



Your reference:

Our reference:

Contact:

LIC06/45-23:DOC11/20060:CP  
Craig Patterson, (02) 4224 4100

Department of Planning and Infrastructure  
(Attention: Andrew Hartcher)  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Hartcher

**EXHIBITION OF ENVIRONMENTAL ASSESSMENT – APPLICATION NUMBER 11\_0004  
PROPOSED UPGRADE OF CALTEX'S JET FUEL PIPELINE (LINE B)  
2 SOLANDER STREET, KURNELL**

I refer to the Project Application and Environmental Assessment (EA) provided for the above proposal which was received by the Office of Environment and Heritage (OEH) on 27 April 2011.

Based on a review of the information provided, OEH has determined that it is able to provide its recommended conditions of approval for the project. To assist the Department of Planning and Infrastructure (DPI) in determining the application, OEH has included some conditions in **Attachment A** which may be regulated via the Project Approval. These conditions relate to both design elements and the development of Environmental Management Plans and are important in ensuring that the facility is constructed, operated and maintained in a proper and efficient manner. OEH recommends that the Statement of Commitments provided by the proponent in the exhibited EA are also adopted as Conditions of Approval.

The proponent currently holds two Environment Protection Licences (EPL) for activities carried out on the Kurnell Refinery site (EPL No 837) and the Banksmeadow Terminal site (EPL No 6950). Should project approval be granted, the proponent will need to ensure that the activities are carried out in accordance with the conditions of the existing Licences. In addition to the existing conditions, the proponent will also need to make a separate application to OEH to vary both the EPLs to include the intended Licence amendments as detailed in **Attachment B**.


OEH would appreciate being given an opportunity to review the draft Director General's Environmental Assessment Report and associated approval conditions to ensure the above matters have been addressed.

The attached conditions relate to the development as proposed in the documents and information currently provided to OEH. In the event that the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, OEH requests DoPI consult with us about the changes before consent is issued.

The Department of Environment, Climate Change and Water is now known as the Office of Environment and Heritage, Department of Premier and Cabinet

Should you have any further enquiries, please contact the above officer.

Yours sincerely



22/6/11

**PETER BLOEM**  
**Manager Illawarra**  
**Environment Protection and Regulation**

Att

(N:\2011\PLANNING\DOC11-20060 - PART 3A - JET FUEL B LINE UPGRADE - FINAL EA.DOC)

## ATTACHMENT A

### PROPOSED APPROVAL CONDITIONS

Office of Environment and Heritage considers that the following conditions are most appropriately regulated via the Project Approval.

#### Hours of Construction

All construction work at the premises must be conducted between 7am and 6pm Monday to Saturday and at no time on Sundays and public holidays, unless inaudible at any residential premises.

The above condition does not apply to the delivery of material outside the hours of operation, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification must be provided to the Department of Planning and Infrastructure (DPI) and affected residents as soon as possible or within a reasonable period in the case of emergency.

#### Environmental Management Plans

Section 18.4 of the Environmental Assessment (EA) outlines the preparation and development of a Construction Environmental Management Plan for the proposed construction activities and identifies a number of sub plans that will be included in the plan. All plans should be completed prior to the commencement of construction activities with appropriate procedures for reviewing and improving the requirements of each plan where considered necessary.

In addition to the plans listed in the EA, and given the potential for noise impacts as a result of the construction activity, OEH recommends that DPI require the proponent to also prepare:

- a Construction Noise and Vibration Management Plan (CNVMP), and
- a Community Consultation Plan (CCP).

The CNVMP shall include, but not be necessarily limited to:

- (a) details of the project
- (b) nature, duration and location of the works
- (c) estimated construction times
- (d) identification of construction activities that are expected to generate offensive noise
- (e) Identification of the location of potentially sensitive receivers
- (f) an assessment of construction noise levels and potential impacts on sensitive receivers
- (g) details of feasible and reasonable work practices and control measures to minimise potential noise impacts, and
- (h) details of proposed performance evaluation procedures (including noise monitoring) to assess the effectiveness of implemented site controls and mitigation measures.

The CCP shall include, but not necessarily be limited to:

- (a) procedures for consulting and notifying nearby residents of the commencement of the construction activities. This should include procedures for providing written notification to residents and include notification to the Kurnell Progress and Precinct Committee
- (b) procedures for consulting and notifying nearby residents at appropriate stages throughout the construction activities of any specific works that may result in potential noise impacts
- (c) details of a telephone complaints line (including a daytime and an after hours contact phone number) for the purposes of receiving any complaints or enquiries from members of the public in relation to the construction activities
- (d) contact details of relevant site persons responsible for following up complaints
- (e) procedures for handling and monitoring all complaints received by the proponent; and
- (f) details of proposed contingency measures to be implemented where complaints are received.

The CNVMP and CCP should be developed in consultation with OEH's "Interim Construction Noise Guideline – July 2009" to ensure that appropriate noise management tools such as management plans and community engagement are considered.

## **Stormwater**

To adequately manage stormwater at the premises, all clean stormwater must be diverted away from any contaminated areas at the site and beneficially reused or directed into the existing stormwater drains. The clean areas must also be maintained in a satisfactory manner to ensure pollution of waters does not occur. All contaminated water from the premises must be captured and stored at the premises and beneficially reused where safe and practicable to do so or removed from site and appropriately treated and disposed of by a licensed waste disposal contractor.

## **Water conservation**

Opportunities to replace potable water with captured stormwater, or treated process water from the premises or nearby premises, should be maximised where it is safe and practicable to do so.

## ATTACHMENT B

### INTENDED LICENCE CONDITIONS

Office of Environment and Heritage intends to modify the existing Environment Protection Licences for both Caltex Refineries (NSW) Pty Ltd (Licence 837) and Caltex Australia Petroleum Pty Ltd (Licence 6950) in accordance with the conditions specified below.

#### Banksmeadow Terminal

#### **A2 Premises to which this licence applies**

A2.1 The licence applies to the following premises:

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##### **Premises Details**

CALTEX SYDNEY TERMINAL

PENRHYN RD

BANKSMEADOW

NSW

2019

~~LOT 1 DP 452427, LOT 2 DP 636590, AND LOT 1~~

~~DP 626767, LOT 1 DP1050144, LOT 1 DP874710 AND~~

~~Pt LOT 6 DP1053768~~

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#### **L7 Potentially offensive odour**

L7.1 The Licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

L7.2 No condition of this licence identifies a potentially offensive odour for the purposes of Section 129 of the Protection of the Environment Operations Act 1997.

#### **O5 Dust**

O5.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

O5.2 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation or emission from the premises, of wind-blown or traffic generated dust.

#### Kurnell Refinery

#### **O8 Dust**

O8.2 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation or emission from the premises, of wind-blown or traffic generated dust.

