

3 September 2018

Ivan Goodman
Investec Australia Finance Pty Limited
Level 23 The Chifley Tower
2 Chifley Square, Sydney NSW 2000

Dear Ivan,

Re: Council queries on site contamination
Annie Street, Wickham, NSW

1. Introduction

Senversa Pty Ltd (Senversa) understands that Newcastle City Council (Council) has provided Investec Australia Finance Pty Limited (Investec) with comments on its application for development of the property located on Annie Street, Wickham. In relation to site contamination, Council's comments consisted of the following:

The Hazard Risk Assessment submitted specifically excludes the consideration of any nuisance impacts and long term exposure issues relating to vapours or contaminated land.... These matters require consideration in the context of a residential proposal on industrially zoned land

The following section provides a response to these queries - as related to the adjacent Caltex Newcastle Terminal.

2. Responses

The Caltex Newcastle Terminal is regulated by the Environment Protection Authority (EPA) under an environment protection licence (EPL) (no. 452). Licencing is administered by EPA under the *Protection of the Environment Operations Act 1997* (POEO Act). As a licence holder, Caltex is required to notify EPA of pollution incidents under Part 5.7 of the POEO. Further, EPA has the authority under Part 4.2 of the POEO Act to issue Cleanup Notices and under Part 4.3 to issue Prevention Notices - to respectively address or mitigate pollution (contamination) incidents.

Review of the EPL indicates the following:

- A vapour recovery unit is present at the site – presumably to reduce vapour emissions from site infrastructure.
- Groundwater monitoring – six-monthly groundwater monitoring is required at a network of monitoring wells, including at wells located along the boundary of the terminal bordering the Investec land. An annual groundwater monitoring report is required to be submitted to EPA, which must include an assessment of trends – presumably to assess for the presence and migration of site contamination towards the site boundaries.



- Section L5.2 of the licence states – *The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.*

The provisions made under the POEO Act and EPL 452 indicate there are measures in place to mitigate (and address) contamination and nuisance impacts from the Caltex Terminal impacting on the Investec site.

A single round of ambient air monitoring conducted by Senversa near the boundary between the Investec site and the Caltex Terminal indicated the benzene concentrations were slightly greater than the adopted criteria for a residential setting. However, the concentrations were within the range measured at background sites (locations not affected by discrete sources, but rather broader ambient sources such as vehicle emissions) (CRC Care Technical Report 10, Friebe and Nadebaum, 2011).

3. Conclusions

The provisions made in the POEO Act and the EPL indicate that contamination sources present at the Caltex Terminal are managed, monitored, regulated (by EPA) and are not permitted to impact on surrounding land. Accordingly, the potential for operations at the Caltex Terminal to adversely impact on the amenity and health of future residents at the Annie Street, Wickham development is likely to be low. Whilst concentrations of benzene in one round of ambient (outdoor) air monitoring at the Annie Street, Wickham site were slightly above the adopted indoor air residential air criteria, the reported concentrations are within the range of background concentrations reported in urbanised areas across Australia.

Please do not hesitate to contact Graeme Miller on 0415 709 868 at graeme.miller@senversa.com.au if you have any questions.

Yours sincerely,

Graeme Miller
Senior Principal

GM/KH

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