



Mr T Gunning
Director/Secretary
Marstel Terminals Newcastle Pty Ltd
PO BOX 175
ALTONA VIC 3018

Dear Mr Gunning

**Marstel Bulk Fuel Storage and Dispatch Facility (08_0130)
Revised Director-General's Requirements**

As you are aware, the Department issued Director-General's requirements (DGRs) for the environment assessment of this project on 25 July 2008.

It is understood that Marstel wishes to proceed with the above mentioned project in a modified form. Given the time that has elapsed, I have decided to update and reissue the DGRs for the project. I have also taken the opportunity to re-consult with other Government agencies and to insert additional requirements relating to the Concept Plan application for the Port Terminal Facilities at Mayfield (09_0096) currently under consideration by the Department. The revised DGRs are attached and are based on the information you have provided to date. A copy of the agency comments received in the most recent round of consultation are also attached for your information.

Please note that these requirements may be altered at any time.

If your proposal is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Department of Sustainability, Environment, Water, Population and Communities (DSEWPoC) in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal requires an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process, so if it is determined that an approval is required under the EPBC Act, please contact me immediately as supplementary Director-General's requirements may need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit your Environmental Assessment for the project. This will enable the Department to determine the:

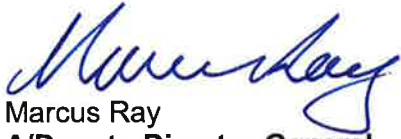
- applicable fee (see Division 1A, Part 15 of the *Environmental Planning and Assessment Regulation 2000*);
- consultation and public exhibition arrangements; and
- number of copies (hard-copy or CD-ROM) of the Environmental Assessment that will be required for exhibition purposes.

Once it receives the Environmental Assessment, the Department will review it in consultation with relevant public authorities to determine if it adequately addresses the Director-General's requirements, and may require you to revise it prior to public exhibition.

The Department is required to make all relevant information associated with the project publicly available on its website. Consequently, I would appreciate it if you would ensure that all the documents you subsequently submit to the Department are in a suitable format for the web, and arrange for an electronic version of the Environmental Assessment to be hosted on a suitable website during the exhibition period.

If you have any enquiries about these requirements, please contact Nick Hall on 9228 6438.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Marcus Ray', written in a cursive style.

Marcus Ray
A/Deputy-Director General
As delegate for the Director-General

07/07/11

Director-General's Requirements

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

Application number	08_0130
Project	Marstel Bulk Fuel Storage and Dispatch Facility
Location	Part of current Lot 33 DP 1116571
Proponent	Marstel Terminals Newcastle Pty Ltd
Date of Issue	July 2011
General Requirements	<p>The Environmental Assessment of the project must include:</p> <ul style="list-style-type: none"> • an executive summary; • a detailed description of the project, including: <ul style="list-style-type: none"> – the need for the project; – alternatives considered; – the likely staging of the project; – how the project would interact with other existing and approved port and industrial operations in the vicinity of the site; – plans of all building works and associated infrastructure. • a clear demonstration that the project is consistent with all environmental assessment requirements set out in the Concept Plan for the Port Facilities at Mayfield (09_0096) (if approved); • a risk assessment of the potential environmental impacts of the project, identifying the key issues for further assessment; • a detailed assessment of the key issues specified below, and any other significant issues identified in the risk assessment (see above), which includes: <ul style="list-style-type: none"> – a description of the existing environment, using sufficient baseline data; – an assessment of the potential impacts of all stages of the project on the environment, including any associated cumulative impacts associated with the operation of the project and any other approved or proposed port or industrial operations in the area; – a description of the measures that would be implemented to avoid, minimise, and if necessary offset the potential impacts of the project, including evidence that all relevant prevention and mitigation measures would be applied where reasonable and feasible; and – contingency plans for managing any significant risks to the environment. • a statement of commitments, outlining the proposed environmental management and monitoring measures; • a conclusion justifying the project, taking into consideration: <ul style="list-style-type: none"> – the suitability of the site; – the economic, social and environmental impacts of the project as a whole; and – whether the project is consistent with the objects of the <i>Environmental Planning and Assessment Act 1979</i>; • a signed statement from the author of the EA, certifying that the information contained within the document is neither false nor misleading.
Key Issues	<ul style="list-style-type: none"> • Hazards and Risk – including: <ul style="list-style-type: none"> – an assessment of the potential hazards and risks to adjacent port and industrial operations, people and/or the environment associated with the project; – how ecological and human health risks posed by contaminants in the context of past, existing and future land uses would be managed; and – how the project would comply with the approved remediation works and associated management measures across the former BHP Billiton steelworks site. • Soil and Water – including: <ul style="list-style-type: none"> – an assessment of impacts to remediation works, soil and stability during

	<p>the construction and operation of the project, including the controls that would be put in place to manage erosion and sediment, stormwater and acid sulphate soil (if present);</p> <ul style="list-style-type: none"> – an assessment of impacts to groundwater and surface water resources during the construction and operation of the project, including the Hunter River Estuary; • Transport and Access – including: <ul style="list-style-type: none"> – accurate predictions of the traffic generated by the project; – a detailed assessment of the potential impacts of the project on the capacity, efficiency and safety of the road and shipping networks; – details of any upgrades to road or shipping infrastructure that would be required due to the project; and – site accesses, internal roads and vehicular parking required as a result of the project; • Noise and Vibration – including a quantitative assessment of construction, operational and transport noise and vibration impacts to surrounding receivers from on site and off site activities (including shipping). • Air Quality – including a quantitative assessment of the air quality and odour impacts of the project on surrounding receivers; • Greenhouse Gas – including a quantitative assessment of the potential scope 1, 2 and 3 greenhouse gas emissions of the project and a qualitative assessment of the potential impacts of these emissions on the environment. • Waste – including accurate estimates of the quantity and classification of the potential liquid and non-liquid waste streams of the project and a description of the measures that would be implemented to ensure that any waste produced is appropriately handled, processed and disposed of.
References	While not exhaustive, the following attachment contains a list of some guidelines, policies, and plans that may be relevant to the environmental assessment of this project.
Consultation	<p>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.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • Hunter Development Corporation; • Newcastle Port Corporation; • Newcastle City Council; • NSW Department of Primary Industries; • NSW Maritime; • NSW Office of Water; • Office of the Environment and Heritage; and • Roads and Traffic Authority. <p>The consultation process and the issues raised must be described in the Environmental Assessment.</p>
Deemed refusal period	60 days

Guidelines, Policies and Plans

Aspect	Policy /Methodology
Risk Assessment	AS/NZS 4360:2004 Risk Management (Standards Australia) HB 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
Hazards and Risk	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development Applying SEPP 33: Hazardous And Offensive Development Application Guidelines (DUAP) Hazardous Industry Planning Advisory Paper No. 4 (DUAP, 1992): Criteria for Land Use Planning, (DUAP) Hazardous Industry Planning Advisory Paper No. 6 (HIPAP No 6): Guidelines for Hazardous Analysis, (DUAP) Multi-Level Risk Assessment (DUAP)
Soil and Water	
<i>Coastal</i>	NSW Coastal Policy (NSW Government 1997) State Environmental Planning Policy No 71 - Coastal Protection Floodplain Risk Management Guideline - Practical Consideration of Climate Change (DECC)
<i>Surface Water</i>	National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ) National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ) National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ) National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ) National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ) Bunding and Spill Management (EPA) Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC) Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC) The NSW State Rivers and Estuaries Policy (NSW Water Resources Council)
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC) NSW State Groundwater Policy Framework Document (DLWC) NSW State Groundwater Quality Protection Policy (DLWC) NSW State Groundwater Quantity Management Policy (DLWC) Draft The NSW State Groundwater Dependent Ecosystem Policy (DLWC)
<i>Acid Sulfate Soils</i>	Acid Sulfate Soil Manual (ASSMAC) State Environmental Planning Policy No 55 - Remediation of Land Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC) National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)
<i>Contamination</i>	Managing Land Contamination - Planning Guidelines SEPP 55 – Remediation of Land (DUAP and EPA) Contaminated Sites: Sampling Design Guidelines (NSW EPA) Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (NSW EPA) Guidelines for the Assessment and Management of Groundwater Contamination (DECC) Draft
<i>Erosion and Sediment</i>	Managing Urban Stormwater: Soils & Construction (Landcom) Design Manual for Soil Conservation Works - Technical Handbook No. 5 (Soil Conservation Service of NSW) Soil and Landscape Issues in Environmental Impact Assessment (DLWC) Wind Erosion - 2nd Edition (DIPNR)

<i>Stormwater</i>	Managing Urban Stormwater: Strategic Framework. Draft (EPA)
	Managing Urban Stormwater: Council Handbook. Draft (EPA)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Source Control. Draft (EPA)
	Managing Urban Stormwater: Harvesting and Reuse (DEC)
<i>Wastewater</i>	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC)
	National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase1) (EPHC, NRMCC & AHMC)
	National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase1) (EPHC, NRMCC & AHMC)
Transport and Access	
	State Environmental Planning Policy (Infrastructure)
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
Noise	
	NSW Industrial Noise Policy (DECC)
	NSW Road Noise Policy (OEH, 2011)
	Interim Construction Noise Guideline (DECC)
Vibration	
	Environmental Noise Management – Assessing Vibration: a technical guide (DEC)
	DIN 4150 Part 3 – Structural Vibration: effects of vibration on structures (ISO, 1999)
	Assessing Vibration – A Technical Guide 2006 (DEC)
Air Quality	
	Protection of the Environment Operations (Clean Air) Regulation 2002
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
Odour	
	Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW (DEC)
	Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW (DEC)
Greenhouse Gas	
	National Greenhouse Accounts (NGA) Factors
	Guidelines for Energy Savings Action Plans (DEUS)
Waste	
	State Environmental Planning Policy (Infrastructure)
	Waste Avoidance and Resource Recovery Strategy 2007 - Overview (DECC)
	Waste Avoidance and Resource Recovery Performance Report 2006 (DECC)