

7 January 2014

Mr Sam Haddad
Director General
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Mr Haddad

**Caltex Kurnell Refinery Conversion
SSD-5544**

I refer to the Executive Director's letter dated 23 December 2013 referring the above application to the Planning Assessment Commission for determination under Ministerial delegation.

Ms Jan Murrell and I constituted the Commission for the Project. I chaired the Commission.

We note there were no submissions from the public when the application was exhibited. We also note that while fourteen submissions were received from public authorities, no objections were made to the proposal. The submission from Sutherland Shire Council also raised no objection to the proposal.

The Assessment Report concluded that with the implementation of suitable mitigation measures, the project can be conducted in an acceptable environmental manner. A range of other conditions to monitor and manage potential impacts have also been recommended to address residual issues. On balance, the Department considers that while the project will ultimately result in a decline in the number of employees, the proposal ensures the site will continue to make a significant contribution to the economy, providing a key role in fuel distribution and security for NSW and the ACT. The project is recommended for approval, subject to conditions.

As to the amendment to the project to include the installation of external domes above three existing tanks within the site, the Assessment Report considered the modification as part of the assessment due to there being no environmental impact. It was noted the domes may actually reduce amenity impacts, and therefore the recommended conditions remain appropriate.

The Commission notes the minor non-compliances with the Department's Hazardous Industry Planning Advisory Paper (HIPAP) No.4, *Risk Criteria for Land Use Safety Planning* and the Assessment Reports conclusion that after the implementation of risk reduction measures and recommendations, the Department is satisfied the development would meet all of the relevant risk criteria.

The Commission is satisfied that the Department's recommended conditions have adequately addressed the identified issues and the recommendation to grant conditional approval is reasonable.

The file and signed instrument of approval are returned.

Yours sincerely



Gabrielle Kibble AO
Chair, Planning Assessment Commission

cc. Mr Brad Hazzard MP
Minister for Planning and Infrastructure
Minister Assisting the Premier on Infrastructure NSW
Level 33 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000