



Justin Sauvage - 9710 0280  
File Ref: DN11/0006

2 June 2011



PCU023090



NSW Department Of Planning  
GPO Box 39  
SYDNEY NSW 2001

6 June 2011

Dear Sir/Madam

**Development Referral No. DN11/0006**

**Proposal: Caltex Jet Fuel Pipeline Upgrade Project**

**Property: 160-166 Captain Cook Drive KURNELL NSW 2231**

I refer to your referral of the above development proposal for Council's comment and input pursuant to the provisions of part 3A of the *Environmental Planning and Assessment Act 1979*.

Following a review of the proposed development and the information provided, it is Council's recommendation that the application should be supported subject to suitable conditions of development consent.

As indicated in a previous letter sent on the 9/12/2010 regarding the Preliminary Environmental Assessment the development proposal is relatively straight forward and should have minimal long term impacts. With the exception of construction noise impacts council is generally satisfied that the project will have a low impact on the community and environment if the project is carried out in accordance to the procedures outlined in the Environmental Assessment.

Chapter 12 of the Environmental Assessment outlines the noise and vibration impacts. The assessment identifies that noise impacts on residential areas adjacent to the Kurnell construction site are likely to exceed the NSW *Interim Construction Noise Guidelines (ICNG)*. It is also noted that it is proposed the hours of construction for Saturdays will be 7.00am – 6.00pm. This is outside the ICNG criteria, and Council's own standard conditions of consent for hours of construction which are 8.00am – 1.00pm on Saturdays.

The Statement of Commitments in the Environmental Assessment provides insufficient detail on how the noise impacts will be managed. It is acknowledged that in some cases it may be preferable to have extended hours of construction to minimise the total construction period and its associated noise impacts. However it is felt that the case for extended construction periods outside the usual Saturday construction times have not been sufficiently justified, particularly in locations adjacent

to residential areas in Kurnell. Council request that the following standard condition be used in any consent with regards to this project:

**Permitted Hours for Building and Demolition Work:**

**To minimise the noise impact on the surrounding environment all building and demolition work shall be carried out only between the hours of 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 1.00pm Saturdays. No work shall be carried out on Sundays and Public Holidays.**

As previously noted the Environmental Assessment indicates that it is likely the construction activities will exceed the ICNG noise impact guidelines, particularly for residential properties along the pipeline right of way between the Kurnell Refinery and the Kurnell Refinery Wharf. Caltex has in its statement of commitments indicated that its mitigation measures will include:

"Community consultation with local residents would be undertaken to assist in the alleviation of community concerns. A complaints register would be maintained".

This commitment should be amended to require Caltex to notify affected residents of likely peak construction noise periods prior to construction so that residents can plan their activities around these impacts. The remaining noise mitigation measures proposed by Caltex are adequate.

**Recommendation:**

**Caltex be required to notify noise affected residents identified in the Environmental Assessment of likely peak noise construction periods prior to the commencement of the relevant construction activity.**

Should you need to discuss any aspect of this matter further, please do not hesitate to contact Council's Development Assessment Officer Justin Sauvage on 97100280 during normal business hours.

Yours faithfully



Justin Sauvage  
for J W Rayner  
General Manager