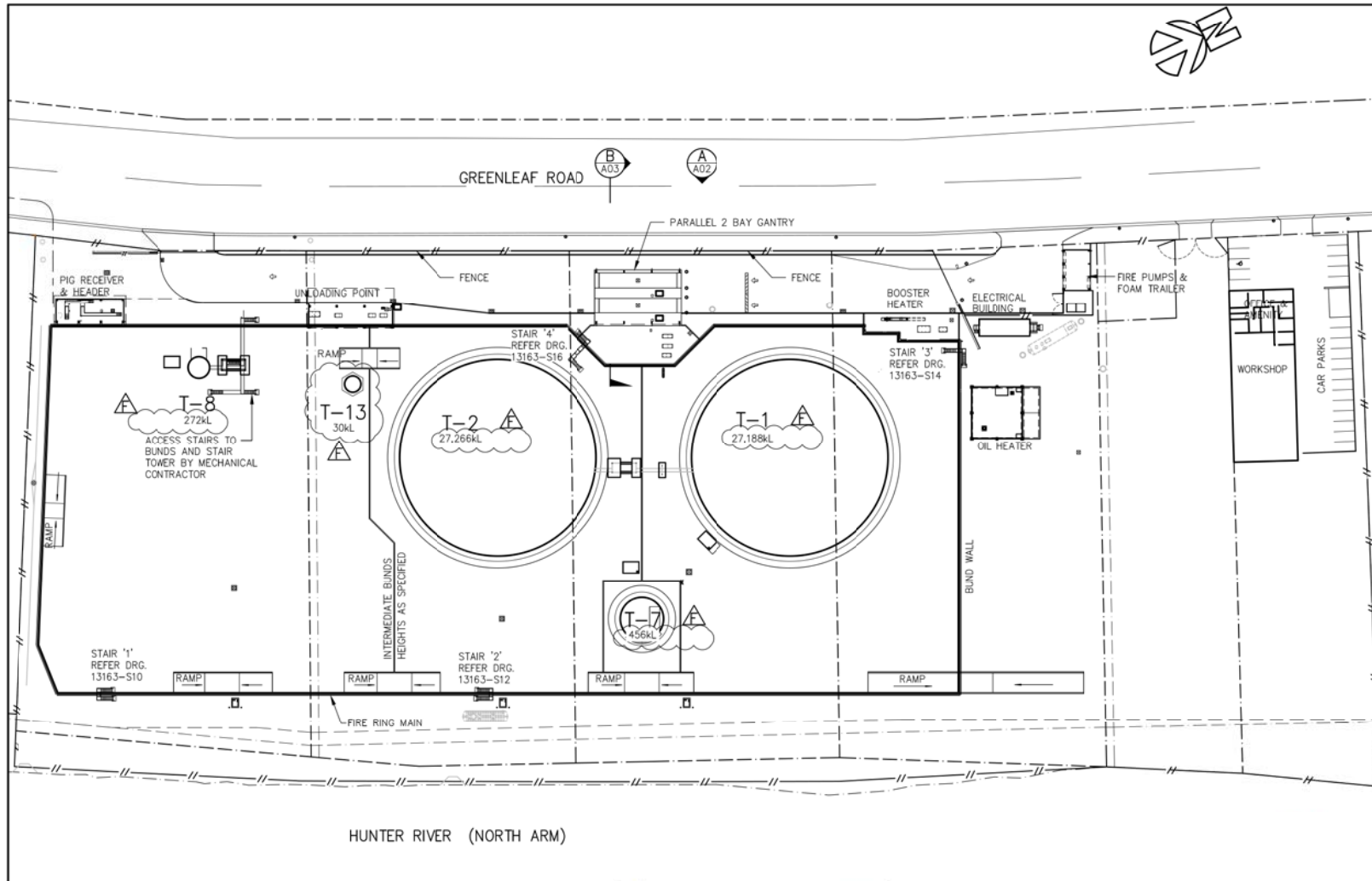


FIGURE 2.1

Proposed Site Layout

0 20 40 80m
1:1 500

Image Source: Tam Faragher & Associates Pty Ltd (2013)

File Name (A4): V1/3356_007.dgn
20140214 9.05



Image Source: Google, DigitalGlobe (2015)
Data Source: Park Fuels (2015)

0 10 20 40 m
1:750

FIGURE 2.2
Office Building Site Plan

The extent of the refurbishment and fit out works is shown by **Figures 2.3** and **2.4**. The extent of works includes:

- Internal office refurbishment to include reception area, staff offices, meeting rooms, staff lunch room and staff amenities
- Refurbishment of the workshop and storage area at the rear of the building, including new external roller doors and emergency exits to comply with the BCA
- All necessary fire safety equipment to comply with the BCA
- Installation of new cladding to the external walls of the existing workshop
- Use of existing staff and visitor parking spaces adjacent to the existing building
- Continued use of existing on-site effluent disposal system, which was granted approval to operate by Newcastle City Council on 23 July 2015 (see **Appendix 3**).

The Capital Investment Value (CIV) of the works is approximately \$30,000.

Building Certification Associates Pty Ltd has undertaken an inspection of the completed works and has issued BCA Compliance Statement (see **Appendix 4**) confirming that the works that have been completed to comply with the relevant provision of the BCA and are fit for the proposed use.

2.3 Approval for Additional Minor Tank

Approval for an additional minor tank (T13) of 30,000 litres on the original project site is also being sought as part of this modification to the Major Project Approval. This tank is located within the approved bunded area constructed as part of the current Project Approval and is to be used for the storage of diesel fuel additive, which is a chlorine free detergent type additive to clean diesel engines and improve their performance. The location of this new tank is shown in the proposed overall site layout being on **Figure 2.1**.

3.0 Proposed Approval Path

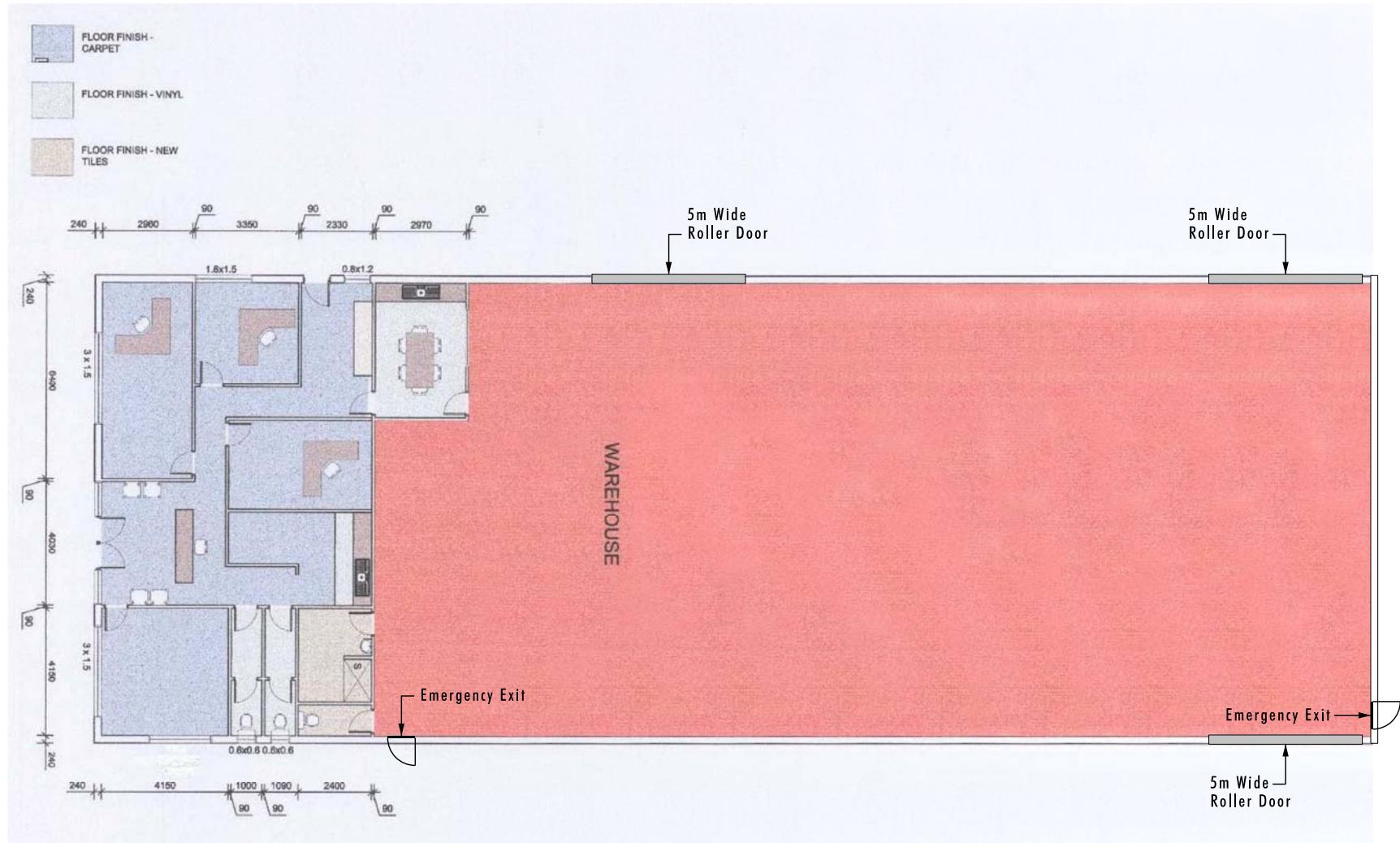
Park proposes to modify the Project Approval under Section 75W of the EP&A Act. The Project Approval was approved by the NSW Minister for Planning under Part 3A of the EP&A Act on 2 June 2008.

Although Part 3A has been repealed, Schedule 6A Clause 3(1) provides transitional arrangements for the continued use of Section 75W to modify project approvals granted under Part 3A. Based on the nature of the proposed modification and minor risk of additional environmental impacts it is proposed that this is determined as a minor modification of PA07_0066.

Discussions have been held with DPE in August this year to introduce the proposed modification and discuss the proposed approval pathway. The Department has subsequently indicated that the use of the Section 75W approval pathway was suitable for the proposed modification.

4.0 Environmental Assessment

Park has engaged Umwelt (Australia) Pty Ltd (Umwelt) to prepare an environmental assessment for the proposed changes outlined above in **Section 2**. **Table 1** below details the environmental aspects considered for the purpose of this environmental assessment and details the reasons for excluding these aspects from further assessment.

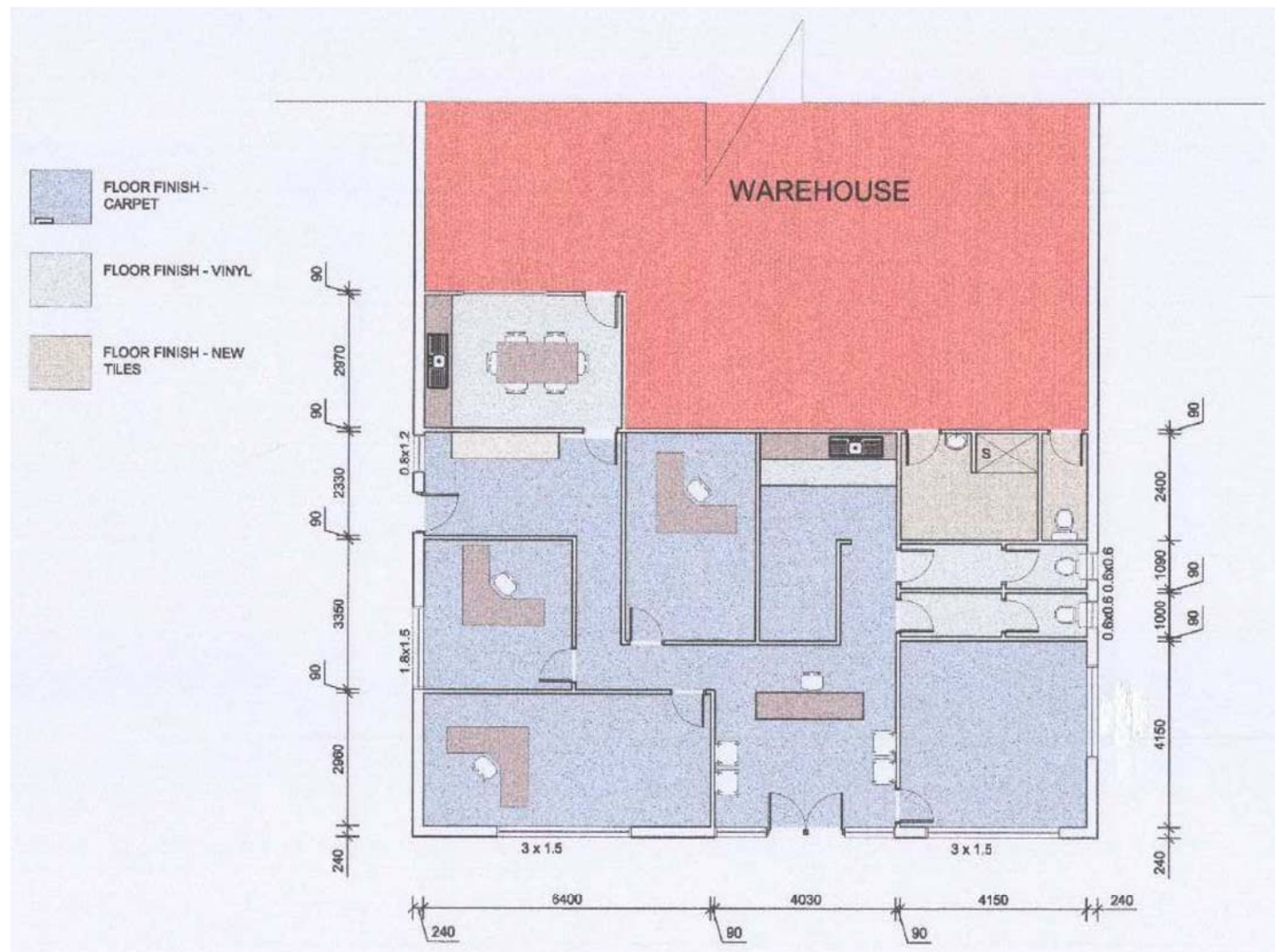


0 2.5 5.0 10.0m
1:200

Image Source: W.A. Brown Building Pty Ltd

File Name (A4): V1/3356_006.dgn
20150706 9.06

FIGURE 2.3
Full Building Plan



0 2.0 4.0 6.0m
1:150

Image Source: W.A. Brown Building Pty Ltd

File Name (A4): V1/3356_004.dgn
20150706 9.05

FIGURE 2.4
Renovated Office Floor Plan

Table 1 – Review of Environmental Aspects

Environmental Aspect	Impact Assessment
Noise	The proposed modification will not result in any changes to the approved construction and operational activities which have the potential to impact on noise amenity. The use of the refurbished office building merely replaces the intention of Park Pty Ltd to construct a service and amenities building as part of the original approval.
Traffic and Transport	The modification will not result in any changes to the approved construction or operational transport activities associated with the development. Adequate staff and visitor parking is provided for the office, amenities and workshop building located on Lot 3, which more than meets the requirements specified by the Newcastle DCP. Access for staff and visitors will be via an existing vehicle driveway directly onto Greenleaf Road. All other vehicle access points contained within the original approval have been retained.
Hydrocarbon Management	The new tank (T13) does not involve the storage of a hydrocarbon and therefore does not change any hydrocarbon management measures applicable to the operation of the approved development.
Hydrology/Water Quality	The modification will not result in any changes to the management and mitigation controls for stormwater during construction and operation of the development. The new tank (T13) is located within the bunded area that has already been approved and the roof water generated by the roof of the refurbished office building will be discharged into the stormwater network.
Air Quality	The additional tank (T13) used to store diesel fuel additive will be fully sealed and will not result in any increase in emissions beyond those identified in the air quality assessment prepared by Holmes Air Sciences (now Pacific Environment Limited) for the original Environmental Assessment conducted for the Major Project Approval in 2007. The use of the refurbished building for administrative and operational purposes will not involve any air quality impacts.
Visual Impacts	The modification will not result in any adverse impacts to visual amenity considered as part of the original Project Approval. In fact, the refurbishment works undertaken have improved the appearance of the existing building located on Lot 3.
Hazard	The tank (T13) is contained within bunded areas which have been approved as part of the original Project Approval. The bunded areas have a storage capacity of approximately 110 per cent of the storage capacity of all tanks. Due to the construction of appropriate bunding, the storage of diesel fuel additive is not considered potentially hazardous. A preliminary hazard analysis is therefore not considered necessary.
Soil and Groundwater Contamination	The proposed modification will not result in any changes to the approved management and mitigation controls for soil and groundwater contamination. All works are located within sealed areas and do not require any disturbance of natural ground.
Ecology	The proposed modification will not result in any impacts to ecological features as all works will be undertaken within currently approved disturbance areas or, in the case of the refurbished administrative and service building, in an area that does not contain any sensitive ecology areas.
Aboriginal Cultural Heritage	The proposed modification will not result in any impact to Aboriginal cultural heritage features as all works will be undertaken within currently approved disturbance areas or, in the case of the refurbished building, in areas that contain no aboriginal relics or culturally significant areas.

Environmental Aspect	Impact Assessment
Greenhouse Gas	The proposed modification will not result in any changes to the predicted greenhouse gas (GHG) emissions detailed in the EA (Umwelt, 2008). The major sources of GHG emission identified in this report related to the consumption of electricity and diesel to produce steam associated with the biodiesel production process and the transport of fuels produced by the project. The inclusion of an additional tank (T13) for the storage of diesel additive and the refurbishment and reuse of an existing building will not generate any additional GHG emissions above that originally approved.
Waste Management	The proposed modification will not result in any changes to the waste management controls detailed in the EA (Umwelt, 2008). The assessment of waste management as part of the original approval process included those wastes (office, domestic and ablution wastes) likely to be generated by office and amenity facilities. The refurbishment and reuse of the existing building located on the additional land is not likely to generate any additional waste above and beyond that already considered.
Socio-Economic	The proposed modification will not result and any additional socio-economic impacts beyond those that have already been considered as part of the original Project Approval.

5.0 Justification and Benefits

As outlined above, the environmental impacts of the proposed changes to the current Project Approval are expected to be minimal and are consistent with, or less than, the impacts associated with the approved facility. The inclusion of the additional land to the north and the occupation and use of the existing building that has been refurbished to relevant BCA standards will enable Park to optimise the operation of the facility without requiring the construction of new amenities and service buildings.

Given that the proposed modification involves limited environmental consequences beyond the current PA07_0066, a minor modification under Section 75W of the EP&A Act is sought to allow for the proposed activities outlined in this letter.

Your earliest consideration of this matter would be greatly appreciated. If you require any further information, please don't hesitate to contact me on (02) 4040-7065.

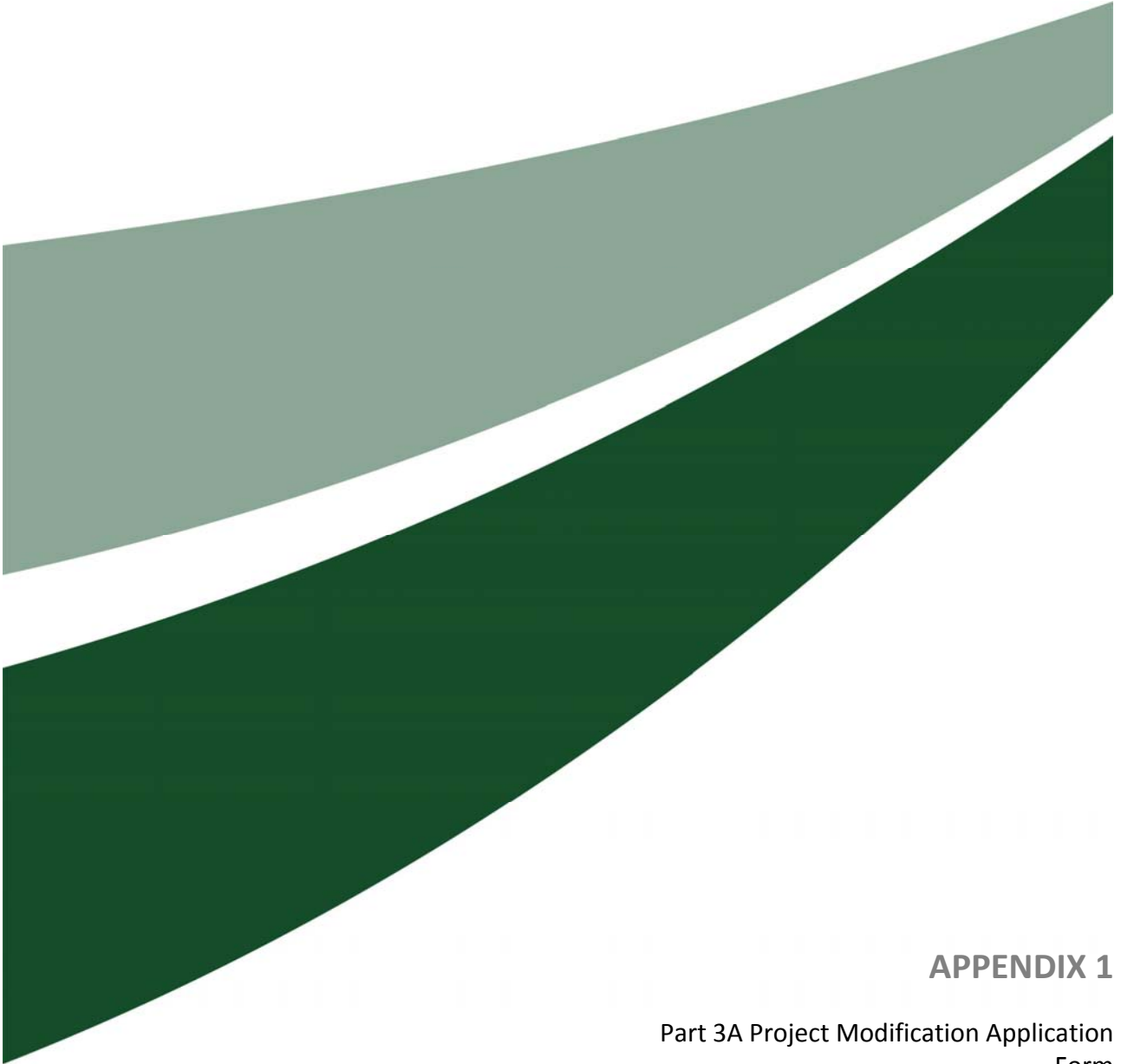
Yours sincerely



Scot Brown

Principal Planner

enc



APPENDIX 1

Part 3A Project Modification Application
Form

Request to modify a major project



NSW GOVERNMENT
Department of Planning

Date duly made: ____/____/____

Modification No. _____

1. Before you lodge

This form is required under section 75W of the *Environmental Planning and Assessment Act 1979* (the Act) in order to request the Minister to modify the Minister's approval to carry out a project or concept plan to which Part 3A of the Act applies.

Before making this request, it is recommended that you first consult with the Department of Planning (the Department) concerning your modification. The Director-General may issue environmental assessment requirements that must be complied with before your request will be considered by the Minister. If the changes proposed by the modification will result in a project that is consistent with the existing approval, the Minister's approval for a modification is not required.

Disclosure Statement

Persons making a request to modify a project or concept plan are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years.

Note: For more details about political donations disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

Lodgement

All modification requests must be lodged with the Director-General of the Department of Planning, by courier or mail. An electronic copy should also be e-mailed to the assessment contact officer assigned to the project.

NSW Department of Planning
Ground floor, 23-33 Bridge Street, SYDNEY NSW 2000
GPO Box 39 SYDNEY NSW 2001
Phone 1300 305 695

2. Details of the proponent

Company/organisation/agency

Park Pty Ltd

ABN

17093014129

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

Brett

Family name

Fletcher

Position

Director

STREET ADDRESS

Unit/street no.

Lot 1

Street name

Creole Rd

Suburb or town

Albion Park Rail

State

NSW

Postcode

2527

POSTAL ADDRESS (or mark 'as above')

As above

Suburb or town

State

Postcode

Daytime telephone

49201344

Fax

49201188

Mobile

0409665887

Email

brett@parkfuels.com.au

3. Identify the land

STREET ADDRESS (where relevant)

Unit/street no.

Street or property name

Suburb, town or locality

Postcode

Local government area(s)

State Electorate(s)

REAL PROPERTY DESCRIPTION

Lots 10, 11, 12 & 13 DP 234887 – for approved development
Lots 1, 2 and 3 DP 557904 – for modification

Note: The real property description is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Lands.

Please ensure that you place a slash (/) to distinguish between the lot, section, DP and strata numbers. If the proposed modification applies to more than one piece of land, please use a comma to distinguish between each real property description.

OR: detailed description of land attached: ☐

MAP: A map of the site and locality should also be submitted with this request.

4. Details of the original major project or concept plan

Briefly describe what the original approval allows

Bulk liquids import, storage and distribution facility including refurbishment of 2 existing tanks and construction of new tanks, pipeline and associated infrastructure and buildings.

What was the original project application no.?

What was the date of the approval?

What was the original application fee?

Note: Clause 245K of the *Environmental Planning and Assessment Regulation 2000* provides information on calculating the maximum fee for a request for modification.

5. Describe the modification you propose to make to the development

Describe the proposed modification

1. To include additional land adjacent to the approved project for an administration office and workshop.
2. Approval for the occupation of the refurbished office and workshop building on the adjacent land.
3. Approval for 1 additional small tank, T13 (30 kL), built for diesel additive on the original project site.

Your modification request may need to be accompanied by an Environmental Assessment, including plans. An electronic and hard copy of this document will be required.

ESTIMATED CAPITAL INVESTMENT VALUE

Please indicate the estimated capital investment value (CIV) of the modification to the project approval or concept plan (excluding GST).

FULL TIME EQUIVALENT JOBS

Please indicate the number of jobs created by the proposed modification. This should be expressed as a proportion of full time equivalent (FTE) jobs over a full year.

Construction jobs (FTE)

4

Operational jobs (FTE)

7

6. Landowner's consent (where required)

As the owner(s) of the above property, I/we consent to this request being made by the proponent:

Land

Signature

Please see attached

Name

Date

Land

Signature

Name

Date

Note: Under Clause 8F of the *Environmental Planning and Assessment Regulation 2000* (the Regulation), certain applications for approval under Part 3A of the Act do not require consent of the landowner, however, the proponent is required to give notice of the application (e.g. linear infrastructure, mining & petroleum projects, and critical infrastructure).

7. Political donation disclosure statement

Persons making a request to modify a project or concept plan are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years.

Have you attached a disclosure statement to this request?

☒ Yes

☐ No

Note: For more details about political donations disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

8. Proponent's signature

As the proponent(s) of the project and in signing below, I/we hereby:

- provide a description of the modification to the project approval or concept plan and address all matters required by the Director-General pursuant to Section 75W of the Act, and
- declare that all information contained within this form is accurate at the time of signing.

Signature



Name

Brett Fletcher

Date

19/08/2015

In what capacity are you signing if you are not the proponent

Name, if you are not the proponent

Port of Newcastle Lessor Pty Limited
ACN 165 332 981

Our Ref: LOC 76

To whom it may concern,

SUBJECT: LAND OWNERS CONSENT

Port of Newcastle Lessor Pty Limited is the registered owner of Lots 1, 2 and 3 of DP 557904, Greenleaf Road, Walsh Point.

Accordingly, Port of Newcastle Lessor Pty Limited consents to the lodgment of the following application by Park Pty Ltd:

1. Application to modify existing approval 07-0066 under Section 75W of the *NSW Environmental Planning and Assessment Act 1979*.

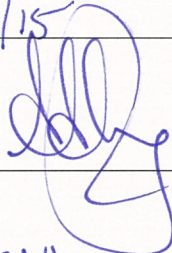
If you wish to discuss this matter, please contact Chris Georges on (02) 9273 3901 or Alistair Palmer on (02) 9334 9238.

Yours faithfully,

Date

29/10/15

Signed



Name (print)

SARAH STRANG

Position

company
secretary



APPENDIX 2

Certificate of Consent for Lots 1, 2, 3



NEWCASTLE CITY COUNCIL

No. 83/73

LOCAL GOVERNMENT ACT, 1919 (AS AMENDED)

NORTHUMBERLAND COUNTY DISTRICT PLANNING SCHEME ORDINANCE
CLAUSE, 21

CERTIFICATE OF CONSENT

Applicant's full name

THE MANAGER,
GKN BUILDING & ENGINEERING,

Address

P.O. BOX 23,
ISLINGTON, 2206

Lot 14 North, Greenleaf Road, Keoragang Island.

Location of Proposed Development

14(North)

Lot

Section

D.P.

The Newcastle City Council, as the responsible authority, hereby consents to:
the erection of an office and storage depot, generally in accordance
with the layout plan submitted, subject to strict compliance with the
following conditions :-

- (1) a staff/client parking area for eight(8) vehicles being provided within and adjacent the front boundary of the property, generally as indicated on the sketch plan.
- (2) scaffolding and formwork stored in the open yard being stacked to the requirements of the Chief Health Inspector to prevent harbours for vermin.
- (3) the site at all times being kept in a clean and tidy condition.
- (4) a plantation screen at least five(5) feet wide being developed, to the satisfaction of the Town Planner and Parks and Gardens Superintendent, along the front boundary of the property and returned down the side boundaries to the front wall of the proposed building together with selected species of spot planting adjacent to side boundaries and across the rear boundary, such plantings to be permanently maintained.
- (5) the parking area being graded, drained and paved to the satisfaction of the City Engineer.

1. Any consent given under this clause shall be void if the development to which it refers is not substantially commenced within twelve months after the date of consent: provided that the responsible authority may, if good cause be shown, grant an extension or renewal of such consent beyond such period.
2. It is a condition precedent that all conditions of approval must be complied with before land use (including occupancy) takes place.

IMPORTANT:

It is to be clearly understood that the above consent is not an approval to carry out any structural work. A formal Building Application must be submitted to Council and be approved before any structural work is carried out to implement the above consent, also the applicant is not relieved of any obligation to obtain any other approval required under any other Act. This consent is binding upon all successive owners or occupiers, and should be handed to any new owner or occupier for his information.

ELEVENTH

Dated this

APRIL,

day

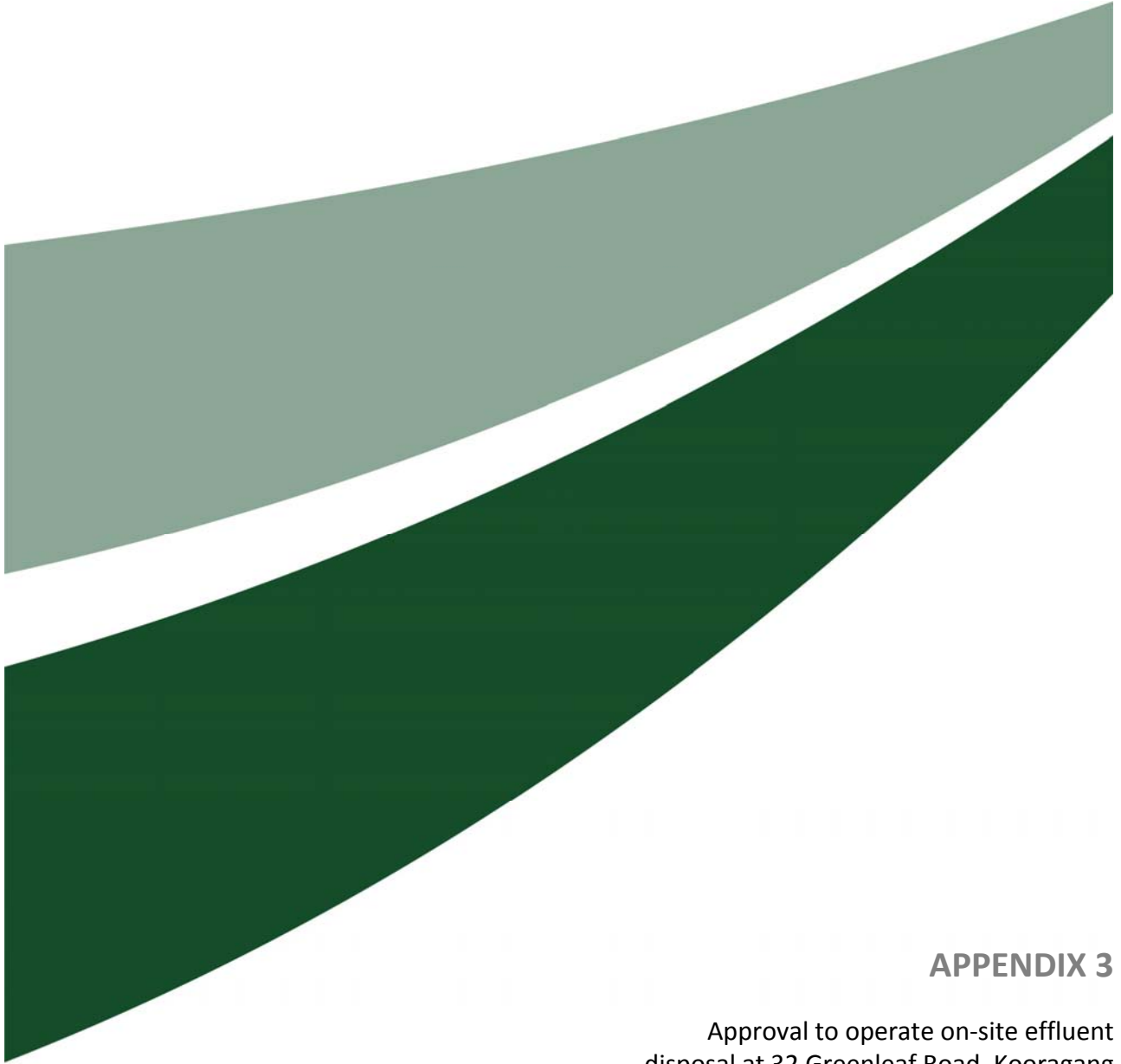
73.

of

19

W. BURGESS, Town

per



APPENDIX 3

Approval to operate on-site effluent
disposal at 32 Greenleaf Road, Kooragang

Planning & Regulatory/H.Bingham
**NOTICE OF DETERMINATION
APPLICATION FOR APPROVAL
TO OPERATE A SYSTEM OF
SEWAGE MANAGEMENT**

Section 99 Local Government Act 1993



Park Pty Ltd
10-13 Greenleaf Road
KOORAGANG NSW 2304

Application No: 115.2015.486.1
(142)

Land to which the Application relates: Lot: 3 DP: 557904
32 Greenleaf Road
KOORAGANG NSW 2304

System description: Septic Tank and Collection Well Pump Out ("the System")

Determination

The Application for *Approval to Operate a System of Sewage Management* required by the *Local Government Act Section 68 PART C Item 6* has been determined by granting of **APPROVAL** subject to the conditions specified in the attached Schedule 1.

Date from which approval operates: 23 July 2015

Date on which the approval lapses: 30 June 2018

Review and Appeal

Section 100 of the Local Government Act 1993 allows you to request Council to review this decision, provided the request is lodged within 28 days of the date of determination and is accompanied by the prescribed fee.

Section 176 of the Local Government Act 1993 allows you to appeal this decision to the Land and Environment Court, provided the appeal is lodged within 28 days of the date of determination.

A handwritten signature in black ink, reading "Paul McMurray".

23 July 2015

Paul McMurray
ENVIRONMENTAL HEALTH SERVICES COORDINATOR
REGULATORY SERVICES

Date of determination

SCHEDULE 1

1. The System is maintained such that it complies with any applicable "Approval to Install a Human Waste Storage Facility" issued for the installation of the System except as modified by the conditions of this approval.

Reason: To ensure maintenance of the system in the form assessed and approved by Council.

2. The System must be maintained in a sanitary condition and must be operated in accordance with the relevant provisions of the NSW Local Government (General) Regulation, 2005 (as amended).

Reason: To make the applicant aware of the requirement of Section 45(2) of the Local Government Regulations.

3. The operation of the System must achieve the following performance standards:

- the prevention of the spread of disease by micro-organisms,
- the prevention of the spread of foul odours,
- the prevention of the contamination of waters,
- the prevention of the degradation of soil and vegetation,
- the discouragement of insects and vermin,
- ensuring that persons do not come into contact with untreated sewage or effluent (whether treated or not) in their ordinary activities on the premises concerned,
- the minimisation of any adverse impacts on the amenity of the premises and surrounding lands.

Reason: To make the applicant aware of the requirement of Section 44(1)a of the Local Government Regulations.

4. The System must be operated:

- in accordance with the relevant operating specifications and procedures for the component facilities and
- so as to allow removal of treated sewage in a safe and sanitary manner.

Reason: To make the applicant aware of the requirement of Section 44(3)a & b of the Local Government Regulations.

5. The System must not discharge into any watercourse or onto any land ("land application area").

Reason: To make the applicant aware of the requirement of Section 45(3) of the Local Government Regulations.

6. Waste from the System must not be permitted to overflow or be disposed of by any other method than that approved by Council.

Reason: To prevent the pollution of waters and minimise the risk to human health.

7. The conditions (if any) of any certificate of accreditation issued by the Director- General of the Department of Health under the Local Government (General) Regulation, 2005 (as amended) in respect of the plans or designs for any components of the sewage management facilities must be complied with.

Reason: To make the applicant aware of the requirement of Section 45(4) of the Local Government Regulations.

8. The person operating the System must provide details of the way in which it is operated and evidence of compliance with the relevant requirements of the Local Government (General) Regulation, 2005 (as amended) and of the conditions of approval, whenever the Council reasonably requires the person to do so.

Reason: To make the applicant aware of the requirement of Section 45(5) of the Local Government Regulations.

9. Where Council reasonably suspects that the System is not operating in accordance with an approval, wastewater and/or effluent samples may be collected from the System by Council for analysis. Laboratory analysis charges may be recovered from the operator of the System on a cost to Council recovery basis, together with any administrative and delivery costs.

Reason: To notify the applicant of Council's powers to collect wastewater samples of Systems for analysis and to recover the costs associated with sampling and analysis from the applicant.

10. All effluent shall be contained in the collection well until removal by a licensed service provider.

Reason: To ensure the appropriate disposal of effluent from the System.

11. There is to be no interference with the residential amenity of the area by reason of the emission of any noise, smell or otherwise.

Reason: To protect the amenity of any surrounding residential premises.

12. The collection well is to be emptied of effluent at such frequency that will prevent any overflow and permit safe and healthy operating conditions as approved by Council.

Reason: To prevent the pollution of waters and minimise the risk to human health.

13. Cleaning agents, detergents, disinfectants, bleaches, alkalis, acids, pesticides, herbicides shall be prevented from entering the System in large quantities.

Reason: These chemicals can upset the biological processes necessary for the proper operation of the system and to achieve appropriate levels of treatment of effluent.

14. Fats and oils and food waste shall be prevented from entering the System in large quantities.

Reason: Fats and oils will increase the scum layer (top layer), reducing the tanks treatment capacity and increasing the maintenance requirements.

15. All inspection openings and access points shall be maintained to prevent insect/vermin access.

Reason: To prevent the System becoming a food source or breeding ground for insects and vermin.

16. The emergency telephone number of the maintenance contractor must be fixed and located on the collection well so it is readily visible.

Reason: To allow immediate contact to be made with the appropriate maintenance contractor in the case of failure of the System.

17. The high level alarm/indicator is to be maintained in working condition and tested regularly to insure its reliability.

Reason: To ensure that an alarm operates correctly and provides appropriate warning of the high level of effluent in the tank.

18. If the System includes a septic tank the System must be serviced annually by a suitably qualified person. The service must include inspection of the sludge and scum levels and cleaning of any potential blockages around inlet and outlet pipes of the septic tank. The septic tank must also be regularly desludged by a water disposal contractor who is licensed to handle and remove septic tank sludge. Desludging is usually required three yearly. During desludging, some waste water should be retained in the tank. The tanks should be immediately refilled with water to the outlet level to prevent the tank from being lifted by soil hydrostatic pressure.

Reason: To ensure the System operates effectively and to minimise the potential for significant failure or overflow of effluent from the System.

19. Adequate clear access to the collection well must be provided to allow for the regular pump out of effluent.

Reason: To ensure the System can be accessed for regular pump out of effluent.

20. The repair and maintenance of plumbing and drainage lines associated with the System, shall only be carried out by a plumber licensed by the Department of Fair Trading.

Reason: To minimise the potential for inappropriate or substandard repair and maintenance on the System.

21. Safe access to the System is to be provided for the purposes of maintenance and inspection.

Reason: To allow Council and other service companies to carry out their work on the System in a safe environment.

22. Council reserves the right to revoke or modify this approval, or require remedial works to be undertaken to ensure the System meets the conditions of this approval.

Reason: To make the applicant aware of Council's powers in relation to this approval as provided by Section 109 d of the Local Government Regulations.

Advisory Notes:

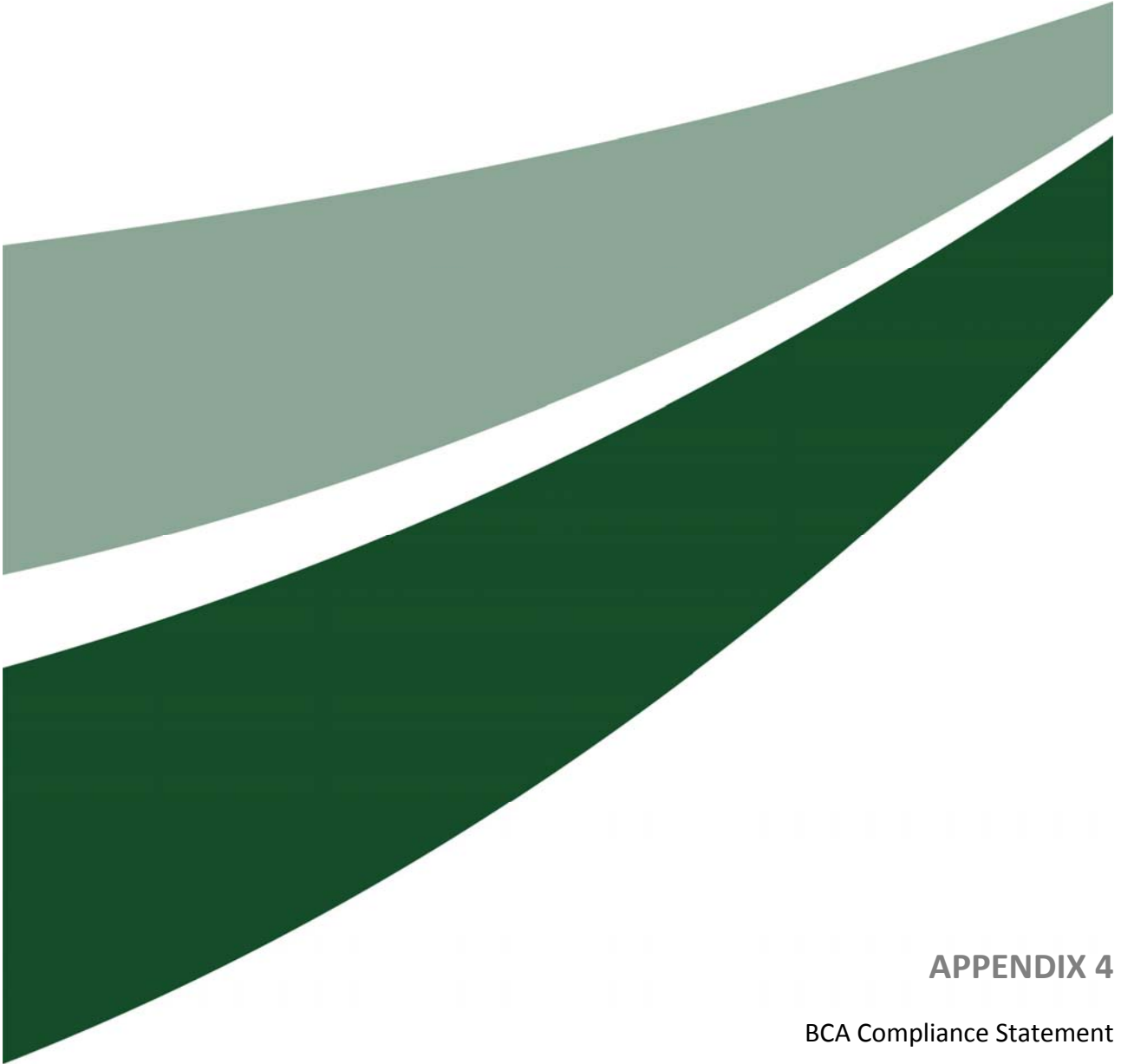
1. The Council may carry out compliance inspections of any premises, facilities or records related to the operation the System in order to assess compliance with this approval. Council may carry out one (1) compliance inspection per year. The Council may also carry out follow up inspections in relation to any matter requiring rectification about which the applicant has been notified. The fee for each such inspection is the approved fee determined in accordance with the Local Government Act 1993.

The approved fee is the amount specified in the Council Management Plan for the period in which the compliance inspection is carried out unless another amount is specified in regulations or determined by the Director General, Department of Local Government.

In addition to compliance inspections in relation to the approval Council may carry out general inspections of any premises in accordance with s191 – 201 of the Local Government Act. If as a result of a general inspection Council requires that rectification work must be carried out, Council may recover the costs of entry and inspection from the owner or occupier of the premises. If no remedial action is required no fee is charged for general inspections of non-commercial premises.

2. A person who purchases (or otherwise acquires) land on which any sewage management facilities are installed may operate a system of sewage management without the approval required under the Local Government Act for the period of three (3) months after the date on which the land is transferred or otherwise conveyed to the person, whether or not an approval is in force, as at that date, in relation to the operation of a system of sewage management on that land.

Further, if the person duly applies, within the period of two (2) months after the date on which the land is transferred or otherwise conveyed to the person, for approval to operate the system of sewage management concerned, the person may continue to operate that system of sewage management without approval until the application is finally determined.



APPENDIX 4

BCA Compliance Statement


3rd September 2015

Park Pty Ltd
wreader@exemail.com.au

SUBJECT LAND: Greenleaf Road, Kooragang Island Newcastle
DESCRIPTION: Refurbishment of 2 existing tanks, piping, 1 new tank and buildings
MODIFICATION - to general layout
OUR REF: 206/13

The office building located on Lot 10-13 Greenleaf Road, Kooragang Island, Newcastle has been inspected and found to comply with the requirements of the Building Code of Australia with regard to fire safety.

Kind regards



Ron Moore
Accredited Building Certifier
BPB 0274