

Addendum to response

EPA's submission ID# 33, 34 and 35

22 April 2020



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NOTE ON CURRENCY

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PURPOSE

This document is an addendum to the Response Document for the Smith Bay Wharf Draft EIS and Addendum (dated 23 March 2020).

This document was prepared following a request from the EPA, during the assessment process, for further information in relation to demonstrating that the General Environmental Duty (GED) in relation to potential noise pollution, as it relates to the Yumbah Aquaculture, resulting from the KI Seaport proposal, will be met; and provides an addendum to the response to EPA's submission (ID 1374), specifically for issues identified as #33, #34 and #35 (see Table 6-4 of the Response Document).

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1. SUMMARY OF THE ISSUE

1.1 Noise assessments

The issue of concern is noise generated from land-based noise sources that may become a nuisance to Yumbah's workforce using shed facilities located on land directly east of the KI Seaport site boundary. Relevant noise assessments are presented in:

- Appendix H of the Response Document, which provides an Addendum to the report presented in Appendix N of the Draft EIS
- Responses to EPA ID# 33, 34, 35 and 36 in Table 6-4 of the Response Document
- Responses to Yumbah Aquaculture ID # 628 in Table 6-2 of the Response Document

The noise assessments listed above supplement the noise assessments presented in Chapter 18 and Appendix N of the Draft EIS for terrestrial noise.

1.2 Noise-affected premises - Yumbah Aquaculture sheds (A, B, C)

The noise-affected premises associated with the KI Seaport development include the neighbouring Yumbah Aquaculture facility directly to the east of the site, the residential property to the south-west and the residential/tourist accommodation to the south-east (Molly's Run). See Figure 18-1 of the Draft EIS (p 403) and the figure presented in Appendix A (p 18 of 19) in the report prepared by Resonate attached as Appendix H to the Response Document.

Sheds A, B and C are the closest buildings to the proposed development. These sheds are enclosed structures with no windows nor ventilation.

It is difficult for KIPT to ascertain directly how these sheds are used given Yumbah's unwillingness to communicate with KIPT or the EIS team. KIPT however, has been advised by Kangaroo Island Council's Manager, Development and Environmental Services, that Yumbah Aquaculture does not have planning approval to use these sheds for any activity which would necessitate regular or continuous human occupation. When asked, Yumbah advised the Manager, Development and Environmental Services, that one shed was used occasionally as a crib room or amenities building by a night watchman.

Predicted noise level at these sheds is 53 dB(A) Leq; an 11 dB exceedance of the indicative noise levels (INL). Actual noise levels are expected to be significantly lower for the majority of the time given predicted noise levels are based on a worst-case modelled scenario, with all sources operating simultaneously (including shiploading operation scheduled to occur for only up to 50 days per year) and under worst-case meteorological conditions.

Nonetheless, the 11 dB exceedance of the INL during the day at sheds A, B and C, is a concern flagged by the EPA.

2. GENERAL ENVIRONMENTAL DUTY (GED)

The EPA advised DPTI (email dated Friday 17 April 2020, from Geoffrey Bradford, Senior Planning Officer) that a further statement of how the General Environmental Duty has been met is required, identifying what other measures were assessed and demonstrating that regard was given to the following matters identified in section 25(2) of the *Environment Protection Act 1993*:

- the nature of the pollution or potential pollution and the sensitivity of the receiving environment; and
- the financial implications of the various measures that might be taken as those implications relate to the class of persons undertaking activities of the same or a similar kind; and
- the current state of technical knowledge and likelihood of successful application of the various measures that might be taken.

The following responds to the above dot points.

2.1 Satisfying the GED

2.1.1 Nature of the potential pollution

The potential pollution generated by the KI Seaport is nuisance noise at sheds A, B and C, which is part of Yumbah Aquaculture's larger site where an operating land-based aquaculture facility uses pumped seawater flows to operate abalone growing tanks and ancillary facilities, 24 hours a day, 7 days a week.

In accordance with the Environment Protection (Noise) Policy 2007 (the Policy), outputs of the predictive noise modelling (which was done on worst-case scenario, as mentioned above) was assessed with regard to the Indicative Noise Levels (INLs) presented within the Policy (see Section 18.3 and Table 9 of Appendix N to the Draft EIS) at the location of the various sensitive receptors.

The results of the assessment show that the INLs will be exceeded (up to 11 dB during the day) at the façade of sheds A, B and C. However, the sheds A, B and C are not considered sensitive receivers. Their use by Yumbah's workforce is infrequent for short periods of time and occurs at night.

The Response Document (see EPA Response ID #34, Section 6.4, Table 6-4, and Appendix H) provides justification of this exceedance of the INL, in accordance with the Clause 20(6)(a)-(f) of the Policy.

Sheds A, B and C are located within a Coastal Conservation Zone under the current Kangaroo Island Council Development Plan. This zoning peculiarity results in a particularly stringent set of INLs because the Policy is based on the zone of the receiver, and not the actual land use.

It should be noted that no exceedances of the INL are predicted at locations considered to be sensitive receivers, such as the office building on Yumbah's site; or at residences in the vicinity of the KI Seaport site.

2.1.2 Measures to mitigate and manage noise emissions

The EIS has demonstrated that the KI Seaport site layout and design have considered noise generation, and that KIPT have taken positive steps to minimise the impacts associated with noise generated from their proposed operation, including the incorporation of the following mitigations within the Project base case (and have included more than a single option):

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- locating materials handling equipment (generator, conveyor and chip stacking plant) to the north and west of the site away from Yumbah Aquaculture, in accordance with general commitments made in the EIS (NVL1, NVL3, NVL4, see Table 8-1 of the Response Document)
 - no wood chipping (or re-chipping) infrastructure at the seaport
 - locating the administration buildings to the east of the site to provide a line-of-sight noise barrier
 - noise bund along the eastern boundary of the seaport site (and western boundary of Yumbah)
 - modification of the jetty structure to place the offshore shiploading components a further 250 metres plus out to sea
 - enclosure of diesel-fired electricity gensets, in accordance with general commitments made in the EIS (NVL5, see Table 8-1 of the Response Document)
 - limitations on the number of simultaneous truck movements on site.

Consideration of mitigation options is presented in the Response Document, Appendix H, see table on pages 10 – 16. In relation to the table:

- Mitigation options are presented (second column) for individual noise sources at KI Seaport (column 1). Mitigation options identified processes and equipment that generate lower noise levels, lower vibration, provide a barrier, that could be implemented at the seaport.
- An assessment of how effective a mitigation option might be for that particular noise source was predicted (columns 3 – 5), with effectiveness shown by the shading provided in column 6. For example, the first entry in the table assesses the mitigation option of a fully automated chip stacking and reclaim system, which is expected to achieve a noise reduction of up to 10 dB.
- An assessment of practicability of a mitigation option was determined based on financial, logistic, resource, site and operational implications, in discussion with design engineers. Practicability is shown by the shading provided in column 7. Specific costs in dollar values were not provided given the high-level nature of the assessment, the current state of the KI Seaport design and the commercial-in-confidence sensitivities associated with the development and publishing of commercial information that is not yet approved for expenditure by KIPT, (which is an ASX listed company).
- Justification is provided in column 8 for the determination of effectiveness and practicability.

It should be noted that overall noise emissions from the KI Seaport include contributions from a number of noise sources, and that a suite of mitigation options (i.e. more than one at a time) are required to be implemented, to achieve a significant overall noise reduction at sheds A, B and C.

Publicly available information on noise mitigation controls at existing Australian timber ports suggest that noise is generally not considered an issue at other timber ports and therefore specific noise controls are not typically implemented. Rather regular monitoring and/or reaction to complaints are the primary drivers for noise management. General noise mitigation measures applied at other facilities are typified but the Port Nelson (New Zealand) timber port, which used outcomes of predictive noise modelling to justify the implementation of noise mitigation measures such as moving log operators away from sensitive receivers, modifications of vessel generators,

and on-site vehicles/equipment to reduce unnecessary sounds. These measures are consistent with measures proposed by KIPT as part of the KI Seaport base-case.

2.2 Conclusion

It is considered that the EIS provides adequate detail to demonstrate that the General Environmental Duty in relation to potential noise pollution, as it relates to the Yumbah Aquaculture, resulting from the KI Seaport proposal, will be met. All reasonable and practicable steps have been taken to minimise and mitigate noise in design and operation of the facility.

Should the EPA consider that the applicant has failed to demonstrate compliance with the General Environmental Duty as required under the Environment Protection Act and the Noise EPP, it is recommended that a meeting is held with KIPT and relevant members of the EIS team to discuss further and close out the matter to enable DPTI's assessment of the EIS to be completed.