



Mr Neil Trillo
Vopak Sydney Terminals Pty Ltd
PO Box 191
Matraville NSW 2036

Our ref: SSD 7000

Dear Mr Trillo

**Secretary's Environmental Assessment Requirements
Vopak Terminals Site B4 Expansion Project (SSD 7000)**

Please find attached a copy of the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the Vopak Terminals Site B4 Expansion Project. These requirements have been prepared in consultation with relevant government authorities based on the information you have provided to date. I have also attached a copy of the government authorities' comments for your information. Please note that the Secretary may alter these requirements at any time.

If you do not lodge a DA and EIS for the development within 2 years, you must consult further with the Secretary in relation to the preparation of the EIS.

Prior to exhibiting the EIS that you submit for the development, the Department will review the document in consultation with relevant authorities to determine if it addresses the requirements in Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*.

I would appreciate it if you would contact the Department at least two weeks before you propose to lodge your DA and EIS. This will enable the department to:

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- determine the number of copies (hard-copy and CD-ROM) of the EIS that will be required for reviewing purposes.

If your development is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Commonwealth Department of the Environment to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 1111).

Your contact officer, Ms Pamela Morales, can be contacted on 9228 6386 or at pamela.morales@planning.nsw.gov.au. Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely

Chris Ritchie
Manager
Industry Assessments
as delegate for the Secretary

30/4/15

Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act*

State Significant Development

Application Number	SSD 7000
Development	The expansion of the existing Terminal B site (Site B4) which includes: - construction of 3 storage tanks for diesel and 4 storage tanks for Class 3/combustible products; - construction of new pipelines and culvert on Friendship Road to inter-connect with the Site B (B1) manifold; and - extension of existing Site B fire protection systems to the B4 site and installation of new fire protection systems.
Location	39 Friendship Road, Port Botany in the Randwick Local Government Area
Applicant	Vopak Terminals Sydney Pty Ltd
Date of Issue	April 2015
General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 the <i>Environmental Planning and Assessment Regulation 2000</i>. Notwithstanding the key issues specified below, the EIS must include: • a detailed description of the development including: - need for the proposed development; - justification of the proposed development; - likely scope and sequence or stage/s of the development during construction and operation; - likely interactions between the development and other existing, approved and proposed port and industrial operations in the vicinity of the site; and - plans of any proposed building works • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; • a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment; • a detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment which includes: - a description of the existing environment, using <u>sufficient baseline data</u>; - an assessment of the potential impacts of all stages of the proposed development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; and - a description of the measures that would be implemented to avoid, minimise and if necessary, offset the potential impacts of the proposed development, including proposals for adaptive

	management and/or contingency plans to manage any significant risks to the environment. • a consolidated summary of all proposed environmental mitigation, management and monitoring measures, highlighting commitments included in the EIS. The EIS must also be accompanied by a report from a qualified quantity surveyor providing: • a detailed calculation of the capital investment value (as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; • a close estimate of then jobs that will be created during the construction and operational phases of the proposed development; and • certification that the information provided is accurate at the date of preparation.
Key issues	The EIS must address the following specific matters: • Strategic Context – including: - justification for the proposed development and suitability of the site; and - demonstration that the proposed development is generally consistent with all relevant planning strategies and environmental planning instruments, and justification for any inconsistencies. • Hazards and Risk – a Preliminary Hazards Analysis (PHA) prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis</i>. The PHA should: - identify the hazards associated with the proposed development, as well as any external hazards, to determine the potential for off-site impacts; - estimate the risks from the existing Vopak Terminal Site B operations and the proposed development; - include proposed safeguards to ensure risks are minimised; - demonstrate that the site is suitable for its purpose. The PHA should estimate the risks posed by neighbouring facilities, including domino effects, and demonstrate that these risks are acceptable; - address all relevant recommendations arising from the Buncefield accident; - demonstrate that the proposed development complies with the risk criteria set out in <i>Hazardous Industry Planning Advisory Paper No 4 - Risk Criteria for Land Use Safety Planning</i>; and - demonstrate that the proposed development will comply with all relevant recommendations of the Department's <i>Port Botany Land Use Safety Study</i> (1996). • Traffic and Access – including: - accurate predictions of the traffic volumes likely to be generated during construction and operation; - a detailed traffic impact study of the proposed development; - traffic management arrangements for the pipeline construction works on Friendship Road; and

	- proposed car parking and access arrangements for the proposed development. • Soils and Water – including: - a detailed assessment of potential soil, surface, flooding and groundwater impacts; - soil and groundwater contamination arising from previous uses on the site and any proposed management measures; - description of the water demands and a breakdown of water supplies; - description of proposed erosion and sediment controls during construction and operation; and - description of the surface and stormwater management system, including on-site detention, and measures to use and reuse water. • Air Quality and Odour– including: - a quantitative assessment of the air quality and odour impacts of the proposed development on surrounding receivers; and - details of mitigation, management and monitoring measures for preventing and/or minimising emissions. • Noise and Vibration – including: - a quantitative assessment of construction and operation noise (including road traffic noise) and vibration impacts to surrounding receivers from on-site activities in accordance with the relevant EPA Guidelines. • Waste Management – including: - details of all the quantities and classification of all waste streams to be generated on site; - details of waste storage, handling and disposal; and - details of measures that would be implemented for treatment and disposal in accordance with the relevant guidelines. • Greenhouse Gas – including an assessment of the potential greenhouse gas emissions of the proposed development. • Visual Amenity – including an assessment of the potential visual impacts of the proposed development on the amenity of the surrounding area; • Cumulative – including the existing on-site operations, all existing industrial facilities in the area and other nearby approved and proposed developments, particularly in relation to traffic, air and noise.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>. These documents should be included as part of the EIS rather than as separate documents.
Consultation	During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular you must consult with: • Randwick City Council; • Environment Protection Authority; • Roads and Maritime Services; • Office of Environment and Heritage;

	• NSW Fire and Rescue; • WorkCover; • NSW Ports; • NSW Department of Primary Industries; and • the local community and stakeholders.
	The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided
Further consultation after 2 years	If you do not lodge a development application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.

ATTACHMENT 1

Technical and Policy Guidelines

The following guidelines may assist in the preparation of the Environmental Impact Statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.bookshop.nsw.gov.au>

<http://www.publications.gov.au>

Policies, Guidelines & Plans

Plans and Documents

The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents.

In addition, the EIS must include the following:

1. An existing site survey plan drawn at an appropriate scale illustrating:
 - the location of the land, boundary measurements, area (sq.m) and north point;
 - the existing levels of the land in relation to buildings and roads;
 - location and height of existing structures on the site;
 - location and height of adjacent buildings and private open space; and
 - all levels to be to Australian Height Datum (AHD).
2. A locality/context plan drawn at an appropriate scale should be submitted indicating:
 - significant local features such as heritage items;
 - the location and uses of existing buildings, shopping and employment areas; and
 - traffic and road patterns, pedestrian routes and public transport nodes.
3. Drawings at an appropriate scale illustrating:
 - detailed plans, sections and elevations of the existing building, which clearly show all proposed internal and external alterations and additions.

Documents to be Submitted

Documents to submit include:

- 1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition; and
- Other copies as determined by the Department once the development application is lodged

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. 6 – Guidelines for Hazard Analysis
	AS/NZS 4360:2004 Risk Management (Standards Australia)
	HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
	Hazardous Industry Planning Advisory Paper No 3 – Risk Assessment
	Hazardous Industry Planning Advisory Paper No 4 – Risk Criteria for Land Use Safety Planning
	Hazardous Industry Planning Advisory Paper No 6 – Hazard Analysis
	Hazardous Industry Planning Advisory Paper No 10 – Land Use Safety Planning
	Multi-level Risk Assessment Guideline
Traffic	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
Soil and Water	
Soil	Managing Urban Stormwater: Soils & Construction (Landcom)
	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)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Managing Land Contamination - Planning Guidelines SEPP 55 – Remediation of Land (DUAP and EPA)
Surface Water	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, 2000)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ, 2000)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (EPA, 2006)
	State Water Management Outcomes Plan
	NSW Government Water Quality and River Flow Environmental Objectives (DECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Sorting and Handling Liquids: Environmental Protection – Participants Manual (DECC)
	Managing Urban Stormwater: Council Handbook. Draft (EPA)
	Managing Urban Stormwater: Treatment Techniques (EPA, 1997)
	Managing Urban Stormwater: Source Control. Draft (EPA)
	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)

Groundwater	Technical Guidelines: Bunding & Spill Management (DECC)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC, 1995)
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW State Groundwater Quality Protection Policy (DLWC, 1998)
	NSW State Groundwater Dependent Ecosystems Policy (DLWC, 2002)
Waste	
	NSW Waste Avoidance and Resource Recovery Strategy 2014-21 (EPA, 2014)
	Waste Classification Guidelines (EPA)
	Environmental Guidelines: Assessment Classification and Management of Non-Liquid and Liquid Waste (NSE EPA)
Air Quality	
	Protection of the Environment Operations (Clean Air) Regulation 2010
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA, 2005)
	Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA, 2005)
	Action for Air (DECC)
	Assessment and Management of Odour from Stationary Sources in NSW (EPA, 2006)
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)
Noise and Vibration	
	NSW Industrial Noise Policy (EPA, 2000) and Industrial Noise Policy Application Notes
	NSW Road Noise Policy (EPA, 2011)
	Environmental Noise Control Manual (DECC)
	Assessing Vibration: a Technical Guide (EPA, 2006)
	Interim Construction Noise Guidelines (EPA, 2009)
Greenhouse Gas	
	AGO Factors and Methods Workbook (AGO)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)
	State Environmental Planning Policy No 64 - Advertising and Signage

ATTACHMENT 2
Agency Input into Key Assessment Issues

Our Ref: D02337379-F2006/00524
Contact Officer: Elias Coorey

24 April 2015

Industry Assessments - Department of Planning & Environment
23-33 Bridge Street
SYDNEY NSW 2000
GPO Box 39 SYDNEY NSW 2001

Attention: Pamela Morales

Dear Pamela,

**Re: Vopak Terminals Sydney Pty Ltd proposed Site B4 Expansion Project at 39
Friendship Road, Port Botany in the Randwick LGA (SSD 7000)**

Council refers to your email correspondence dated 9 April 2015 requesting Council's input into the Preliminary Environmental Assessment (PEA), for the purposes of the Secretary's Environmental Assessment Requirements (SEARs) for the abovementioned proposal.

Council would like to provide the following comments for consideration:

- **Site and surrounding area:**

The PEA identifies the nearest residential premises as being the Botany Cemetery caretakers residence and residential properties Yarra Road. The PEA states that they are located in are approximately 1.4km and 1.8km away respectively. These residential properties appear to be located closer to the subject site and the SEARs should require the applicant to investigate and identify the proximity of these properties more accurately. It is also considered that the SEARs should refer to all VOPAK operated sites including Lot and DP number and address identifiers within the Port Botany.

- **Land Use**

The subject site is located within the 'Three Ports Site' (SEPP – Three Ports 2013). The site is zoned SP1 Special Activities under the SEPP. Accordingly, the provisions of the SEPP apply to the subject site and will be required to be considered in the assessment of the development application as follows:

Objectives of Zone SP1 - Special Activities:

- *To provide for special land uses that are not provided for in other zones.*
- *To provide for sites with special natural characteristics that are not provided for in other zones.*

- *To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.*
- *To maximise the use of waterfront areas to accommodate port facilities and industrial, maritime industrial, freight and bulk storage premises that benefit from being located close to port facilities.*
- *To enable the efficient movement and operation of commercial shipping and to provide for the efficient handling and distribution of freight from port areas through the provision of transport infrastructure.*
- *To provide for port related facilities and development that support the operations of Port Botany, Port Kembla and the Port of Newcastle.*
- *To facilitate development that by its nature or scale requires separation from residential areas and other sensitive land uses.*
- *To encourage employment opportunities.*

The proposed development will be required to demonstrate the abovementioned objectives are being achieved. The SEARs should require the applicant to pay particular attention to above objectives that seek to minimise adverse impact on the neighbouring residential land.

The key environmental issues requiring more detail and to be included in the SEARs include:

- **Hazard and Risk**

State Environmental Planning Policy No.33 - Hazardous and Offensive Development
A SEPP 33 review should be submitted with the application which requires Risk Screening under a Preliminary Hazard Analysis (PHA). The PHA should provide an understanding of the risks and hazards associated with the sites ongoing use and how it will be adequately managed by ongoing control measures. Any recommendations should all act to ensure there will be no significant risk to the locality (adjoining developments and the public) as a consequence of the proposed development. This will include the implementation of safe guards in compliance with various applicable Legislative requirements, Australian Standards, Work Health and Safety Act and Regulation 2011, WorkCover Dangerous Goods requirements, industry standards, high level of operational and safety education of tanker drivers and site staff together with general good business and management standards required by the industry.

- **Air Quality, Odour and Greenhouse Gas**

In order to assess the potential vapours, dust and odour emissions from the subject development, the SEARs should include an odour impact statement detailing individual toxic air pollutants and their assessment against the NSW EPA design criteria at the site boundary and at sensitive receptors where appropriate.

- **Noise and Vibration**

Demolition and Construction

There should be a requirement for a Construction Noise & Vibration Management Plan detailing noise and vibration emissions during the construction and associated site works.

Operation

As the proposal includes 24 hour operation which will increase truck movements in the area, an acoustic report should be prepared and included as part of the SEARs.

The acoustic report/s are to include but not be limited to noise emission from the proposed development (24 operation, possible container movements, truck movements and beepers etc.); and Road traffic noise intrusion. These reports should be developed in accordance with the NSW Environmental Guidelines, namely the Industrial Noise Policy, Environmental Noise Control Manual (sleep disturbance) and the Environmental Criteria for Road Traffic Noise and AS3671).

Noise exposure during night time is a critical aspect that is required to be addressed in depth detailing the set testing locations namely those within the nearest residential properties.

A complaints management system should also be indicated to effectively deal with complaints during the demolition, construction and operation phases.

- **Soil and Water**

Land Contamination

The subject land is located on land that was formerly used for storage of hydrocarbons. A level of uncertainty with regards to site suitability exists; it is considered that further assessment and investigation of the site is required in relation to land contamination. Assurances are required that the land is suitable for the proposed development, in accordance with the provisions of the Environmental Planning & Assessment Act 1979, SEPP 55, Contaminated Land Management Act 1997 and Council's Contaminated Land Policy 1999.

State Environmental Planning Policy No.55 – Remediation of Land

In relation to the above, the provisions of SEPP 55 contaminated land must be considered and the land made suitable for the intended use prior to the commencement of any works to confirm the ongoing use is permitted and/or any future use may be considered appropriate. It is recommended that as part of the SEARs, a Preliminary Site Contamination Investigation be undertaken. The Preliminary Site Contamination Investigation is to identify any past or present potentially contaminating activities and, past remediation activities. If necessary, a detailed site contamination investigation may be required. Any reports must be undertaken by a suitably qualified environmental consultant and be carried out in accordance relevant NSW EPA Guidelines for Contaminate Sites and as detailed in the Planning Guidelines to SEPP 55 – Remediation of Land.

Acid Sulphate Soils: The subject site is located in an area that potentially contains Acid Sulphate Soils (ASS) (class 1). ASS are soils that contain iron sulphides that are stable and do not cause a problem when water logged. However, when exposed to air, after drainage or excavation, the soils rapidly form sulphuric acid. This can leach causing severe environmental damage and may also have health impacts. The developer is required to recognise and plan for any constraints that these soils are likely to pose for this development. The NSW ASS Manual prepared by the NSW State Government requires this to be assessed with a Development Application.

Sediment and erosion control: A Sediment and Erosion Control Plan, should be required as part of the SEARs including: a site plan; indicating the slope of land, access points &

access control measures, location and type of sediment & erosion controls, location of existing vegetation to be retained – if any, location of material stockpiles and storage areas, location of building operations and equipment, details of drainage systems and details of proposed vegetation.

Drainage: as part of the SEARs, the applicant should submit concept stormwater plans showing catchment areas, pipeline and pit details and connection to the stormwater drainage network external to the site. The plan must also show the gradients within the site and location of particular elements that seek to address contamination and pollution mitigation measures through construction and operation.

Infrastructure: Details of how supply pipelines will be installed have not been provided in the PEA.

- **Traffic and Access:**

The PEA largely focuses on identifying the requirement for a Traffic Management Plan and Traffic Control Plans associated with the construction site of the B4 expansion. The PEA provides some estimates as to the number of vehicles that will utilise the road network during construction phase however greater detail regarding the frequency of trips made by the various construction vehicles will be required to be provided. Further, it is considered that the issue relating to the use of residential streets has not been satisfactorily addressed.

It is understood that the B4 expansion is a satellite storage facility only, servicing the existing site B terminal which is the subject of a Section 75W application currently under assessment by the department addressing the operational impacts of the B4 project expansion. Notwithstanding, there are concerns that the increased traffic, on local roads and potential impacts on health, accessibility, safety and amenity for local residents associated with both construction and operation of the B4 expansion. It is therefore recommended as part of the SEARs that a traffic report be submitted including details of the cumulative traffic generation of the construction and operation phases of the development and the surrounding uses.

- **Waste Management**

A Demolition and Construction Waste Management Plan (WMP) should be included as part of the SEARs. The WMP should detail that Hazardous or intractable wastes from the demolition, excavation and remediation process being removed and disposed of in accordance with the requirements of WorkCover NSW and the Environment Protection Authority, and with the provisions of:

- New South Wales Occupational Health and Safety Act, 2011;
- The Occupational Health and Safety (Hazardous Substances) Regulation 2001;
- The Occupational Health and Safety (Asbestos Removal Work) Regulation 2001;
- Protection Of the Environment Operations Act 1997 (NSW) and
- NSW DECC Waste Classification Guidelines (2008).

- **Visual Amenity**

It is noted that there will be visual impacts as a result of the size and location of the additional tanks. The application details that the facilities will be generally similar to the existing facilities within the VOPAK B site. Accordingly, appropriate plans, details and view studies from publicly accessible locations are required.

- **Flora and Fauna**

The proposal should address any potential ecological impacts, including, but not limited to, the following:

- Loss of biodiversity in the Botany Bay
- Disturbance of acid sulphate soil particularly related to any earthworks
- Impacts on water quality
- Impact on the groundwater levels and quality including the Botany Aquifer
- Impact on wetland areas

Council appreciates the opportunity to comment on the proposed development and should you have any further enquiries on this matter, please contact the Environmental Planning Officer, Mr Elias Coorey, on 9399 0524.

Yours faithfully,



Kerry Kyriacou
Manager Development Assessment

Our reference: DOC15/133647

Ms Pamela Morales
Planning Officer – Industry Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Morales

Secretary's Environmental Assessment Requirements (SSD 7000) – Preliminary Environment Assessment Report-Vopak Terminals Sydney Pty Ltd – Site B4 Expansion Port Botany

I refer to your email dated 9 April 2015 requesting input to the Secretary's Environmental Assessment Requirements (SEARs) for the proposed Site B4 Expansion Project at 20 Friendship Road, Port Botany based on information provided by PlanCom Consulting Pty Ltd on behalf of Vopak Terminals Sydney Pty Ltd ("the Proponent").

The EPA has identified a range of environmental issues that the Proponent will need to consider in the Environmental Impact Statement ("EIS"). These are outlined in Attachment A. The EPA recommends that the EIS include comprehensive consideration of the following issues:

- Noise impact assessment through the proposed construction and operation specifically focussing on nearest sensitive receivers;
- Odour management during the proposed operation phase;
- Dust management during the proposed construction phase;
- Stormwater management and spill management during the proposed construction and operation phase;
- Potential contaminated soil and groundwater issues as a result of historical landuse of the site;
- Traffic and access to and from the site and cumulative impacts at Port Botany as a result of the proposed expansion; and
- Waste management during the proposed construction.

Proposed modification of consent for Vopak Site B

The EPA also notes the proposed modification of consent under section 96 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act, 1979) for the existing "Site B" operated by Vopak Terminals Sydney Pty Ltd ("the licensee"). The licensee holds Environment Protection Licence No. 6007 issued by the EPA. The licence permits the scheduled activities of petroleum products storage, chemical storage and shipping in bulk at the premises.

The modification request for the premises will have cumulative impacts on the premises with odour management, noise management and stormwater management being of primary concern as a result of the proposed significant increase in total throughput (from 3950ML/year to 7800ML/year) and increase in the number of tanker loading bays.

The EPA requests that the SEARs include a requirement for consideration of the cumulative impacts of both the B4 development and the proposed modification of the existing consent. The EIS needs to be clear on how both proposals will interact.

Must you have any questions regarding this matter please contact Susan Fox on (02)9995 5789.

Yours sincerely



24 April 2015

JAMES GOODWIN
Unit Head Sydney Industry
Environment Protection Authority

Att: Attachment A

Attachment A

Request for Secretary's Environmental Assessment Requirements – (SSD 7000) - Vopak Terminals Sydney Pty Ltd – Site B4 Expansion Port Botany

Environment protection Licence and Appropriate Regulatory Authority

The EPA has identified likely requirements for licensing under the *Protection of the Environment Operations Act* (POEO Act) and the need to identify the agency that will be the Appropriate Regulatory Authority for any non-licensed activities. The EPA has determined that Site B4 Expansion will require an Environment Protection Licence (EPL).

The project will involve undertaking scheduled development works requiring a scheduled development work licence under the POEO Act.

The EPA will work with the licensee to determine an appropriate licensing framework for the proposal and Vopak's existing operations.

Odour/ Air quality

The EIS must include an Air Quality Impact Assessment (AQIA) that is prepared strictly in accordance with the Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales 2005.

The key air quality issues that must be covered in the Air Quality Impact Assessment include, where applicable:

- The identification of the pollutants of concern including Volatile Organic Compounds, dust and odours;
- The identification and assessment of all relevant fugitive and point source emissions;
- Proposed air quality management and monitoring procedures during the construction and operation.

The AQIA must also consider the requirements of the *Protection of the Environment Operations (Clean Air) Regulation 2010*.

Remediation/Contamination

The potential for contamination must be assessed as part of the EIS.

If remediation works are required, the EIS must include a Remedial Action Plan (RAP). The current guidelines under section 145C of the *Environmental Planning and Assessment Act 1979* are the guidelines "Managing Land Contamination, Planning Guidelines, SEPP 55 – Remediation of Land" 1998.

Water, Drainage, Stormwater and Groundwater

The EIS must include a stormwater and drainage assessment to assess the impacts of the proposal on surface and groundwater hydrology and quality. It must identify appropriate water quality management measures focussing on the management of the potential impacts from the proposal on Botany Bay.

Acid Sulphate Soils

The potential impacts identified for the project on acid sulphate soils must be assessed and managed in accordance with the relevant guidelines in the *Acid Sulphate Soils Manual* (Stone et al. 1998) and the *Acid Sulphate Soils Laboratory Methods Guidelines* (Ahern et al. 2004). If acid sulphate soils are identified on the premises the proponent must prepare an Acid Sulphate Soil Management Plan in accordance with the *Acid Soil Planning Guidelines*.

Noise impacts

This project has the potential to impact a number of sensitive receivers. A Noise Impact Assessment must be undertaken which considers construction and operational noise across the project, and must include the following:

- Operational noise from stationary aspects of the project must be assessed using the *NSW Industrial Noise Policy* (EPA, 2000). http://www.epa.nsw.gov.au/resources/noise/ind_noise.pdf
- Construction noise associated with the project must be assessed using the *Interim Construction Noise Guideline* (EPA, 2009). <http://www.environment.nsw.gov.au/noise/constructnoise.htm>
- Vibration from any construction activities to be undertaken on the premises must be assessed using the guidelines contained in the *Assessing Vibration: a technical guideline* (EPA, 2006). <http://www.environment.nsw.gov.au/noise/vibrationguide.htm>

Waste treatment, discharge and management

The EIS must provide details of liquid waste and non-liquid waste management, including:

- the transportation, assessment and handling of waste generated at the site
- any stockpiling of wastes materials at the site
- any waste processing related to the project including on-site treatment
- the method for disposing of all waste materials, and
- proposed controls for managing the environmental impacts of these activities.

Chemicals

The EIS must provide details of:

- the type and quantity of any chemical substances to be used or stored and describe arrangements for their safe use and storage, and
- procedures for the assessment, handling, storage, transport and disposal of all hazardous and dangerous materials used, stored, processed or disposed of, in addition to the requirements for liquid and non-liquid wastes.

Incident Management

The EIS must include a comprehensive assessment of the potential for incidents to occur at any stage of the project, the measures to be used to minimise the risk of incidents and the procedures to be employed in the event of an incident. In addition, information is required about contingency actions in the event that planned incident mitigation measures are inadequate.

Cumulative Impacts

The EIS must include a requirement for consideration of the cumulative impacts of both the B4 development and the proposed modification of the existing consent. The EIS needs to be clear on how both proposals will interact.

Community liaison

The community must be given an opportunity to comment on the EIS and the modification to the existing consent. An opportunity to inform the community may be through the Port Botany Community Consultation Committee which meets every three months.

Pamela Morales

To: Fernando, Sohan
Subject: RE: Request for SEARs input (SSD 7000) - Vopak Terminals Proposed Site B4 Expansion Project, Port Botany - Randwick LGA

From: Fernando, Sohan [<mailto:Sohan.Fernando@workcover.nsw.gov.au>]
Sent: Thursday, 23 April 2015 4:15 PM
To: Pamela Morales
Cc: Lau, Abe; Battye, Andrew
Subject: FW: Request for SEARs input (SSD 7000) - Vopak Terminals Proposed Site B4 Expansion Project, Port Botany - Randwick LGA

Security Classification:UNCLASSIFIED

Security Classification:UNCLASSIFIED

Hi Pamela,

I am setting out below, WorkCover's requirements to be included in the SEARs to be provided to VOPAK. If you require these to be sent in the form of a formal letter, please let me know.

1. The preliminary hazard analysis to be included as part of the EIS should evaluate cumulative risk for both on-site and off-site for the total VOPAK site B including the proposed B4 expansion.
2. The EIS must outline how VOPAK will comply with the applicable requirements of the WHS Regulation 2011 for the whole of site B. In particular, the program for updating the Safety Case in consultation with WorkCover.

Regards

Sohan Fernando
Senior Safety Analyst
Major Hazard Facilities Team
WorkCover NSW
2 Burbank Place
Baulkham Hills NSW 2153
Tel: 8867 2747 Fax:9271 6485

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Pamela Morales

From: Wayne Jones <wayne.jones@dpi.nsw.gov.au>
Sent: Monday, 27 April 2015 11:17 AM
To: Pamela Morales
Subject: Vopak Terminals Site B4 Expansion, Port Botany [SSD_7000] SEARs

Hi Pamela

Please see following draft DPI comments on the above project. Formal letter should follow shortly.

Regards
Wayne

Wayne Jones | Land Use Planning Coordinating Officer
Department of Primary Industries
Level 48, MLC Centre, 19 Martin Place Sydney NSW 2000
T:02 9338 6708 | E: wayne.jones@dpi.nsw.gov.au

OUT15/9659

Ms Pamela Morales
Industry Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Pamela.Morales@planning.nsw.gov.au

Dear Ms Morales,

**Vopak Terminals Site B4 Expansion, Port Botany [SSD_7000]
Request for input into Secretary's Environmental Assessment Requirements**

I refer to your email dated 9 April 2015 to the Department of Primary Industries in respect to the above matter.

Comment by NSW Office of Water

The NSW Office of Water (Office of Water) has reviewed the Supporting documentation accompanying the request for Secretary's Environmental Assessment Requirements (SEARs) and provides the comments below, and further detail in **Attachment A**.

It is recommended that the EIS be required to include:

- Details of water proposed to be taken (including through inflow and seepage) from each surface and groundwater source as defined by the relevant water sharing plan.
- Assessment of any water licensing requirements (including those for ongoing water take following completion of the project).
- The identification of an adequate and secure water supply for the life of the project. Confirmation that water can be sourced from an appropriately authorised and reliable supply. This is to include an assessment of the current market depth where water entitlement is required to be purchased.

- Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- Proposed surface and groundwater monitoring activities and methodologies.
- Full technical details and data of all surface and groundwater modelling.
- A detailed and consolidated site water balance.
- Assessment of any potential cumulative impacts on water resources, and any proposed options to manage the cumulative impacts.
- Consideration of relevant policies and guidelines.
- A statement of where each element of the SEARs is addressed in the EIS (i.e. in the form of a table).

For further information please contact Janne Grose, Planning and Assessment Coordinator (Penrith office) on 8838 7505 or at janne.grose@water.nsw.gov.au.

Attachment A

Vopak Terminals Site B4 Expansion, Port Botany [SSD_7000] Request for input into Secretary's Environmental Assessment Requirements Additional Comments by the NSW Office of Water

For further information visit the NSW Office of Water website, www.water.nsw.gov.au

Key Relevant Legislative Instruments

This section provides a basic summary to aid proponents in the development of an Environmental Impact Statement (EIS), and should not be considered a complete list or comprehensive summary of relevant legislative instruments that may apply to the regulation of water resources for a project.

Water Management Act 2000 (WMA 2000)

Key points:

- Volumetric licensing in areas covered by water sharing plans.
- Works within 40m of waterfront land.
- SSD & SSI projects are exempt from requiring water supply work approvals and controlled activity approvals as a result of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*.
- No exemptions for volumetric licensing apply as a result of the *EP&A Act*.
- Basic landholder rights, including harvestable rights dams.
- Aquifer activity approval and flood management work approval provisions have not yet commenced and are regulated by the *Water Act 1912*.
- Maximum penalties of \$2.2 million plus \$264,000 for each day an offence continues apply under the *WMA 2000*.

Water Act 1912 (WA 1912)

Key points:

- Volumetric licensing in areas where no water sharing plan applies.
- Monitoring bores.
- Aquifer interference activities that are not regulated as a water supply work under the *WMA 2000*.
- Flood management works.
- No exemptions apply to licences or permits under the *WA 1912* as a result of the *EP&A Act*.

- Regulation of water bore driller licensing.

Water Management (General) Regulation 2011

Key points:

- Provides various exemptions for volumetric licensing and activity approvals.
- Provides further detail on requirements for dealings and applications.

Water Sharing Plans – these are considered regulations under the *WMA 2000*

Access Licence Dealing Principles Order 2004

Harvestable Rights Orders

The EIS should take into account the objects and regulatory requirements of the *Water Act 1912* (WA 1912) and *Water Management Act 2000* (WMA 2000), and associated regulations and instruments, as applicable.

Water Sharing Plans

The proposal is located within the area covered by the *Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources* and the *Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources*. The EIS is required to:

- Demonstrate how the proposal is consistent with the relevant rules of the Water Sharing Plan including rules for access licences, distance restrictions for water supply works and rules for the management of local impacts in respect of surface water and groundwater sources, ecosystem protection (including groundwater dependent ecosystems), water quality and surface-groundwater connectivity.
- Provide a description of any site water use (amount of water to be taken from each water source) and management including all sediment dams, clear water diversion structures with detail on the location, design specifications and storage capacities for all the existing and proposed water management structures.
- Provide an analysis of the proposed water supply arrangements against the rules for access licences and other applicable requirements of any relevant WSP, including:
 - o Sufficient market depth to acquire the necessary entitlements for each water source.
 - o Ability to carry out a “dealing” to transfer the water to relevant location under the rules of the WSP.
 - o Daily and long-term access rules.
 - o Account management and carryover provisions.
- Provide a detailed and consolidated site water balance.
- Further detail on licensing requirements is provided below.

Relevant Policies and Guidelines

The EIS should take into account the following policies (as applicable):

- NSW Guidelines for Controlled Activities on Waterfront Land (NOW, 2012)
- NSW Aquifer Interference Policy (NOW, 2012)
- Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW, 2012)
 - Australian Groundwater Modelling Guidelines (NWC, 2012)
- NSW State Rivers and Estuary Policy (1993)

- NSW State Groundwater Policy Framework Document (1997)
- NSW State Groundwater Quality Protection Policy (1998)
- NSW State Groundwater Dependent Ecosystems Policy (2002)
 - NSW Water Extraction Monitoring Policy (2007)
 - NSW Wetlands Policy 2010

Office of Water policies can be accessed at the following links:

<http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/default.aspx>

<http://www.water.nsw.gov.au/Water-licensing/Approvals/Controlled-activities/default.aspx>

An assessment framework for the NSW Aquifer Interference Policy can be found online at:
<http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/Aquifer-interference>.

Licensing Considerations

The EIS is required to provide:

- Identification of water requirements for the life of the project in terms of both volume and timing (including predictions of potential ongoing groundwater take following the cessation of operations at the site – such as evaporative loss from open voids or inflows).
- Details of the water supply source(s) for the proposal including any proposed surface water and groundwater extraction from each water source as defined in the relevant Water Sharing Plan/s and all water supply works to take water.
- Explanation of how the required water entitlements will be obtained (i.e. through a new or existing licence/s, trading on the water market, controlled allocations etc).
- Information on the purpose, location, construction and expected annual extraction volumes including details on all existing and proposed water supply works which take surface water, (pumps, dams, diversions, etc).
- Details on all bores and excavations for the purpose of investigation, extraction, dewatering, testing and monitoring. All predicted groundwater take must be accounted for through adequate licensing.
- Details on existing dams/storages (including the date of construction, location, purpose, size and capacity) and any proposal to change the purpose of existing dams/storages.
- Details on the location, purpose, size and capacity of any new proposed dams/storages.
- Applicability of any exemptions under the *Water Management (General) Regulation 2011* to the project.

Water allocation account management rules, total daily extraction limits and rules governing environmental protection and access licence dealings also need to be considered.

The Harvestable Right gives landholders the right to capture and use for any purpose 10% of the average annual runoff from their property. The Harvestable Right has been defined in terms of an equivalent dam capacity called the Maximum Harvestable Right Dam Capacity (MHRDC). The MHRDC is determined by the area of the property (in hectares) and a site-specific run-off factor. The MHRDC includes the capacity of all existing dams on the property that do not have a current water licence. Storages capturing up to the harvestable right capacity are not required to be licensed but any capacity of the total of all storages/dams on the property greater than the MHRDC may require a licence.

For more information on Harvestable Right dams visit:

<http://www.water.nsw.gov.au/Water-licensing/Basic-water-rights/Harvesting-runoff/Harvesting-runoff>

Dam Safety

Where new or modified dams are proposed, or where new development will occur below an existing dam, the NSW Dams Safety Committee should be consulted in relation to any safety issues that may arise. Conditions of approval may be recommended to ensure safety in relation to any new or existing dams.

See www.damsafety.nsw.gov.au for further information.

Groundwater Assessment

To ensure the sustainable and integrated management of groundwater sources, the EIS needs to include adequate details to assess the impact of the project on all groundwater sources including:

- The predicted highest groundwater table at the site.
- Works likely to intercept, connect with or infiltrate the groundwater sources.
- Any proposed groundwater extraction, including purpose, location and construction details of all proposed bores and expected annual extraction volumes (Office of Water “GW” registration numbers and licence/approval numbers should be supplied).
- An assessment of the potential for groundwater contamination (considering both the impacts of the proposal on groundwater contamination and the impacts of contamination on the proposal).
- Measures proposed to protect groundwater quality, both in the short and long term.
- Measures for preventing groundwater pollution so that remediation is not required.

Where potential impact/s are identified the assessment will need to identify limits to the level of impact and contingency measures that would remediate, reduce or manage potential impacts to the existing groundwater resource and any dependent groundwater environment or water users, including information on:

- Any proposed monitoring programs, including water levels and quality data.
- Reporting procedures for any monitoring program including mechanism for transfer of information.
- An assessment of any groundwater source/aquifer that may be sterilised from future use as a water supply as a consequence of the proposal.
- Identification of any nominal thresholds as to the level of impact beyond which remedial measures or contingency plans would be initiated (this may entail water level triggers or a beneficial use category).
- Description of the remedial measures or contingency plans proposed.
- Any funding assurances covering the anticipated post development maintenance cost, for example on-going groundwater monitoring for the nominated period.

Watercourse and Riparian Land

The EIS should address the potential impacts of the project on all watercourses likely to be affected by the project, existing riparian vegetation and the rehabilitation of riparian land, including:

- Scaled plans showing the location of watercourses.
- Photographs of the watercourses.
- A detailed description of all potential impacts on the watercourses/riparian land.
- A description of the design features and measures to be incorporated to mitigate potential impacts.
- Geomorphic and hydrological assessment of water courses including details of stream order (Strahler System), river style and energy regimes both in channel and on adjacent floodplains.

End Attachment A

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24 April 2015

Our Ref: SYD15/00445

Your ref: SSD 7000

Planning Officer
Industry Assessments
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: Pamela Morales

**SSD 7000 – PORT BOTANY SITE B4 EXPANSION PROJECT
REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (SEARs)
20 FRIENDSHIP ROAD, PORT BOTANY**

Dear Sir/Madam,

I refer to the Department's correspondence dated 9 April 2015 requesting the Roads and Maritime Services (Roads and Maritime) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Secretary Environmental Assessment Requirements (SEARs).

I wish to advise that Roads and Maritime has reviewed the Draft SEARs and require the following additional requirements to be addressed in the EA:

1. Details of the proposed accesses and the parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (ie: turn paths, sight distance requirements, aisle widths, etc).
2. Proposed number of car parking spaces and compliance with the appropriate parking codes.
3. In due course the provision of a Construction Traffic Management Plan (CTMP) will be required for all demolition / construction activities, detailing vehicle routes, number of trucks, hours of operation, access arrangements and traffic control measures.

Further enquiries on this matter can be directed to the nominated Land Use Planner Ravi Ravendra on phone 8849 2540.

Yours sincerely,



Pahee Rathan
**Senior Land Use Planner
Network and Safety**