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File: 10/11319-1

Mr Trevor Brown
Environment Manager
Port Kembla Port Corporation
PO Box 89
PORT KEMBLA NSW 2505

Dear Mr Brown

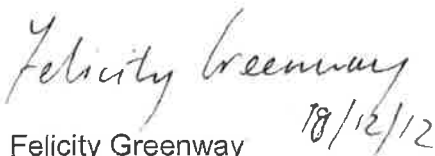
**Port Kembla Outer Harbour Development (MP 08_0249)
Director General's Requirements - Proposed Modification to Increase Capacity of Bulk
Cargo Handling Facilities**

I refer to your letter dated 9 November 2012 and supporting document titled *Port Kembla Outer Harbour Development – Modification to Increase Capacity of Bulk Cargo Handling Facilities, Preliminary Description of Proposed Modification, Project 12123 – November 2012*, outlining a proposal to increase the capacity of the bulk cargo handling facilities associated with the approved Port Kembla Outer Harbour Development.

The Department has reviewed the information provided and concluded that the proposed modification (to both the Concept and Project Approvals) can be progressed under section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Pursuant to section 75W(3) of the EP&A Act, the Director-General requires that the modification application address the matters set out in the attached Director-General's environmental assessment requirements (DGRs). The DGRs have been based on the information provided on 9 November 2012 and outcomes of the meeting on 10 December 2012 between representatives from the Port Kembla Port Corporation and Departmental staff.

Your contact officer for this proposal is Mary Mikulandra (refer to contact details above). Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely,


18/12/12

Felicity Greenway
A/ Director
Infrastructure Projects
as delegate for the Director-General

	<p>5. Contamination - including but not limited to:</p> <ul style="list-style-type: none"> • an assessment of the potential for contaminated land, sediments and groundwater on land that will be used as part of the modified development; • a description of any disturbance, future emplacement and reuse of contaminated soil and groundwater, and identification of the need for remediation of any contaminated soil and groundwater; and • where remediation is required, presentation of a remediation strategy in accordance with relevant EPA guidelines. <p>6. Marine Ecology - including but not limited to:</p> <ul style="list-style-type: none"> • assessment of the impact of increased dredging on marine flora and fauna, including threatened aquatic species, populations, and ecological communities and/or critical habitat consistent with the <i>Draft Guidelines for Threatened Species Assessment</i> (Department of Environment and Conservation/ Department of Planning, 2005). <p>7. Visual Amenity - including but not limited to:</p> <ul style="list-style-type: none"> • description of the key visual elements of the modification application; • a revised visual assessment of the impact of the modification application on visual amenity, including the use of photomontages or the like from view points. <p>8. General Construction Impacts - including but not limited to:</p> <ul style="list-style-type: none"> • an assessment of the potential impacts associated with the construction of the modification application where the nature and potential impact of construction activities associated with the modification application differ to those assessed for the approved project. The assessment must take into account the <i>Interim Construction Noise Guidelines</i> (Department of Environment and Climate Change, 2009).
Environmental Risk Analysis	<p>Notwithstanding the above key assessment requirements, the EA must include an environmental risk analysis to identify potential environmental impacts associated with the modification application (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of this additional key environmental impact must be included in the EA.</p>
Consultation	<p>You should undertake an appropriate level of consultation with relevant parties during preparation of the EA, including (but not limited to):</p> <ul style="list-style-type: none"> • local, State or Commonwealth government authorities such as - <ul style="list-style-type: none"> ○ NSW Environment Protection Authority, ○ Department of Primary Industries (Fisheries), ○ Roads and Maritime Services, ○ Transport for NSW, ○ NSW Office of Environment and Heritage, ○ Australian Rail Track Corporation, and ○ Wollongong City Council; • service and infrastructure providers; • specialist interest groups; and • the public, including adjoining and affected landowners. <p>The EA must describe the consultation process, document consultation undertaken and identify the issues raised (including where these have been addressed in the EA). Where amendments have not been made to address an issue, an explanation should be provided.</p>

Director-General's Requirements

Port Kembla Outer Harbour Development (MP 08_0249)

Proposed Modification to Increase Capacity of Bulk Cargo Handling Facilities

Section 75W(3) of the *Environmental Planning and Assessment Act 1979*

Application No.	MP 08_0249
Proposed Modification	<p>Increase the capacity for bulk cargo handling at the Port Kembla Outer Harbour Development (PKOHD) from 4.25 million tonnes per annum (mtpa) to 16 mtpa, including:</p> <ul style="list-style-type: none"> increasing the operational land area allocated to Stage 1 of the development from nine hectares to 22 hectares for product handling and storage; construction of shed facilities and conveyor systems for product storage and handling; increasing the number of freight train movements through the PKOHD from approximately four trains to 15-17 trains a day; increasing the number of cargo vessels from 100 to 270 per year; increasing the volume of dredging from an estimated 382,375 cubic metres to 720,000 cubic metres; and upgrading and provision of new on-site rail infrastructure.
Location	Port Kembla, Wollongong
Proponent	Port Kembla Port Corporation
Date issued	17 December 2012
General requirements	<p>The Environmental Assessment (EA) must include the matters listed below.</p> <ol style="list-style-type: none"> 1. An executive summary. 2. A detailed description of the original project, as approved, and the proposed changes to that approval, including figures that illustrate the footprint of the approved project and the proposed changes to the approved project. 3. A detailed description of the proposed modification including (but not limited to): <ul style="list-style-type: none"> • type, volume and potential source of cargo to be handled; • key components of the proposal including (but not limited to) facilities and management practices for cargo unloading, handling and storage, amendments to the design of the shipping berth and channel, modifications to rail and road infrastructure, dredging requirements and management of dredge spoil, and shipping and rail operations; • the modified site layout; • infrastructure/services requirements; • construction activities, including any stockpiling of dredge spoil; and • staging and timing of construction and operational activities. 4. Identification of the conditions of the concept and project approvals that are required to be modified by the modification application. 5. Justification for the proposed modification, including the strategic need and objectives for the modification. Justification for the proposed modification should take into consideration consistency with the aims and objectives of relevant State policies and plans (e.g. NSW 2021, the State Infrastructure Strategy 2012-2032, and draft NSW Freight and Port Strategy) and project objectives. 6. An assessment of the key issues, with the following aspects addressed for each key issue (where relevant): <ul style="list-style-type: none"> • description of the existing environment; • assessment of the potential impacts of the modification for both construction and operation stages, in accordance with relevant policies and guidelines. Direct, indirect and cumulative impacts must be considered (including regard to other existing and proposed developments and activities on the site and in the locality). Where it can be demonstrated that the level of impact arising from the proposed modification would be less than the level of impact predicted in the original EA for the approved project, a qualitative assessment of the impact can be undertaken; • identification of how relevant planning, land use and development matters (including relevant strategic and statutory matters) have been considered in the impact assessment and/or in developing management/ mitigation measures;

	<ul style="list-style-type: none"> • documentation of any additional activities that will require licensing and how licensing will be applied under relevant legislation; • description of the measures to be implemented to avoid, minimise, manage, mitigate, offset and/or monitor new impacts, or increased levels of impact associated with the modified project; and • any residual impacts. <p>7. A detailed project-specific Statement of Commitments, consistent with the Statement of Commitments prepared for the existing planning approvals, clearly identifying any new or amended commitments.</p> <p>8. Certification by the author of the EA that the information contained in the Assessment is neither false nor misleading.</p>
Key issues	<p>The Environmental Assessment must address the specific matters listed below.</p> <ol style="list-style-type: none"> 1. Transport (Rail, Shipping, Road) - including but not limited to: <ul style="list-style-type: none"> • an assessment of the capability of the existing rail network to effectively accommodate increased freight movements, including network operational and infrastructure implications of the proposed modification in the short, medium and long term; • revised assessment of the interaction and integration with existing and planned transport infrastructure (e.g. Maldon to Dombarton rail link) and services; • impacts associated with the upgrade of the Old Port Road level crossing; and • impacts (direct and indirect) on navigation and access to recreational fishing in the area arising from increased shipping movements. 2. Noise and Vibration - including but not limited to: <ul style="list-style-type: none"> • a description of the noise and vibration from all activities and sources during operation both on and off site; • a revised noise assessment, taking into account the <i>NSW Industrial Noise Policy</i> (Environment Protection Authority, 2000) and the <i>Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects</i> (Department of Environment and Climate Change/ Department of Planning, 2007). The noise assessment must consider the construction and operational impacts from the proposed modification in isolation and in a cumulative context. Operational impacts are to include noise associated with increased shipping movements, increased rail movements (including shunting, acceleration and deceleration), conveyor systems, unloading and loading activities, and scrubber systems (if installed). 3. Air Quality - including but not limited to: <ul style="list-style-type: none"> • a revised air quality assessment addressing changes in dust deposition, total suspended particulates and other atmospheric pollutants of concern for local and regional air quality, arising from fugitive and point sources (e.g. locomotives, wagons, ship exhausts, stockpiles, loading and unloading of cargo, scrubbers) consequent to the proposed modification. The assessment is to take into account the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> (Department of Environment and Conservation, 2005); and • potential increases in the intensity and duration of any odour from dredge spoil consequent to increased dredge volumes, and proposed odour control. 4. Hydrology and Water Quality - including but not limited to: <ul style="list-style-type: none"> • an assessment of the impact of increased dredging on hydrodynamics of the Port Kembla harbour, including Inner Harbour flushing, tidal flow, wave dynamics and bank erosion; • stormwater management, including demonstration of how the modified project will be designed, constructed and operated to protect the water quality of watercourses and of Port Kembla harbour, taking into account the document <i>Managing Urban Stormwater: Soils and Construction</i> (Landcom, 2006); • an assessment of the potential for increased sediment dispersion and resuspension during increased dredging, and any additional impacts associated with the dewatering, handling, temporary storage and reuse and/or disposal of increased dredge spoil volumes; and • assessment of the increased potential for disturbance of dinoflagellate cysts and potential toxic blooms.