



NSW GOVERNMENT
Department of Planning

Manufacturing & Rural Industries
Major Development Assessment
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Ms Maree Worthington-Alder
HLA-ENSR
PO Box 726
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Our ref: S07/01796

Dear Ms Worthington-Alder

**Director-General's Requirements
Orica Chemnet Area 4 Remediation Project
Project Application 07_0159**

The Department has received your application for the proposed Orica Chemnet Area 4 Remediation Project at Port Kembla in the Wollongong local government area.

I have attached a copy of the Director-General's requirements (DGRs) for the project. These requirements have been prepared in consultation with the relevant Government authorities, and are 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 under section 75F(3) of the *Environmental Planning and Assessment Act 1979*, the Director-General may alter these requirements at any time.

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

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

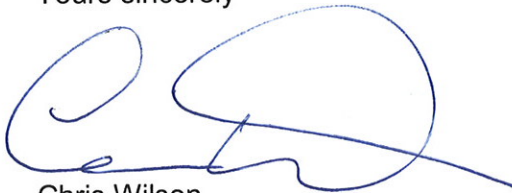
- The fees applicable (see Division 1A, Part 15 of the Environmental Planning and Assessment Regulation 2000);
- the consultation and public exhibition arrangements that will apply; and
- the number of copies (hard-copy or CD-ROM) of the Environmental Assessment that will be required for exhibition purposes.

As you may know, the Department will review the Environmental Assessment in consultation with the relevant authorities to determine if it adequately addresses the Director-General's requirements. If the Director-General considers the Environmental Assessment to be inadequate, you will be required to revise it prior to public exhibition.

The Director-General's requirements will be placed on the Department's website along with other relevant information which becomes available during the assessment of the project. As a result, I would appreciate it if all the documents subsequently submitted to the Department are in a suitable format for the web, and if you would arrange for an electronic version of the Environmental Assessment to be hosted on a suitable website with a link to the Department's website.

If you have any enquiries about these requirements, please contact Megan Webb of the Department's Manufacturing and Rural Industries team (02 9228 6495).

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Chris Wilson', with a large loop and a trailing line.

9.1.09

Chris Wilson
Executive Director
Major Project Assessment
As delegate for the Director-General

Director-General's Requirements

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

Application number	07_0159
Project	Remediation of the Orica Chemnet Area 4B by capping of the contaminated area.
Location	Area 4B of the Orica Chemnet site, Foreshore Road, Port Kembla
Proponent	Orica Australia Pty Ltd
Date of Issue	9 January 2008
Date of Expiration	9 January 2010
General Requirements	<p>The Environmental Assessment (EA) must include</p> <ul style="list-style-type: none"> • an executive summary; • a detailed description of the project including the: <ul style="list-style-type: none"> – need for the project; – alternatives considered; and – various components and stages of the project; • consideration of any relevant statutory provisions, including whether the project is consistent with the objects of the <i>Environmental Planning and Assessment Act 1979</i>; • a general overview of all the environmental impacts of the project, identifying the key issues for further assessment, and taking into consideration the issues raised during consultation; • a detailed assessment of the key issues specified below, and any other significant issues identified in the general overview of environmental impacts of the project (see above), which includes: <ul style="list-style-type: none"> – a description of the existing environment; – an assessment of the potential impacts of the project, including any cumulative impacts; – a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project; • a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures; • a conclusion justifying the project, taking into consideration the environmental impacts of the project, the suitability of the site, and the benefits of the project; and • a signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading.
Key Issues	<ul style="list-style-type: none"> • Remedial Action Plan – including characterisation of the nature and extent of contaminated material, capping medium to be used and details of proposed management measures, including justification of remediation criteria, consideration of additional controls such as a reactive barrier and compliance with the <i>Contaminated Land Management Act 1997</i>; • Soils and Water – including surface, stormwater, groundwater (including flow rates, interactions and contamination levels), erosion and sediment control and contingency measures that would be implemented to address any potential risks associated with the proposed remediation works; • Human Health and Risk – including an assessment of the potential risks to human health (both on and offsite), proposed mitigation measures, procedures for addressing potential impacts and a Preliminary Hazard Analysis (PHA) in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis and Multi-Level Risk Assessment</i>; • Waste Management - including the classification of all potential sources

	<p>of liquid and non-liquid waste to be generated at the site and how this waste would be handled, processed and, if necessary, disposed of;</p> <ul style="list-style-type: none"> • Air Quality – including odour, vapour and contaminated dust; • Traffic – including details of traffic types and volumes likely to be generated during construction and operation; and an assessment of the predicted impacts of this traffic on the safety and capacity of the surrounding road network; • Noise and Vibration - including construction and traffic noise; • Flora and Fauna – including impacts on threatened species, populations, ecological communities, native vegetation and aquatic ecosystems; • Acid Sulfate Soils; and • Landscape Plan and Visual– showing the proposed final landform of the site and the landscaping that would be implemented following the proposed remediation works and any lighting impacts.
References	The Environmental Assessment should take into account relevant State government technical and policy guidelines. While not exhaustive, guidelines which may be relevant to the project are included in the attached list.
Consultation	<p>During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. The consultation process and the issues raised must be described in the Environmental Assessment.</p> <p>In particular you should consult with:</p> <ul style="list-style-type: none"> • Department of Environment and Climate Change; • Department of Water and Energy; • NSW Health; and • Wollongong City Council.
Deemed refusal period	60 days

State Government Technical and Policy Guidelines - For Reference

Aspect	Policy /Methodology
Contamination	
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
	National Environment Protection (Assessment of Site Contamination) Measure (NEPC)
	Managing Land Contamination - Planning Guidelines SEPP 55 – Remediation of Land (DUAP and EPA)
	Contaminated Sites: Sampling Design Guidelines (NSW EPA)
	Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (NSW EPA)
	Contaminated Sites: Guidelines for the NSW Auditor Scheme (NSW EPA)
	Contaminated Sites: Guidelines on Significant Risk of Harm from Contaminated Land and Duty to Report (NSW EPA)
	Guidelines for the Assessment and Management of Groundwater Contamination (DECC)
Soil and Water	
Groundwater	<i>The NSW State Groundwater Policy Framework Document (DLWC)</i>
	<i>The NSW State Groundwater Quality Protection Policy (DLWC)</i>
	<i>The NSW State Groundwater Dependent Ecosystems Policy (DLWC)</i>
	<i>National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)</i>
	<i>State Groundwater Policy Framework Document (DLWC)</i>
	<i>the various State Groundwater Policy documents (DNR)</i>
Stormwater	<i>Managing Urban Stormwater: Soils and Construction (Landcom)</i>
	<i>Managing Urban Stormwater: Treatment Techniques (EPA)</i>
	<i>Managing Urban Stormwater: Strategic Framework. Draft (EPA)</i>
	<i>Managing Urban Stormwater: Source Control. Draft (EPA)</i>
Wastewater	<i>National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase1) (EPHC, NRMHC & AHMC)</i>
Water Quality	<i>National Water Quality Management Strategy: Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ);</i>
	<i>National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ);</i>
	<i>Using the ANZECC Guidelines and Water Quality Objectives in NSW (DEC);</i> <i>Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)</i>
	<i>NSW Government Interim Water Quality and River Flow Environmental Objectives:</i> See http://www.environment.nsw.gov.au/ieo/
	<i>The relevant targets within the State Water Management Outcomes Plan</i>
	<i>EPA technical guidelines 'Bunding and Spill Management'</i>
Hazards and Risk	
	<i>Criteria for Land Use Planning: Hazardous Industry Planning Advisory Paper No. 4 (DUAP);</i>
	<i>Bunding and Spill Management (DECC);</i>
	<i>Applying SEPP 33: Hazardous And Offensive Development Application Guidelines (DUAP);</i>
	<i>Multi-Level Risk Assessment (DUAP)</i>
	<i>Hazardous Industry Planning Advisory Paper No. 3 – Environmental Risk Impact Assessment Guidelines (DUAP)</i>

Waste	
	<i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (DEC)</i>
	<i>Waste Avoidance and Resource Recovery: Strategy and Performance Report 2006. Consultation Draft (DEC)</i>
	<i>Technical guidelines: Bunding and Spill Management (DECC)</i>
Air Quality	
	<i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC);</i>
	<i>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)</i>
	<i>Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW (DEC)</i>
	<i>Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW (DEC)</i>
	<i>Protection of the Environment Operations (Clean Air) Regulation</i>
Traffic and Transport	
	<i>Guide to Traffic Generating Development (RTA)</i>
	<i>RTAs Road Design Guide (RTA)</i>
Noise	
	<i>NSW Industrial Noise Policy (DEC, 2000);</i>
	<i>Environmental Criteria for Road Traffic Noise (DEC);</i>
	<i>Environmental Noise Control Manual (DEC);</i>
Flora and Fauna	
	<i>Draft Guidelines for Threatened Species Assessment under Part 3A of the Environmental Planning and Assessment Act 1979 (DEC);</i>
	<i>Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities (DEC);</i>
	<i>NSW Groundwater Dependent Ecosystem Policy (DNR)</i>