



Mr Mitchell Sovechles  
The Trustee for the Kooragang Property Trust t/a Sovechles  
Nominees Pty Ltd  
PO Box 3131  
MEREWETHER NSW 2291

17/06869  
SSD 8448

[mitch\\_sovechles@bigpond.com](mailto:mitch_sovechles@bigpond.com)

Dear Mr Sovechles

**State Significant Development – Secretary's Environmental Assessment Requirements  
Elgas Storage Facility – 130 Cormorant Road, Kooragang (SSD 8448)**

Please find attached the Secretary's Environmental Assessment Requirements (SEARs) for the proposed Elgas Storage Facility at 130 Cormorant Road, Kooragang in the Newcastle local government area (LGA).

The SEARs have been prepared in consultation with the relevant government agencies, Newcastle City Council and Port of Newcastle (see **Attachment 2**), and are based on the information you have provided to date. Please note that the Department may alter the SEARs at any time. You must consult further with the Department if you do not lodge a development application and Environmental Impact Statement (EIS) for the development within two years of the date of issue of these SEARs.

I wish to emphasise the importance of effective and genuine community consultation and the need for the proposal to proactively respond to the community's concerns. Accordingly, you must undertake a comprehensive, detailed and genuine community consultation and engagement process during the preparation of the EIS. This process must ensure that the community is informed of the development and engaged with issues of concern to them. Sufficient information must be provided to the community to enable a good understanding of the development and any potential impacts.

Your development may require separate approval under the provisions of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). If an EPBC Act approval is required, please advise the Department accordingly, as the Commonwealth assessment process may be integrated into the NSW assessment process, and supplementary SEARs may need to be issued.

Please contact the Department at least two weeks before you intend lodge the EIS and any associated documentation for the development. This will enable the Department to determine the:

- applicable fee (under Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- consultation and public exhibition arrangements, including copies and format requirements of the EIS.

If you have any enquiries about these SEARs, please contact Bianca Thornton on the above details.

Yours sincerely

  
Chris Ritchie  
Director  
Industry Assessments  
*as delegate of the Secretary*

9/6/17.

# Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act*  
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

<b>Application Number</b>	SSD 8448
<b>Development</b>	The construction and operation of a Liquefied Petroleum Gas (LPG) storage facility, including a cylinder filling facility, small truck loading facility and overnight parking of laden bobtail tankers.
<b>Location</b>	130 Cormorant Road, Kooragang (Part Lot 1 DP 1195449), in the Newcastle local government area.
<b>Applicant</b>	The Trustee for the Kooragang Property Trust
<b>Date of Issue</b>	June 2017
<b>General Requirements</b>	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In addition, the EIS must include a:</p> <ul style="list-style-type: none"> <li>• detailed description of the development, including: <ul style="list-style-type: none"> <li>– history of the site, including any development consents that apply;</li> <li>– need for the proposed development;</li> <li>– justification for the proposed development;</li> <li>– likely staging of the development - including demolition, construction, and operational stage/s;</li> <li>– likely interactions between the development and existing, approved and proposed operations in the vicinity of the site; and</li> <li>– plans of any proposed building works;</li> </ul> </li> <li>• demonstrate that the site is suitable for the proposed use in accordance with <i>State Environmental Planning Policy No. 55 – Remediation of Land</i>;</li> <li>• consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments;</li> <li>• consideration of issues discussed in <b>Attachment 2</b>;</li> <li>• risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment;</li> <li>• detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: <ul style="list-style-type: none"> <li>• a description of the existing environment, <u>using sufficient baseline data</u>;</li> <li>• an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes;</li> <li>• a description of the measures that would be implemented to avoid, minimise and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage any significant risks to the environment; and</li> </ul> </li> <li>• a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.</li> </ul> <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• a close estimate of the jobs that will be created by the development</li> </ul>

	<p>during the construction and operational phases of the development; and</p> <ul style="list-style-type: none"> <li>certification that the information provided is accurate at the date of preparation.</li> </ul>
<b>Key issues</b>	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> <li><b>Hazards and Risk</b> – including: <ul style="list-style-type: none"> <li>a Preliminary Hazardous Analysis (PHA) undertaken for the proposed development. The PHA shall be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis</i> (DoP, 2011) and must: <ul style="list-style-type: none"> <li>identify the hazards associated with the proposed development to determine the potential for offsite impacts;</li> <li>provide information on whether the dangerous goods transport route would bypass the neighbouring commercial operations and sensitive land uses such as residential and schools;</li> <li>evaluate the impacts of the transport of dangerous goods to and from the site if the transport route will bypass the neighbouring commercial operation or other sensitive land uses (such as residential and schools);</li> <li>demonstrate that the proposed development complies with the criteria set out in <i>Hazardous Industry Planning Advisory Paper No. 4 – Risk Criteria for land Use Safety Planning</i>; and</li> <li>estimate the cumulative impacts from the site and the surrounding potentially hazardous developments in the area and demonstrate that the proposed development does not increase the cumulative risk of the area to unacceptable levels; and</li> </ul> </li> <li>details of the proposed dangerous goods to be stored onsite, with a clear indication of quantity and location of all dangerous goods and hazardous materials associated with the development.</li> </ul> </li> <li><b>Soil and Water</b> – including: <ul style="list-style-type: none"> <li>a description of local soils, topography, landscapes, drainage, watercourses, riparian lands and groundwater dependent ecosystems;</li> <li>a detailed site water balance, including details of water supply, licencing requirements and the measures to minimise water use;</li> <li>details of the proposed erosion and sediment controls;</li> <li>details of the existing and proposed stormwater management system, prepared in consultation with Port of Newcastle;</li> <li>an assessment of the potential impacts to surface water, groundwater, soils and flooding;</li> <li>an assessment in accordance with ASSMAC Guidelines for the presence and extent of acid sulfate soils (ASS) and potential acid sulfate soils (PASS) on the site;</li> <li>characterisation of the nature and extent of any contamination on the site; and</li> <li>details of proposed mitigation, management and monitoring measures.</li> </ul> </li> <li><b>Traffic and Transport</b> – including: <ul style="list-style-type: none"> <li>details of all traffic types and volumes likely to be generated during construction and operation, including a description of haul routes;</li> <li>a traffic impact assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections using SIDRA or similar traffic model;</li> <li>detailed plans of the proposed layout of the internal road network and parking on site in accordance with the relevant Australian Standards, including demonstration that all vehicle queuing and parking can be contained within the site;</li> <li>plans of any proposed road upgrades, infrastructure works or new roads required for the development; and</li> <li>turning path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site.</li> </ul> </li> <li><b>Air Quality and Odour</b> – including:</li> </ul>

	<ul style="list-style-type: none"> <li>- a quantitative assessment of the potential air quality, dust and odour impacts of the development in accordance with relevant Environment Protection Authority guidelines;</li> <li>- a greenhouse gas assessment; and</li> <li>- details of proposed mitigation, management and monitoring measures.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Noise and Vibration</b> – including: <ul style="list-style-type: none"> <li>- a quantitative assessment of potential construction, operational and transport noise and vibration impacts in accordance with relevant Environment Protection Authority guidelines; and</li> <li>- details and justification of the proposed noise mitigation and monitoring measures.</li> </ul> </li> <li>• <b>Waste Management</b> – including: <ul style="list-style-type: none"> <li>- details of all the quantities and classification of all waste streams to be generated on site;</li> <li>- details of waste storage, handling and disposal;</li> <li>- wastewater predictions, and the measures that would be implemented to treat, reuse and/or dispose of this water; and</li> <li>- the measures that would be implemented to ensure the development is consistent with the aims, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>.</li> </ul> </li> <li>• <b>Biodiversity</b> – including a description of any potential vegetation clearing needed to undertake the proposal and any impacts to flora and fauna, including groundwater dependent ecosystems.</li> <li>• <b>Heritage</b> – including Aboriginal and non-Aboriginal cultural heritage items and values of the site and surrounding area.</li> <li>• <b>Visual</b> – including: <ul style="list-style-type: none"> <li>- an assessment of the potential visual impacts of the project on the amenity of the surrounding area; and</li> <li>- landscaping, in consultation with Port of Newcastle.</li> </ul> </li> </ul>
<b>Plans and Documents</b>	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.
<b>Consultation</b>	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and potentially affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> <li>• Newcastle City Council;</li> <li>• Port of Newcastle;</li> <li>• Department of Primary Industries;</li> <li>• WaterNSW;</li> <li>• Fire and Rescue NSW;</li> <li>• SafeWork NSW;</li> <li>• Roads and Maritime Services; and</li> <li>• nearby land owners and occupiers that may be affected by the proposal.</li> </ul> <p>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.</p>
<b>Further consultation after 2 years</b>	If you do not lodge an EIS for the development within 2 years of the issue date of these SEAR's, you must consult with the Secretary in relation to the requirements for lodgement.
<b>References</b>	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 development.

## 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:
  - watercourses including nearby rivers and creeks, and dams;
  - significant local features such as heritage items;
  - the location and uses of nearby buildings, shopping and employment areas, hospitals and schools; and
  - traffic and road patterns, pedestrian routes and public transport nodes.
3. An indication of the location of the site with respect to the relevant Land Zoning Map within the *Shoalhaven Local Environment Plan 2014*.
4. 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 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.

## 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

Aspect	Policy/Methodology
<b>Hazards</b>	<p>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</p> <p>Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)</p> <p>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis</p>
<b>Soil and Water</b>	
<i>Soil</i>	<p>Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC &amp; NHMRC)</p> <p>National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)</p> <p>Draft Guidelines for the Assessment &amp; Management of Groundwater Contamination (DECC)</p> <p>State Environmental Planning Policy No. 55 – Remediation of Land</p> <p>Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)</p> <p>Acid Sulfate Soils Manual (Stone et al. 1998)</p>
<i>Water</i>	<p>National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ)</p> <p>NSW Guidelines for Controlled Activities on Waterfront Land (NOW, 2012)</p> <p>National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ)</p> <p>National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ)</p> <p>National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)</p> <p>National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)</p> <p>Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)</p> <p>NSW State Rivers and Estuaries Policy(1993)</p> <p>State Water Management Outcomes Plan</p> <p>NSW Government Water Quality and River Flow Environmental Objectives (DECC)</p> <p>Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)</p> <p>Managing Urban Stormwater: Soils &amp; Construction (Landcom)</p> <p>Managing Urban Stormwater: Treatment Techniques (DECC)</p> <p>Managing Urban Stormwater: Source Control (DECC)</p> <p>Technical Guidelines: Bunding &amp; Spill Management (DECC)</p> <p>NSW Floodplain Development Manual 2005</p>
<b>Traffic and Transport</b>	<p>Guide to Traffic Generating Development (RTA)</p> <p>Road Design Guide (RTA)</p>
<b>Air Quality and Odour</b>	



<i>Air Quality</i>	Protection of the Environment Operations (Clean Air) Regulation 2010
	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)
	The National Greenhouse and Energy Reporting (Measurement) Technical Guidelines (NGER Technical Guidelines)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
<i>Odour</i>	Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006)
	Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW (DEC)
<b>Noise and Vibration</b>	
<i>Noise</i>	NSW Industrial Noise Policy (DECC)
	NSW Road Noise Policy (EPA, 2011)
	Environmental Criteria for Road Traffic Noise (NSW EPA)
	Interim Construction Noise Guideline (DECC, 2009)
<i>Vibration</i>	Assessing Vibration: A Technical Guideline (DEC, 2006)
<b>Waste</b>	
	Waste Avoidance and Resource Recovery Strategy 2010-2021 (EPA)
	The National Waste Policy: Less Waste More Resources 2009
	Waste Classification Guidelines (EPA, 2014)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC)
	Environmental guidelines: Use and Disposal of Biosolid Products (NSW EPA)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
<b>Biodiversity</b>	
	Framework for Biodiversity Assessment (OEH, 2014)
<b>Heritage</b>	
	Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010)
	Draft Guidelines for Aboriginal Cultural Impact Assessment and Community Consultation (Department of Planning, 2005)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010)
	NSW Heritage Manual (DUAP)
<b>Visual</b>	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)
	State Environmental Planning Policy No 64 - Advertising and Signage

**ATTACHMENT 2**  
**Public Authority Responses to Request for Key Issues**



Planning and Regulatory. G.Mansfield  
Reference: PB2017/05209  
Phone: 02 4974 2767



6 June 2017

Ms Bianca Thornton  
Planning Officer  
Industry Assessment  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

PO Box 489, Newcastle  
NSW 2300 Australia  
Phone 02 4974 2000  
Facsimile 02 4974 2222  
Email [mail@ncc.nsw.gov.au](mailto:mail@ncc.nsw.gov.au)  
[www.newcastle.nsw.gov.au](http://www.newcastle.nsw.gov.au)

**Response by email:** [Bianca.Thornton@planning.nsw.gov.au](mailto:Bianca.Thornton@planning.nsw.gov.au)

Dear Ms Thornton

#### **APPLICATION FOR SEARS FOR ELGAS LPG STORAGE FACILITY KOORAGANG**

I refer to the your email of 15 May 2017 inviting Council to provide input into the Secretary's Environmental Assessment Requirements (SEARs) for a liquefied petroleum gas (LPG) storage facility (SSD 8448) on land known as 130 Cormorant Road, Kooragang.

The documentation provided by the applicant has been reviewed by Council officers and in addition to the minimum requirements of Part 3 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* the required Environmental Impact Statement (EIS) must also address the following specific matters:

**1. Proposed development** - including:

- a characterisation of the proposed development in terms of the land uses permitted with consent in the SP1-Special Activities zone under the State Environmental planning Policy (Three Ports) 2013. The principal purpose of for which the development is being carried out needs to be clearly identified.

**2. Hazardous and Offensive Development** - including:

- consideration of the provisions of State Environmental Planning Policy No 33 - Hazardous and Offensive Development.

General comment: Consideration is to be given to immediate risks within the development and multi-level risks (e.g. proximity to the BOC gas facility at 9 Egret Street.) The details of the storage tanks provided in the submission don't address the SEPP (i.e. types of gases, location and packaging groups).

**3. Coastal Protection.**

- consideration of the relevant requirements of State Environmental Planning Policy No 71-Coastal Protection (SEPP 71) and the exhibited draft Coastal Management SEPP.

**4. Contamination-including:**

- demonstrating the site is suitable for the proposed use on accordance with State Environmental Planning Policy No 55-Remediation of Land (SEPP 55).

General comment: Given the development is located within a heavy industrial area and many parts of Kooragang Island have been historically filled with industrial waste, the issue of potential site contamination should be adequately addressed to ensure the land is suitable for the proposed land use.

**5. Acid sulphate soils - including:**

- consideration of the likely impact of proposed development on acid sulfate soils. Council's Acid Sulfate Soils Map indicates the subject site Class 2 land.

**6. Newcastle Development Control Plan-including:**

- consideration of the relevant sections of the Newcastle Development Control Plan, 2012.

**7. Traffic, vehicular access and parking - including but not limited to:**

- consideration of the vehicular access to the site and the interconnectivity with the other uses on the subject property.

General Comment: It is recommended vehicle access to part Lot C be finalised in association with this application. In this regard, Council had significant safety concerns in relation to the proposed access to Part C and its proximity to Commorant Road as well as the practicalities of vehicles exiting the site onto Egret Street through the truck fuel area. It was recommended that a stand-a-lone drive entry/exit be provided for Part Lot C off Egret Street immediately north of the service station site and therefore within part Lot B the subject of this application

- consideration of potential vehicular conflict between vehicles using the loading bay and car entering and leaving the car park.

General comment: Significant safety concerns are raised in relation to the location of the proposed delivery bay relative to the car park entry /exit and potential for vehicle conflict. In this regard, it is recommended that the delivery bay be relocated to within the site.

- demonstrate the on-site car parking complies with Australian Standard AS 2890.1 - Parking Facilities.
- consideration of the proximity of the existing power pole on the Egret Street frontage to the edge of the proposed driveway in regards to potential conflict with vehicles.

**8. Street trees-including:**

- providing details of the compensatory trees proposed across the Egret Street frontage of the site to offset the removal of the existing trees.

**9. Sewage management - including:**

- clarification of proposed sewage management.

General comment: As the adjacent service station site is connected to the sewer it is assumed that the proposal can also connect to sewer. This would be the preferred option over onsite management given the site constraints such as small lot size, shallow groundwater table and proximity to the river.

**10. Crime prevention** - including:

- demonstrating that the design of the development has had regard to the principles of Crime Prevention Through Environmental Design.

**11. Development Contribution** - including:

- submission of a detailed cost report prepared in accordance with Appendix A of Council's Section 94A Development Contributions Plan 2009.

If you require clarification of any matter raised in this letter, please contact me by email at [gmansfield@ncc.nsw.gov.au](mailto:gmansfield@ncc.nsw.gov.au) or telephone on 02 4974 2767.

Yours faithfully



**Geof Mansfield**  
**PRINCIPAL PLANNER (DEVELOPMENT)**



## Bianca Thornton

---

**From:** Rebecca Johnston <Rebecca.Johnston@portofnewcastle.com.au>  
**Sent:** Tuesday, 30 May 2017 8:22 AM  
**To:** Bianca Thornton  
**Subject:** Request for Input to SEARs - Elgas LPG Storage Facility, 130 Cormorant Road, Kooragang - SSD 8448

Dear Bianca

I refer to the request for review of Draft SEARs for Application No. 8448 for the development of Elgas LPG Storage Facility at 130 Cormorant Road, Kooragang and provide the following comments:

### **Strategic Planning:**

As well as addressing the relevant planning provisions, goals and strategic planning objectives in the plans and documents listed, the EIS should also consider the Port of Newcastle Port Development Plan (PDP) 2015 – 2020.

The Port of Newcastle is a key strategic and economic asset for New South Wales and has been identified as a global gateway in the Hunter Regional Plan. The purpose of the PDP is to inform the New South Wales State Government, Government Agencies and the local community of PON's development objectives over a forward rolling five year period. A copy of the PDP can be found on PON's website – see attached link.

[http://www.portofnewcastle.com.au/Resources/Documents/Port-of-Newcastle-Port-Development-Plan-2015-2020\\_28.11.2014\\_web.pdf](http://www.portofnewcastle.com.au/Resources/Documents/Port-of-Newcastle-Port-Development-Plan-2015-2020_28.11.2014_web.pdf)

### **Land Ownership**

Please note that the site Lot 1, DP 1195449, No. 130 Cormorant Road is owned by 'Port of Newcastle Lessor Pty Limited'.

The site is currently partly developed with a Services Station, fast food outlet and car wash. There is also a current development application for Industrial Units that is undetermined.

### **Traffic Assessment**

Egret Street being Lot 2, DP 1195449, is a private road managed by Port of Newcastle, it is not a public road. The traffic assessment should demonstrate that all required vehicle queueing and parking can be contained within the site.

### **Stormwater Drainage**

The existing stormwater system located within Egret Street is also managed by PON. The engineering design of the proposed drainage system should include an assessment of the capacity of the existing stormwater system and be undertaken in consultation with PON.

### **Landscaping**

Landscaping is an important element of streetscape and environment. Landscaping should:

- Enhance the appearance of development and increase the visual amenity of the Port;
- Be compatible with, and not compromise the safety and security of facilities and premises; and
- Ensure selected species used are suited to the environment and use of the site.

Plants selected shall be low maintenance, drought and salt tolerant, and be native and endemic to the site or area.

Turfed areas are to be minimised. Where employed the grass species is to be drought tolerant and low maintenance. Plant selection also should be cognisant of the purpose of the landscaping i.e. Screen planting, streetscape setback etc. Landscaping should also not prejudice future development, the operations of the site or adjoining sites, or impact upon existing utilities or infrastructure.

### **Hazard and Risk**

The Preliminary Hazard Assessment should take into account the hazardous facilities on adjoining land, including BOC Gases opposite, adjoining services station and Origin Energy to the north.

If you require any further information, please contact me as below.

regards

**Rebecca Johnston**

Planning Officer



6 Newcomen Street (PO Box 790) Newcastle NSW 2300 Australia

Tel: 02 4908 8219

Mob: 0437 057 557

Email: [Rebecca.Johnston@portofnewcastle.com.au](mailto:Rebecca.Johnston@portofnewcastle.com.au)

Website: [www.portofnewcastle.com.au](http://www.portofnewcastle.com.au)



DOC17/283036, File No. EF14/501

Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

Attention: Ms Bianca Thornton

bianca.thornton@planning.nsw.gov.au

Dear Ms Thornton

**PROPOSED ELGAS STORAGE FACILITY – 130 CORMORANT ROAD, KOORAGANG  
REQUEST FOR SEARs (SSD 8448)**

Reference is made to your email to the Environment Protection Authority (EPA) received on 15 May 2017 requesting the EPA's input for the preparation of Secretary's Environmental Assessment Requirements (SEARs) in respect of the above proposal.

The EPA understands that the proposal involves the construction and operation of a liquefied petroleum (LPG) storage, cylinder filling and truck loading facility, with a maximum storage of LPG of 180 tonnes.

Under the *Protection of the Environment Operations Act 1997* (POEO Act) the storage of petroleum products is a scheduled activity, and requires an Environment Protection Licence, where there is capacity to store more than 200 tonnes of liquefied gases, or 2,000 tonnes of chemicals in any other form.

Based on the information provided the proposed development is not scheduled under the POEO Act. Accordingly Newcastle City Council is the appropriate regulatory authority for environmental matters under the POEO Act in respect of this development.

As such the EPA has not provided SEARs. It is recommended you contact Council in respect of any requirements it may have for the preparation of an Environmental Impact Statement.

If you require any further information regarding this matter please contact me on (02) 4908 6824.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Hamish Rutherford', followed by the date '19/5/2017'.

**HAMISH RUTHERFORD**  
**Senior Operations Officer - Hunter**  
**Environment Protection Authority**

Contact officer: HAMISH RUTHERFORD  
(02) 4908 6824  
hunter.region@epa.nsw.gov.au



## Department of Primary Industries

OUT17/20798

Ms Bianca Thornton  
Industry Assessments  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Bianca.thornton@planning.nsw.gov.au

Dear Ms Thornton

### **Elgas Storage Facility (SSD 8448) Request for Secretary's Environmental Assessment Requirements**

I refer to your email of 15 May 2017 to the Department of Primary Industries (DPI) in respect to the above matter. Comment has been sought from relevant divisions of DPI. Views were also sought from NSW Department of Industry - Lands that are now a division of the broader Department and no longer within NSW DPI. Any further referrals to DPI can be sent by email to [landuse.enquiries@dpi.nsw.gov.au](mailto:landuse.enquiries@dpi.nsw.gov.au).

DPI has reviewed the application recommends the following considerations be included in the SEARs, with further detail in **Attachment A**:

- The EIS should include an assessment of impacts to surface and groundwater sources including water use, water licensing arrangements, impacts on water users, waterfront land and aquifers, as well as compliance with relevant policies.

Yours sincerely

Alison Collaros  
**A/Director, Planning Policy & Assessment Advice**  
26 May 2017

*DPI appreciates your help to improve our advice to you. Please complete this three minute survey about the advice we have provided to you, here:*  
<https://goo.gl/o8TXWz>



## **Attachment A**

### **Elgas Storage Facility (SSD 8448) Request for Secretary's Environment Assessment Requirements Detailed comments – DPI Water**

---

It is recommended that the EIS be required to include:

- Annual volumes of surface water and groundwater proposed to be taken by the activity (including through inflow and seepage) from each surface and groundwater source as defined by the relevant water sharing plan.
- Assessment of any volumetric 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.
- A detailed and consolidated site water balance.
- 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.
- Full technical details and data of all surface and groundwater modelling.
- Proposed surface and groundwater monitoring activities and methodologies.
- 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).

**End Attachment A**

29 May 2017

CR2017/001854  
SF2013/170831  
MJD

Department of Planning & Environment  
Industry Assessments  
GPO Box 39  
SYDNEY NSW 2001

Attention: Bianca Thornton

**PROPOSAL – ELGAS LPG STORAGE FACILITY – 130 CORMORANT ROAD KOORAGANG – SSD 8448**

Reference is made to Department of Planning and Environment's email dated 15 May 2017, requesting Roads and Maritime Services' (Roads and Maritime) requirements for the abovementioned proposal. The proposal is designated development under the *Environmental Planning and Assessment Regulation 2000* as it is a chemical storage facility located in an area of high watertable. The site is also located in the Port of Newcastle Lease Area as defined in *State Environmental Planning Policy (Three Ports) 2013*. As such, the proposal is State significant development under *State Environmental Planning Policy (State and Regional Development) 2011* and the Minister for Planning is the consent authority.

Transport for NSW and Roads and Maritime's primary interests are in the road network, traffic and broader transport issues. In particular, the efficiency and safety of the classified road network, the security of property assets and the integration of land use and transport.

Roads and Maritime have reviewed the supporting documentation provided containing a preliminary traffic comment. It is understood the proposal is for a LPG storage and cylinder filling, and small truck loading facility with access from Egret Street, Kooragang.

Roads and Maritime response

The EIS should refer to the following guidelines with regard to the traffic and transport impacts of the proposed development:

- *Road and Related Facilities* within the Department of Planning *EIS Guidelines*, and,

- Section 2 *Traffic Impact Studies* of Roads and Maritime's *Guide to Traffic Generating Developments 2002*.

Furthermore, a traffic and transport study shall be prepared in accordance with the Roads and Maritime's *Guide to Traffic Generating Developments 2002* (plus amendments) and is to include (but not be limited to) the following:

- Assessment of all relevant vehicular traffic routes and intersections for access to / from the subject properties.
- Current traffic counts for all of the traffic routes and intersections.
- The anticipated additional vehicular traffic generated from the operations of the project.
- The distribution on the road network of the trips generated by the proposed development. It is requested that the predicted traffic flows are shown diagrammatically to a level of detail sufficient for easy interpretation.
- Consideration of the traffic impacts on existing and proposed intersections, and the capacity of the local and classified road network to safely and efficiently cater for the additional vehicular traffic generated by the proposed development during both the construction and operational stages. The traffic impact shall also include the cumulative traffic impact of other proposed developments in the area.
- Identify the necessary road network infrastructure upgrades that are required to maintain existing levels of service on both the local and classified road network for the development. In this regard, preliminary concept drawings shall be submitted with the EIS for any identified road infrastructure upgrades. However, it should be noted that any identified road infrastructure upgrades will need to be to the satisfaction of Roads and Maritime and Council.
- Traffic analysis of any major / relevant intersections impacted, using SIDRA or similar traffic model, including:
  - Current traffic counts and 10 year traffic growth projections
  - With and without development scenarios
  - 95<sup>th</sup> percentile back of queue lengths
  - Delays and level of service on all legs intersections for the relevant
  - Electronic data for Roads and Maritime review.
- Any other impacts on the regional and state road network including consideration of pedestrian, cyclist and public transport facilities and provision for service vehicles.

On determination of this matter, please forward a copy of the SEARs to Roads and Maritime for record and / or action purposes. Should you require further information please contact Hunter Land Use on 4908 7688 or by email at [development.hunter@rms.nsw.gov.au](mailto:development.hunter@rms.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to be 'P. Marler', with a large loop at the start and a horizontal stroke at the end.

Peter Marler  
Manager Land Use Assessment  
Hunter Region

## Bianca Thornton

---

**From:** Shayne Kneen <shayne.kneen@industry.nsw.gov.au>  
**Sent:** Tuesday, 23 May 2017 11:55 AM  
**To:** Bianca Thornton  
**Cc:** Landuse Minerals  
**Subject:** Re: Request for Input to SEARs - Elgas LPG Storage Facility, 130 Cormorant Road, Kooragang - SSD 8448 (GSNSW Response OUT17/20353)

Dear Bianca,

Thank you for the opportunity to provide advice on the: **Request for Input to SEARs - Elgas LPG Storage Facility, 130 Cormorant Road, Kooragang - SSD 8448.**

The New South Wales Department of Planning and Environment - Division of Resources & Geoscience - Geological Survey of New South Wales (GSNSW) has no SEARs to issue as the project should have no impact upon mineral, coal or petroleum resources.

Queries regarding the above information, and future requests for advice in relation to this matter, should be directed to the GSNSW Land Use team at [landuse.minerals@industry.nsw.gov.au](mailto:landuse.minerals@industry.nsw.gov.au).

Regards

**Shayne Kneen**

Geologist - Land Use Assessment

Division of Resources and Geoscience

516 High Street | Maitland NSW 2320

T 02 49316731



---

This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender. Views expressed in this message are those of the individual sender, and are not necessarily the views of their organisation.