



Hutchison Ports Australia

2013

HSEQ Management System

Development Consent Pre-Operational
Compliance Report - SICTL

Version 2



Telephone 02 8268 8000

Fax 02 9269 0717





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Register of Amendments					
Ver No	Page no	Date	Description of amendments	Prepared by	Approved by
1	All	2 August 2013	For submission	John Ieroklis	Trevor Ballantyne
2	All	3 September 2013	DP&I comments incorporated Renamed to Development Consent Compliance Report	John Ieroklis	Trevor Ballantyne

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Development Consent Pre-Operational Compliance Report

1 Overview of Terminal Operations

1.1 Introduction to Port Botany SICTL Terminal and Background to Hutchison Ports Australia

In 2009, Hutchison Port Holdings (HPH), the world's leading port developer, investor and operator signed an agreement with the New South Wales State Government providing HPH with a 30-year lease on 45-hectares of newly reclaimed land in Sydney's Port Botany destined to become Sydney's newest freight terminal. This terminal is the second port infrastructure project in Australia funded by HPH as part of its \$700 million investment in Australian Ports. Hutchison Ports Australia (HPA) is the wholly owned subsidiary of HPH and the parent company of Sydney International Container Terminals (SICTL), the entity that will manage the new terminal.

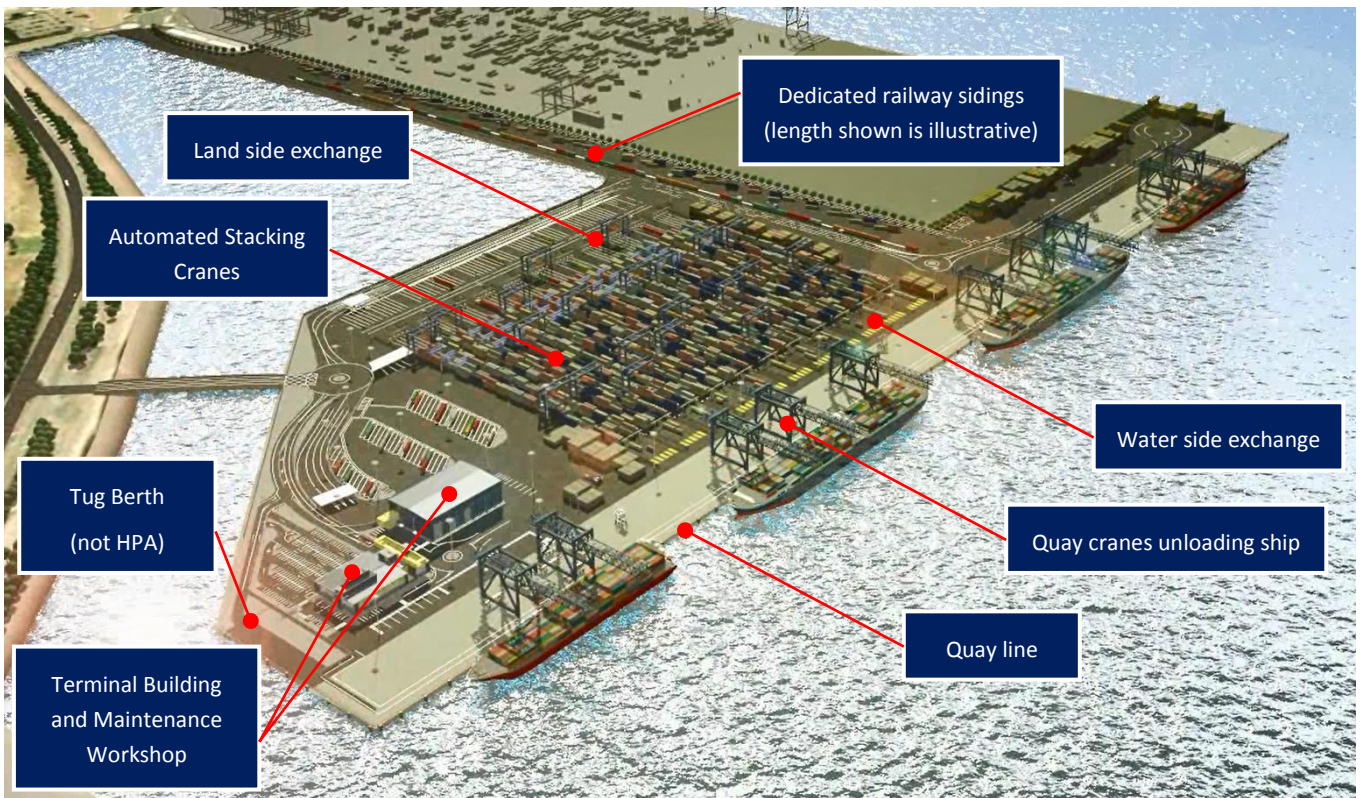
Port Botany is the State's premier port and Australia's second largest international container port. The new terminal is an integral part of the Port's expansion program, which is needed to ensure this major port continues to meet the growing demand for container traffic in the 21st Century. Operations are due to begin in late 2013 and when fully operational will have a total capacity of more than 1 million, Twenty-foot Equivalent Units (TEU) per annum. The terminal will operate four shipping berths with a 1,300 metre quay.

Automated stacking cranes are being introduced into the port for the first time and will be a prominent feature of the new terminal. Use of the cranes provides greater on-site container capacity to manage peak demands, improved security and greater employee safety. Importantly, the terminal will be connected by a dedicated rail freight service to Hutchison Logistics Australia's intermodal terminal at Enfield, 18 kilometres south west of the port. This will greatly reduce the reliance on road transport and help overcome road congestion issues near the port.

Main Features

- 45 hectares reclaimed land;
- 1300 metres of quay line;
- four vessel berths;
- 16.4 metres depth alongside;
- two 750 metres rail sidings, able to expand to 4 railway sidings;
- capacity 1 Million+ TEUs (at full operation);
- seven Post-Panamax Quay Cranes, eleven Automated Stacking Cranes;
- an on-site empty container storage facility.

When fully operational, the new terminal will increase the overall capacity of Port Botany by 50 per cent, providing importers, exporters and shipping lines with more choice and better service in ship-to-shore freight management, thus adding value to the Australian economy.



[Figure 1](#) Illustration of the SICTL terminal during operation, looking South East.



1.2 Acronyms and Glossary

Term	Description
AEMR	The Annual Environmental Management Report
Development Consent	Instrument of Development Consent DA-494-11-2003-i.
DG	Dangerous Goods.
DP&I	The NSW Department of Planning and Infrastructure.
EIS	Environmental Impact Statement.
Exchange pad	An area of the terminal where forklifts and reachstackers can manage Out-of-Gauge, Dangerous Goods, non-containerised (break-bulk), rail cargo and empty containers.
HLA	Hutchison Logistics Australia (a sister company to SICTL)
HSEQMS	Health, Safety, Environment and Quality Management System.
OCCC	The Operational Community Consultative Committee
OEH	The NSW Office of Environment and Heritage incorporating EPA NSW.
OEMP	Operational Environmental Management Plan. A Tier 3 document within the HSEQMS outlining the requirements, methods and goals of environmental management during the operation of Terminal 3.
Quay crane (QC)	A crane purpose-built for the loading and unloading of cargo from ships which is mounted on rails on the wharf and can move along the wharf on these rails.
Reachstacker	An item of plant used to pick up and carry containers with its telescopic arm and spreader. Used to handle OOG cargo, rail cargo and any containers not travelling through the ASC area.
RMS	The NSW Roads and Maritime Services.
SPC	Sydney Ports Corporation.
Shuttle carrier (ShC)	An item of mobile plant used to transport containers from the quay cranes to the ASC stacks or to the exchange pads, capable of stacking containers two-high.
Spreader	A device used by quay cranes, shuttle carriers or reachstackers which enables these machines to lift and carry containers safely.
TEU	Twenty-foot Equivalent Unit, the accepted measure of container throughput and equal to one 20-foot (6.1m) long container. One 40-foot container is equals 2 TEU.



1.3 Background to this Report

The Development Consent (Instrument of Development Consent DA-494-11-2003-i) for the Port Botany Expansion project covers three different stages:

- Construction Terminal Footprint Infrastructure – those aspects of the development associated with the establishment of the port footprint (as generally outlined in sections 8.2 – 8.5 of Volume 1 of the EIS) including dredging and reclamation, compaction and preloading, wharf construction, road and rail infrastructure linkages, Penrhyn Estuary enhancement works.
- Construction Terminal Operations Infrastructure – those aspects of the development associated with the establishment of terminal operations (as generally described in section 8.6 of Volume 1 of the EIS) including hardstand areas (container storage, car parks and truck queuing areas), quay cranes, rail mounted gantries, administration facilities, workshops etc.
- Terminal Operations – relating to long term operation of the expanded port.

The OEMP by SICTL relates to Terminal Operations. The breakdown of plans required by the Development Consent is illustrated in Figure 2. There are additional sub-plans developed for the project that are also shown in Figure 2 which still form part of the SICTL Environmental Management System, however these are not required by the Development Consent.

1.4 Purpose of this Report

The purpose of this report is to satisfy the requirements of Development Consent condition C 1.4, which states:

‘Prior to each of the events listed from a) to c) below, or within such period otherwise agreed by the Director-General, documentation certifying that all conditions of this consent applicable prior to that event have been complied with shall be submitted to the satisfaction of the Director-General. Where an event is to be undertaken in stages, submission of compliance certification may be staged consistent with the staging of activities relating to that event, subject to the prior agreement of the Director-General.

a) commencement of any operations within the terminal area; and

b) commencement of each stage or phase of operations.’

This report covers event a), as it relates to the commencement of operations of the SICTL terminal. SICTL is not undertaking staged submission of documents.



PLANS REQUIRED BY DEVELOPMENT CONSENT

Operational Environmental Management Plan

Noise Management Sub-Plan

Operational Traffic Management Sub-Plan

Bird Hazard Management Sub-Plan

Emergency Response and Incident Management Plan

ADDITIONAL PLANS UNDER OEMP NOT REQUIRED BY DEVELOPMENT CONSENT

Air Quality Management Sub-Plan

Aviation Operational Impacts Sub-Plan

Stormwater Management Sub-Plan

Handling of Dangerous Goods and Hazardous Substances Sub-Plan

Waste Management On Site Sub-Plan

Water & Wastewater Management Sub-Plan

Shorebird Management Sub-Plan

Feral Animal Management Sub-Plan

Energy Management Action Sub-Plan

[Figure 2](#) SICTL Environmental Management Documents.



1.5 Previous and Subsequent Compliance Reports

This report covers all issues and plans required for terminal operations. The anticipated sequence of Compliance Reports over the life of the PBE project is shown in Table 1.

Table 1: Anticipated Construction Compliance Reports

Period	Report Title	Submission Date
Construction Terminal Footprint Infrastructure Stage 1 - Port Botany Expansion	PBE Pre-Construction Compliance Report Stage 1	Submitted May 2008
Construction Terminal Footprint Infrastructure Stage 2 - Port Botany Expansion	PBE Pre-Construction Compliance Report Stage 2	Submitted July 2008
Construction Terminal Footprint Infrastructure - Grade Separation Works	GSW Pre-Construction Compliance Report Stage 1	Submitted May 2010
Construction Terminal Footprint Infrastructure Completion – Port Botany Expansion	PBE Post-Construction Compliance Report	Submitted July 2011
Construction Terminal Footprint Infrastructure Completion – Grade Separation Works	GSW Post-Construction Compliance Report	Submitted January 2013
Construction Terminal Operations Infrastructure	Pre-Construction Compliance Report	Submitted June 2012
Construction Terminal Operations Infrastructure	Post-Construction Compliance Report	Future Action
Terminal Operations	Pre-Operational Compliance Report	This document – submitted August 2013

1.6 Supporting Evidence

Evidence to support compliance with each condition is attached in the form of a CD. This is included as Appendix 1.

An environmental document register for plans required by the DEVELOPMENT CONSENT is included as Appendix 2. This register lists the authorities and stakeholders consulted in preparation of each plan, when they were consulted, and whether they had any comments.



2 Conditions of Consent – Summary Table

Table 2 below summarises the conditions in Schedule C of the Development Consent (Instrument of Development Consent DA-494-11-2003-i) are addressed in the SICTL Environmental Management Documentation.

In the following table, the third column states whether a specific approval from DP&I for the pre-operational documentation is required. The fourth column shows the status of each Condition of Approval as one of:

- Open;
- Complete;
- Future Action.

Full details of compliance and a full description of each condition and compliance status are provided in Section 3.



Table 2: Development Consent Summary

Condition	Title	DP&I Pre-operational approval required?	Status
SCHEDULE A – OVERALL SCOPE OF DEVELOPMENT WORKS AND GENERAL PROVISIONS			
A 1	GENERAL		
A 1.1	Scope of Development	NA	Open
A 1.2	Resolution of inconsistencies	NA	Open
A 1.3	Statutory Requirements	NA	Open
A 1.4	Port Throughput Capacity Limits	NA	Open
A 2	STAGING AND TIMING OF WORKS		
A 2.1	Staging of Development – Stage 1 works	NA	Open
SCHEDULE B - CONSTRUCTION WORKS AND ON GOING ENVIRONMENTAL MANAGEMENT OF THE NON-OPERATIONAL ASPECTS OF THE TERMINAL			
B 2.27	Preparation of the Port Traffic and Rail Noise Management Plan	NA	Open
B 2.28	Formation of the Rail Noise Working Group	NA	Open
SCHEDULE C – TERMINAL OPERATIONS			
C 1	GENERAL REQUIREMENTS		
C 1.1	Conditions of consent are relevant to operations	No	Open
C 1.2	Who shall comply	No	Open
C 1.2 A	Temporary Uses	NA	Not applicable to SICTL



Condition	Title	DP&I Pre-operational approval required?	Status
C 1.2 B	Temporary Uses	NA	Not applicable to SICTL
C 1.2 C	Operational Environmental management Plan - Temporary Uses	NA	Not applicable to SICTL
C 1.3	Establishment of the OEMP and approval by DP&I	Yes	Open
C 1.4	OEMP compliance certification	Yes	Open
C 1.5	Update report requested by DP&I	No	Open
C 2	OPERATIONAL ENVIRONMENTAL PERFORMANCE		
C 2.1	Air quality management – odour	No	Open
C 2.2	Dust emissions - restrictions	No	Open
C 2.3	Dust emissions - areas	No	Open
C 2.4	Dust emissions – loads to be covered	No	Open
C 2.5	Noise management – preparation of operational noise management plan	Yes	Open
C 2.6	Noise limits	No	Open
C 2.7	Noise measurement	No	Open
C 2.8	Noise measurement provisions	No	Open
C 2.9	Noise measurement provisions	No	Open
C 2.10	Noise measurement calculations	No	Open
C 2.11	Noise limits validation	No	Open



Condition	Title	DP&I Pre-operational approval required?	Status
C 2.12	Traffic management – preparation of operational traffic management plan	Yes	Open
C 2.13	Waste management	No	Open
C 2.13 A	Waste management	No	Open
C 2.14	Water and wastewater management	No	Open
C 2.15	Pollutant concentration limits	No	Open
C 2.15 A	Temporary uses	NA	Not applicable to SICTL
C 2.16	Management measures to be developed for the storage and handling of dangerous goods	No	Open
C 2.17	Restriction and measurement of dangerous goods throughput and reports to the DP&I	No	Open
C 2.18	Dangerous goods quantities restrictions	No	Open
C 2.19	Deleted from Development Consent		
C 2.20	Establishment of the emergency response and incident management plan	Yes	Open
C 2.21	Impact of terminal infrastructure on Sydney Airport radar	No	Open
C 2.22	All terminal equipment to be below the Obstacle Limitation Surface	No	Open
C 2.23	Terminal lighting to comply with the Civil Aviation Regulations 1988	No	Open
C 2.24	Light spill from ships	No	Open
C 2.25	Establishment of the bird hazard management plan	Yes	Open



Condition	Title	DP&I Pre-operational approval required?	Status
C 3	COMMUNITY INFORMATION, INVOLVEMENT AND CONSULTATION		
C 3.1	Community consultation and complaints management	No	Open
C 3.2	Establishment of community consultative committee	Yes	Open
C 3.3	Interfacing with the community consultative committee	No	Open
C 4	ENVIRONMENTAL MONITORING AND AUDITING		
C 4.1	Incident notification timeframe and reporting requirements	No	Open
C 4.2	Annual environmental management report requirements	Yes	Open
C 4.3	Establishment of environment representative	Yes	Complete
C 4.4	Requirements of environmental training	No	Open
C 4.5	Requirements of environmental auditing	Yes	Open



3 Conditions of Consent and Status of Compliance

In the following tables SICTL has detailed the status of compliance to the applicable conditions of consent under C 1.4. The third column states whether a specific approval from DP&I is required. The fourth column shows the status of each Condition of Approval, in relation to the Port Botany Expansion, as one of:

- Complete;
- Open, or
- Future Action.

Condition	Title	DP&I approval required?	Status
A 1.1	Scope of Development	N/A	Open

Condition Requirement

The approved aspects of the development shall be carried out generally in accordance with:

- Development Application DA-494-11-2003-i, lodged with the Department on 26 November 2003.
- Port Botany Expansion: Environmental Impact Statement (ten volumes), prepared by URS Pty Ltd and dated November 2003;
- Port Botany Expansion Commission of Inquiry – Primary Submission (two volumes), prepared by URS Pty Ltd and dated May 2004
- Port Botany Expansion Commission of Inquiry – Supplementary Submission to Environmental Impact Statement, prepared by URS Pty Ltd and dated August 2004
- Port Botany Expansion Environmental Impact Statement – Supplementary Submission (two volumes), prepared by URS Pty Ltd and dated October 2004; and, and
- modification application MOD-107-9-2006-i, accompanied by Port Botany Expansion, Section 96(1A) Application: Modification of Consent Conditions, prepared by Sydney Ports Corporation and dated September 2006;
- modification application MOD-134-11-2006-i, accompanied by Port Botany Expansion, Section 96(1A) Modification – Wharf Structure Design, prepared by Sydney Ports Corporation and dated November 2006;
- modification application MOD-149-12-2006-i, accompanied by Port Botany Expansion, Section 96(1A) Modification – Application to Modify Conditions B2.9 and B2.22 of the Port Botany Consent, prepared by Sydney Ports Corporation and dated 1 December 2006;
- modification application MOD-78-9-2007-i, accompanied by Port Botany Expansion – Modification of Conditions C2.20 & C2.25, prepared by Sydney Ports Corporation and dated July 2007;
- modification application MOD-60-9-2008, accompanied by Port Botany Expansion – Modification of Conditions B2.46 and C2.25, prepared by Sydney Ports Corporation and dated 27 August 2008;
- modification application MOD-68-12-2008, accompanied by a letter from Sydney Ports Corporation and dated December 2008;
- modification application MOD-08-03-2009, accompanied by a letter from Sydney Ports Corporation dated 16 February 2009 and assessment report titled Port Botany Expansion – Rail Operations Section 96(1A) Modification dated February 2009;



- m) modification application 494-11-2003-I MOD 8, accompanied by an assessment report titled “Port Botany Expansion – Ship Turning Area Dredging Section 96(1A) Modification dated May 2009;
 - n) modification application DA-494-11-2003-i MOD 9, accompanied by an assessment report titled “Port Botany Expansion – Additional High Spot Dredging off Molineux Point Section 96(1A) Modification” dated May 2009;
 - o) modification application DA-494-11-2003-i MOD 10, accompanied by an assessment within letter titled “Port Botany Expansion – Section 96(1A) Modification – Additional Ship Turning Area Dredging” dated 8 July 2009;
 - p) modification application DA-494-11-2003-i MOD 11, accompanied by an assessment report titled “Sydney Port Botany Terminal No. 3 PKG-17.1 Planning Section 75W Modification Operations Building and Maintenance Building” dated 14 September 2011; and
 - q) modification application DA-494-11-2003-i MOD 12, accompanied by an assessment report titled “Sydney Port Botany Terminal No. 3 PKG-17.1 Planning Section 75W Modification to Stormwater First Flush System” dated 15 February 2012 and supplementary advice provided on 6 June 2012 in relation to other proprietary SQID devices; and
 - r) modification application DA-494-11-2003-i MOD 13, accompanied by an assessment report titled “Project No. 231658 Section 75W Modification to Stormwater Management System for Southern Expansion Area” dated 31 October 2012;
 - s) modification application DA-494-11-2003-i MOD 14, accompanied by assessment reports titled “Port Botany Expansion – Section 75W Modification 14 to DA-494-11-2003i for Temporary Uses at northern tip of Hayes Dock”, dated January 2013; and “Port Botany Expansion, Cumulative Construction Traffic Impact Assessment, Terminal Operations Infrastructure (March 2013 – March 2014)”, dated April 2013; and
 - t) modification application DA-494-11-2003-i MOD 15, accompanied by assessment report titled ‘SICTL Quay Crane Operations’, prepared by HPH and dated 20 March 2013; and
 - u) the conditions of this consent.
- Insofar as they relate to the approved development.

Implementation Responsibility

SICTL

Evidence of Compliance

The conditions of Consent have been referenced throughout the OEMP and in each Sub-Plan extensively. All SICTL environmental documentation has been developed so that SICTL can demonstrate compliance with the conditions.

Ongoing environmental management during operation?	To be undertaken during terminal operations.
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.



Condition	Title	DP&I approval required?	Status
A 1.2	Resolution of inconsistencies	N/A	Open
Condition Requirement			
<p>In the event of an inconsistency between:</p> <p>a) the conditions of this consent and any document listed from condition A1.1a) to t) inclusive,, the conditions of this consent shall prevail to the extent of the inconsistency; and</p> <p>b) any document listed from condition A1.1a) to t) inclusive, the most recent document shall prevail to the extent of the inconsistency.</p>			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
Noted, no evidence required.			
Ongoing environmental management during operation?		NA	
Ongoing environmental monitoring during operation?		NA	
Ongoing environmental reporting during operation?		NA	



Condition	Title	DP&I approval required?	Status
A 1.3	Statutory Requirements	N/A	Open
Condition Requirement			
All licences, permits and approvals shall be obtained and maintained as required throughout the life of the development. No condition of this consent removes the obligation to obtain, renew or comply with such licences, permits or approvals.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
Noted, SICTL has applied to the NSW EPA for an Environmental Protection Licence on 16 July 2013. Correspondence relating to this application and evidence of the meeting was emailed to the DP&I on 9 August 2013. Refer to Appendix of this Compliance Report.			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		To be undertaken during terminal operations.	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
A 1.4	Port Throughput Capacity Limits	N/A	Open
Condition Requirement			
<p>Port throughput capacity generated by operations in accordance with this consent shall be consistent with the limits specified in the EIS, that is, a maximum throughput capacity at the terminal of 1.6 million TEUs per annum and a total throughput at Port Botany of 3.2 million TEUs. These limits may not be exceeded by the development without further environmental assessment and approval. Sydney Ports Corporation shall prepare, or have prepared on its behalf, such further environmental assessment for the determination of the Minister.</p>			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
<p>The capacity SICTL terminal has been designed for a maximum throughput of 1.3 million TEU per annum as stated in section 1.3.2 of HSEQ5.1.7 Operational Environmental Management Plan, Version 2 dated 30 August 2013 is attached.</p>			
Ongoing environmental management during operation?		NA	
Ongoing environmental monitoring during operation?		NA	
Ongoing environmental reporting during operation?		NA	



Condition	Title	DP&I approval required?	Status
A 2.1	Staging of Development – Stage 1 works	N/A	Open

Condition Requirement

Pursuant to sections 80(4) and (5) of the Act, the development shall be undertaken in stages as follows:

- a) Stage 1 comprising the construction and operation of a container terminal and associated infrastructure within the development application area as described in Schedule 1, and generally consistent with the development layout and envelope shown in Schedule 3, and described as follows:
 - ⇒ Additional 550m plus 980m of berth face and approximately 51 hectares of land to the west of Brotherson Dock North
 - ⇒ Provision for an extra 4 nominal berths
 - ⇒ Dedicated road access to Foreshore Road via a bridge across the channel separating the terminal from the existing shoreline
 - ⇒ Rail access to the new terminal area by means of an extension of the existing Botany Freight Rail Line parallel to Foreshore Road including a rail bridge and culverts
 - ⇒ Two new rail sidings
 - ⇒ An inter-terminal access road and two additional rail storage sidings parallel to the northern boundary of the Patrick Terminal
 - ⇒ Reclamation adjacent to Foreshore Road to create a recreational boat ramp, tug and support vessel facility
 - ⇒ Restoration and enhancement of Foreshore Beach and adjoining landscape area; and,
 - ⇒ Ecological habitat mitigation and enhancement works within Penrhyn Estuary.
- b) Stage 2 comprising the construction and operation of approximately 12 hectares of additional terminal area and approximately 320m of additional quay line to accommodate a nominal fifth berth located at the northern end of the Stage 1 development.

Implementation Responsibility

NSW Ports and SICTL

Evidence of Compliance

The SICTL terminal has been designed and built consistent with this condition as detailed in section 1.1 of HSEQ5.1.7 Operational Environmental Management Plan, Version 2 dated 30 August 2013 is attached.

Ongoing environmental management during operation?	NA
Ongoing environmental monitoring during operation?	NA
Ongoing environmental reporting during operation?	NA



Condition	Title	DP&I approval required?	Status
B 2.27	Preparation of the Port Traffic and Rail Noise Management Plan	N/A	Open
Condition Requirement			
<p>Within two years of commencement of terminal operations at the development, a Port Traffic and Rail Noise Management Plan shall be prepared by the Applicant in consultation with relevant stakeholders, including the Community Consultative Committee, DEC, DOP, Botany Council, SSROC and RailCorp. The Plan shall include consideration for traffic re-routing, traffic clustering and traffic rescheduling.</p>			
Implementation Responsibility			
NSW Ports with input from SICTL			
Evidence of Compliance			
Future activity to be completed within two years of port operations commencing.			
Ongoing environmental management during operation?	To be undertaken during terminal operations.		
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.		
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.		



Condition	Title	DP&I approval required?	Status
B 2.28	Formation of the Rail Noise Working Group	N/A	Open
Condition Requirement			
<p>While expansion will generate an increase of trains on freight rail lines, the manager of the freight line RailCorp is subject to an Environment Protection licence with the EPA. The Applicant must establish a Rail Noise Working Group prior to the operation of the development. The Rail Noise Working Group shall address all associated rail noise issues and shall include but not be limited to RailCorp, ARTC, SPC, DOP, relevant councils and representatives of Community Consultative Committee and is required to consult with relevant regulatory authorities including DEC.</p>			
Implementation Responsibility			
NSW Ports with input from SICTL			
Evidence of Compliance			
<p>Planning for the Rail Noise Working Group (RNWG) has commenced with identification of key agencies, nominated personnel and draft terms of reference. The first meeting of the RNWG will occur prior to rail operations scheduled for mid-2014.</p>			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		NA	
Ongoing environmental reporting during operation?		NA	



Condition	Title	DP&I approval required?	Status
C 1.1	Conditions of consent are relevant to operations	No	Open
Condition Requirement			
The conditions in this Schedule of the consent relate to all the development and activities associated with the operation of the container terminal and associated infrastructure.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
SICTL has stated its intent to comply with the conditions of consent in section 1.2 of HSEQ5.1.7 Operational Environmental Management Plan. Specific conditions relevant to each Key Performance Area have been included in section 3 of each sub-plan. Section 5 of each sub-plan outlines how SICTL intends to comply with the conditions.			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		To be undertaken during terminal operations.	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
C 1.2	Who shall comply	No	Open
Condition Requirement			
<p>The conditions in this sub-schedule of the consent must be complied with by the Applicant, or any party undertaking the activities and works referred to under condition C1.1, with the exception of the undertaking of Temporary Uses, which are subject to condition C1.2A. Should more than one terminal operator undertake operations within the terminal area, compliance with the conditions of this Schedule may be undertaken individually by operators, or collectively.</p>			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
<p>SICTL is a ‘party undertaking the activities and works referred to under condition C 1.1...’ and thus commits to comply with the conditions, as relevant. A formal commitment is given in section 1.2 of HSEQ5.1.7 Operational Environmental Management Plan and in section 1 of each sub-plan.</p>			
Ongoing environmental management during operation?	To be undertaken during terminal operations.		
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.		
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.		



Condition	Title	DP&I approval required?	Status
C 1.2 A	Temporary Uses	NA	Not applicable to SICTL
Condition Requirement			
The conditions in this sub-schedule of the consent must be complied with by the Applicant, or any party undertaking activities and works associated with Temporary Uses, except conditions C 1.3, C 1 .4, C 1.5, C 2.5, C 2.12, C 2.16, C 2.17, C 2.18, C 2.20, C 2.25, C 3.2, C 3.3, C 4.2, C 4.3, C 4.4 and C 4.5.			
Implementation Responsibility			
By others, SICTL is not undertaking Temporary Uses within the meaning of this condition.			
Evidence of Compliance			
SICTL will not undertake activities or works associated with Temporary Uses within the meaning of this condition. No evidence required.			
Ongoing environmental management during operation?	NA		
Ongoing environmental monitoring during operation?	NA		
Ongoing environmental reporting during operation?	NA		



Condition	Title	DP&I approval required?	Status
C 1.2 B	Temporary Uses	NA	Not applicable to SICTL
Condition Requirement			
Temporary Uses shall be limited to a period of two (2) years, unless otherwise agreed by the Director-General. Any request to extend the period shall be supported by a Temporary Use Environmental Management Report detailing compliance with the conditions of consent, including environmental impacts and performance.			
Implementation Responsibility			
By others			
Evidence of Compliance			
SICTL will not undertake activities or works associated with Temporary Uses within the meaning of this condition. No evidence required.			
Ongoing environmental management during operation?	NA		
Ongoing environmental monitoring during operation?	NA		
Ongoing environmental reporting during operation?	NA		



Condition	Title	DP&I approval required?	Status
C 1.2 C	Operational Environmental Management Plan - Temporary Uses	NA	Not applicable to SICTL
Condition Requirement			
<p>The Applicant shall prepare an Operation Environmental Management Plan - Temporary Uses prior to the commencement of temporary uses on the site. The Plan shall include details of how environmental performance would be managed and monitored to meet acceptable environmental outcomes, including what actions will be taken to address potential adverse environmental impacts. In particular, the following environmental issues shall be addressed in the Plan:</p> <ul style="list-style-type: none"> - Odour and Air Quality; - Noise; - Waste Management; - Water and Wastewater Management; - Hazard Risk Management; - Amenity, including lighting; and - Incident Reporting. <p>The Plan shall also</p> <ul style="list-style-type: none"> - identify all statutory obligations that the applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations; - include a description of the roles and responsibilities for all key employees involved in the operation of the development; and - include overall environment policies and principles to be applied to the operation of the facility. 			
Implementation Responsibility			
By others			
Evidence of Compliance			
SICTL will not undertake activities or works associated with Temporary Uses within the meaning of this condition. No evidence required.			
Ongoing environmental management during operation?	NA		
Ongoing environmental monitoring during operation?	NA		
Ongoing environmental reporting during operation?	NA		



Condition	Title	DP&I approval required?	Status
C 1.3	Establishment of the OEMP and approval by DP&I	Yes	Open

Condition Requirement

The Applicant shall prepare an Operation Environmental Management Plan (OEMP) which must be approved by the Director-General prior to commencement of any operations at the terminal. The OEMP must:

- identify all statutory obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations;
- describe any relevant staging or phasing of the commencement of operations within the terminal envelope and any relevant timeframes;
- clearly outline what aspects of environmental management, monitoring and reporting would be undertaken by the Applicant or jointly with other operators within the terminal area;
- include a description of the roles and responsibilities for all key employees involved in the operation of the development;
- include overall environment policies and principles to be applied to the operation of the facility;
- include specific consideration of measures to address any requirements of DOP, DEC, and the Council during operation;
- detail standards and performance measures to be applied to the development , and a means by which environmental performance can be periodically reviewed and improved, where appropriate;
- detail management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent;
- include the Management Plans relevant to operation, include the environmental monitoring requirements relevant to operation; and
- be made available for public inspection after approval of the Director General.

Implementation Responsibility

SICTL

Evidence of Compliance

HSEQ5.1.7 Operational Environmental Management Plan was prepared on the basis of this condition. Version 2 dated 30 August 2013 is attached. Section 1.6 of the OEMP mirrors the dot points of this condition so that the purpose of the OEMP and the intent of this condition are aligned and in agreement.

Ongoing environmental management during operation?	To be undertaken during terminal operations.
Ongoing environmental monitoring during operation?	Nil
Ongoing environmental reporting during operation?	Nil



Condition	Title	DP&I approval required?	Status
C 1.4	OEMP compliance certification	Yes	Open

Condition Requirement

Prior to each of the events listed from a) to c) below, or within such period otherwise agreed by the Director-General, documentation certifying that all conditions of this consent applicable prior to that event have been complied with shall be submitted to the satisfaction of the Director-General. Where an event is to be undertaken in stages, submission of compliance certification may be staged consistent with the staging of activities relating to that event, subject to the prior agreement of the Director-General.

- a) commencement of any operations within the terminal area; and
- b) commencement of each stage or phase of operations.

Implementation Responsibility

SICTL

Evidence of Compliance

The applicable conditions of consent have been included in this compliance report. The SICTL OEMP is submitted complete (not in stages). This document was prepared on the basis of this condition. Version 2 dated 30 August 2013 is provided.

Ongoing environmental management during operation?	Nil
Ongoing environmental monitoring during operation?	Nil
Ongoing environmental reporting during operation?	Nil



Condition	Title	DP&I approval required?	Status
C 1.5	Update report requested by DP&I	No	Open
Condition Requirement			
Notwithstanding condition C1.4 of this consent, the Director-General may require an update report on compliance with all, or any part, of the conditions of this consent. Any such update shall meet the requirements of the Director-General and be submitted within such period as the Director-General may agree.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
Noted, no update report has been required of SICTL as at 3 September 2013.			
Ongoing environmental management during operation?		Nil	
Ongoing environmental monitoring during operation?		Nil	
Ongoing environmental reporting during operation?		Nil	



Condition	Title	DP&I approval required?	Status
C 2.1	Air quality management – odour	No	Open
Condition Requirement			
The development shall be undertaken so as not to permit any offensive odour, as defined under section 129 of the Protection of the Environment Operations Act 1997 to be emitted beyond the boundary of the site.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
Provisions to manage odour were included in section 5.1.1 and 5.1.2 of the HSEQ5.1.7a Air Quality Management Sub-Plan , Version 2 dated 30 August 2013 is attached. Given the nature of containerised goods there is little opportunity for odours.			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		Nil	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
C 2.2	Dust emissions - restrictions	No	Open
Condition Requirement			
All activities shall be undertaken in a manner that minimises or prevents dust emissions from the site, including wind-blown and traffic generated dust. All activities undertaken on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should such visible dust emissions occur at any time, all practicable dust mitigation measures, including cessation of relevant works, as appropriate, shall be identified and implemented such that emissions of visible dust cease.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
The operational portion of the SICTL terminal will be completely paved however full provisions to manage dust were included in section 5.1.4 of the HSEQ5.1.7a Air Quality Management Sub-Plan, Version 2 dated 30 August 2013 is attached.			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		To be undertaken during terminal operations.	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
C 2.3	Dust emissions - areas	No	Open
Condition Requirement			
All trafficable and vehicle manoeuvring areas shall be maintained at all times in a condition that minimises the generation and emission of dust.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
The operational portion of the SICTL terminal will be completely paved however full provisions to manage trafficable and vehicle manoeuvring areas were included in section 5.1.4 of the HSEQ5.1.7a Air Quality Management Sub-Plan , Version 2 dated 30 August 2013 is attached.			
Ongoing environmental management during operation?	To be undertaken during terminal operations.		
Ongoing environmental monitoring during operation?	Nil		
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.		



Condition	Title	DP&I approval required?	Status
C 2.4	Dust emissions – loads to be covered	No	Open
Condition Requirement			
All vehicles entering or leaving the site carrying a load must be covered or otherwise enclosed at all times, except during loading and unloading, to minimise the generation and emission of dust.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
All loads transported by SICTL operational traffic will be containerised (enclosed). Out-of-gauge (oversize) cargo that does not fit in a standard container does not have the potential to generate dust as it is packed/ wrapped/ covered in a manner suitable for shipping. Provisions to manage vehicles are nonetheless included in HSEQ5.1.7a Air Quality Management Sub-Plan, Version 2 dated 30 August 2013 is attached.			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		Nil	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
C 2.5	Noise management – preparation of operational noise management plan	Yes	Open

Condition Requirement

Prior to the commencement of operations, the Applicant must prepare an Operation Noise Management Plan in consultation with DEC, DOP, Botany and Randwick Councils. The Plan shall include noise management, mitigation monitoring and reporting to ensure that local acoustic amenity is not adversely impacted. In addition, the Operation Noise Management Plan must:

- Identify general activities that will be carried out and associated noise sources;
- Assess operation noise impacts at the relevant receivers;
- A primary objective of achieving the operational noise limits outlined in this consent;
- Provide details of overall management methods and procedures that will be implemented to control noise from the development;
- Include a pro-active and reactive strategy for dealing with complaints including achieving the operation noise limits, particularly with regard to verbal and written responses;
- Detail noise monitoring, reporting and response procedures consistent with the requirements of DEC;
- Provide for internal audits of compliance of all plant and equipment;
- Indicate site establishment timetabling to minimise noise impacts;
- Include procedures for notifying residents of operation activities likely to affect their noise amenity;
- Address the requirements of DEC;
- A strategy to identify operational practices and noise controls that can minimise or reduce noise levels from container impacts, audible alarms and other short duration, high level noise events;
- Identify opportunities to reduce operational noise levels including, but not necessarily limited to, selection of equipment, engineering noise controls and shore-based power; and,

Be approved by the Director-General prior to the commencement of operation.

Implementation Responsibility

SICTL

Evidence of Compliance

HSEQ5.1.7d Noise Management Sub-Plan, Version 2 dated 30 August 2013 was prepared on the basis of and to satisfy this condition through extensive consultation with stakeholders regarding noise management, monitoring and response.

Ongoing environmental management during operation?	To be undertaken during terminal operations.
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.



Condition	Title	DP&I approval required?	Status
C 2.6	Noise limits	No	Open

Condition Requirement

Noise from the premises must not exceed the sound pressure levels (noise) limits presented in the table below. Note the limits represent the sound pressure level (noise) contribution at the nominated receiver locations in the table.

Most Affected Residential Location	Day	Evening	Night		
	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Aeq} (9 hrs)	L _{A1} (1 min)
Chelmsford Avenues	40	40	40	38	53
Dent Street	45	45	45	43	59
Jennings Street	36	36	36	35	55
Botany Road (north of Golf Club)	47	47	47	45	59
Australia Avenue	35	35	35	35	57
Military Road	42	42	42	40	60

For the purpose of this condition;

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays,
 - Evening is defined as the period from 6pm to 10pm
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays

Implementation Responsibility

SICTL

Evidence of Compliance

Details of these operational noise limits were included in the HSEQ5.1.7d Noise Management Sub-Plan. The Key Performance Indicators relating to this sub-plan have been amended to reflect compliance with this condition and the noise monitoring program has been designed to verify the effectiveness of the mitigation measures in the Sub-Plan.

Ongoing environmental management during operation?	To be undertaken during terminal operations.
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.



Condition	Title	DP&I approval required?	Status
C 2.7	Noise measurement	No	Open
Condition Requirement			
Noise from the premises is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary, to determine compliance with the noise limits in Condition C2.6 unless otherwise stated.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
Details of noise monitoring were included in section 5.3 of the HSEQ5.1.7d Noise Management Sub-Plan. The consultant engaged by SICTL to undertake the noise monitoring will be instructed to undertake monitoring in accordance with this condition.			
Ongoing environmental management during operation?	To be undertaken during terminal operations.		
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.		
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.		



Condition	Title	DP&I approval required?	Status
C 2.8	Noise measurement provisions	No	Open
Condition Requirement			
Noise from the premises is to be measured at 1m from the dwelling façade to determine compliance with the LA1 (1 min) noise level in Condition C2.6.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
Details of noise monitoring were included in the HSEQ5.1.7d Noise Management Sub-Plan. The consultant engaged by SICTL to undertake the noise monitoring will be instructed to undertake monitoring in accordance with this condition.			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		To be undertaken during terminal operations.	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
C 2.9	Noise measurement provisions	No	Open
Condition Requirement			
Where it can be demonstrated that a direct measurement of noise from the premises is impractical, the DEC may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
Noted, no evidence required. SICTL will fully document any reasons why a direct measurement of noise from the premises is impractical and work with NSW EPA in the adoption of alternative means of determining compliance (to the approval of NSW EPA).			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		To be undertaken during terminal operations.	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
C 2.10	Noise measurement calculations	No	Open
Condition Requirement			
The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
Noted, no evidence required. The consultant engaged by SICTL to undertake the noise monitoring will be instructed to undertake monitoring and data processing in accordance with this condition.			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		To be undertaken during terminal operations.	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
C 2.11	Noise limits validation	No	Open
Condition Requirement			
The noise emission limits identified in Condition C2.6 apply under meteorological conditions of wind speed up to 3 metres per second at 10 metres above ground level, and temperature inversion conditions up to 1.5°C/100m positive lapse rate.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
Noted, no evidence required. The consultant engaged by SICTL to undertake the noise monitoring will be instructed to undertake monitoring and data processing in accordance with this condition.			
Ongoing environmental management during operation?	To be undertaken during terminal operations.		
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.		
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.		



Condition	Title	DP&I approval required?	Status
C 2.12	Traffic management – preparation of operational traffic management plan	Yes	Open

Condition Requirement

Prior to the commencement of terminal operations, the applicant must prepare an Operational Traffic Management Plan in consultation with RTA, DOP, Botany and Randwick Councils and SSROC. The Applicant shall address the requirements of these organisations in the Plan. The Applicant shall also consult with the Community Consultative Committee in preparation of the Plan. The plan must include, but not be confined to mitigation measures identified in the EIS such as:

- Identification of preferred routes to minimise noise impacts on the surrounding community;
- Physical and operational measures (including signage) to mitigate noise impacts from vehicles accessing and leaving the terminal;
- Measures to limit the impact of traffic noise on Foreshore Road and Botany Road;
- Driver education and information to promote driver habits to minimise noise; and
- Timetabling, scheduling and details of vehicle booking systems.

The plan must be submitted and approved by the Director-General prior to the commencement of operations.

Implementation Responsibility

SICTL

Evidence of Compliance

HSEQ5.1.7e Operational Traffic Management Sub-Plan, Version 2 dated 30 August 2013 was prepared on the basis of and to satisfy this condition through extensive consultation with stakeholders regarding operational traffic management, monitoring and response.

Ongoing environmental management during operation?	To be undertaken during terminal operations.
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.



Condition	Title	DP&I approval required?	Status
C 2.13	Waste management	No	Open
Condition Requirement			
Management of waste must be in accordance with the environment protection licence issued by EPA under the Protection of the Environment Operations Act 1997			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
HSEQ5.1.7h Waste Management On Site Sub-Plan was prepared on the basis of this condition. Version 2 dated 30 August 2013 is attached. SICTL has submitted an application for an Environmental protection Licence for the operation of the terminal, which is being currently assessed by NSW EPA.			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		To be undertaken during terminal operations.	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
C 2.13 A	Waste management	No	Open
Condition Requirement			
<p>The management of waste for uses and activities not subject to an Environmental Protection licence, shall be managed and disposed of in accordance with the Protection of the Environment Operation (Waste) Regulation 2005 and the Waste Classification Guidelines (DECCW 2009), or any future guideline that may supersede that document. All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.</p>			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
<p>Provisions to manage waste as per the Waste Classification Guidelines were included in HSEQ5.1.7h Waste Management On Site Sub-Plan, Version 2 dated 30 August 2013 is attached.</p>			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		To be undertaken during terminal operations.	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
C 2.14	Water and wastewater management	No	Open
Condition Requirement			
Except as may be expressly permitted by a licence under the Protection of the Environment Operations Act 1997 in relation to the development, section 120 of that Act (prohibition of the pollution of waters) shall be complied with in connection to the development.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
HSEQ5.1.7i Water & Wastewater Management Sub-Plan was prepared on the basis of this condition, Version 2 dated 30 August 2013 is attached. SICTL has submitted an application for an Environmental protection Licence for the operation of the terminal, which is being currently assessed by NSW EPA.			
Ongoing environmental management during operation?	To be undertaken during terminal operations.		
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.		
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.		



Condition	Title	DP&I approval required?	Status
C 2.15	Pollutant concentration limits	No	Open
Condition Requirement			
For each monitoring/ discharge point or utilisation area, the concentration of any pollutant discharged at that point, or applied to that area must not exceed concentration limits specified in the relevant environment protection licence.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
HSEQ5.1.7f Stormwater Management Sub-Plan was prepared on the basis of this condition. Version 2 dated 30 August 2013 is attached. In this sub-plan, SICTL has assessed and predicted (acting reasonably) the pollutant loads that are likely to remain in discharge waters after filtering by the separator units. SICTL has submitted an application for an Environmental protection Licence for the operation of the terminal, which is being currently assessed by NSW EPA. These pollutant load predictions will be replaced by the discharge limits prescribed by the EPA when the EPL is issued.			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		To be undertaken during terminal operations.	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
C 2.15 A	Temporary Uses	NA	Not applicable to SICTL
Condition Requirement			
Temporary Uses shall not involve the loading, unloading and storage of dangerous goods.			
Implementation Responsibility			
By others, SICTL is not undertaking Temporary Uses within the meaning of this condition.			
Evidence of Compliance			
SICTL will not undertake activities or works associated with Temporary Uses within the meaning of this condition. No evidence required.			
Ongoing environmental management during operation?		NA	
Ongoing environmental monitoring during operation?		NA	
Ongoing environmental reporting during operation?		NA	



Condition	Title	DP&I approval required?	Status
C 2.16	Management measures to be developed for the storage and handling of dangerous goods	No	Open
Condition Requirement			
Prior to the commencement of operation, the Applicant shall develop management measures in consultation with the Major Hazards Unit of DOP regarding the use of the new terminal for loading, unloading and storage of dangerous goods of Classes 2.3 and 6.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
HSEQ5.1.7g Handling of Dangerous Goods and Hazardous Substances Sub-Plan, Version 2 was prepared on the basis of this condition. During the development of this sub-plan, the expectations of DP&I Major Hazards Unit were ascertained (which were to ensure that the actions of SICTL when dealing with an emergency involving Class 2.3 or Class 6 Dangerous Goods did not increase the off-site risk described in the PHA). The processes and mechanisms detailed in the sub-plan carry this intent so as to satisfy this condition.			
Ongoing environmental management during operation?	To be undertaken during terminal operations.		
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.		
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.		



Condition	Title	DP&I approval required?	Status
C 2.17	Measurement of dangerous goods throughput and reports to the DP&I	No	Open
Condition Requirement			
<p>The Applicant shall ensure that the throughput of dangerous goods of each Class and the unit size shall not exceed those listed in table 6.8 of the Preliminary Hazard Analysis (Revision 7, June 2004) and is required to submit periodic reports to the Director General detailing information on the actual tonnages, numbers of TEUs and package sizes for each class of dangerous goods handled in the previous five years for all port terminals.</p>			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
<p>Processes for reporting the quantities of Dangerous Goods were included in HSEQ5.1.7 Operational Environmental Management Plan and HSEQ5.1.7g and Handling of Dangerous Goods and Hazardous Substances Sub-Plan, Version 2 of both documents . The processes and tools that SICTL will use to regulate the quantities of Dangerous Goods handled are also described. As discussed with DP&I, these processes operate on a transient context rather than an annual context.</p>			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		To be undertaken during terminal operations.	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
C 2.18	Dangerous goods quantities restrictions	No	Open
Condition Requirement			
The applicant shall not store or handle or permit to be stored or handled, dangerous goods of Class 2.3, toxic compressed or liquefied gases above the quantities stored or handled in 1995/96 except in accordance with recommendations 1.1 and 1.2 in the Port Botany Land Use Safety Study (1996).			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
The quantities stored or handled in 1995/96 have been identified and a commitment to limit the quantities of Dangerous Goods in the SICTL terminal were included in section 5.1.2 HSEQ5.1.7g Handling of Dangerous Goods and Hazardous Substances Sub-Plan, Version 2 .			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		To be undertaken during terminal operations.	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
C 2.19	Deleted from Development Consent	N/A	N/A
Condition Requirement			
N/A			
Implementation Responsibility			
N/A			
Evidence of Compliance			
N/A			
Ongoing environmental management during operation?		N/A	
Ongoing environmental monitoring during operation?		N/A	
Ongoing environmental reporting during operation?		N/A	



Condition	Title	DP&I approval required?	Status
C 2.20	Establishment of the emergency response and incident management plan	Yes	Open

Condition Requirement

The Applicant shall develop an Emergency Response and Incident Management Plan in consultation with DEC, DOP, Council and the Community Consultative Committee. The Plan must be approved by the Director-General prior to the commencement of operations and shall detail:

- terminal security and public safety issues;
- effective spill containment and management;
- effective fire fighting capabilities;
- effective response to emergencies and critical incidents; and
- a single set of emergency procedures, consistent with the existing Port

Botany Emergency Plan, should be developed that be scaled as appropriate for any incident or emergency.

Implementation Responsibility

SICTL

Evidence of Compliance

HSEQ10.1.3 Emergency Response and Incident Management Plan - SICTL was prepared on the basis of this condition, Version 2 dated 30 August 2013 is attached.

Ongoing environmental management during operation?	To be undertaken during terminal operations.
Ongoing environmental monitoring during operation?	Nil
Ongoing environmental reporting during operation?	Nil



Condition	Title	DP&I approval required?	Status
C 2.21	Impact of terminal infrastructure on Sydney Airport radar	No	Open
Condition Requirement			
The Applicant shall ensure that the location of the fixed terminal operating infrastructure adequately takes into account the required lateral separation distances to minimise the interference to Sydney Airport radar and navigational systems.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
Processes to manage impact on Sydney Airport Radar were included in HSEQ5.1.7b Aviation Operational Impacts Sub-Plan, Version 2 dated 3 September 2013 is attached.			
Ongoing environmental management during operation?	To be undertaken during terminal operations.		
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.		
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.		



Condition	Title	DP&I approval required?	Status
C 2.22	All terminal equipment to be below the Obstacle Limitation Surface	No	Open
Condition Requirement			
The Applicant shall ensure that all operation equipment is below the obstacle limitation surface unless otherwise permitted by an approval under the Airports Act 1999 and Airports (Protection of Airspace) Regulation 1966.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
Provisions to manage impact Obstacle limitation Surface were included in HSEQ5.1.7b Aviation Operational Impacts Sub-Plan, Version 2 dated 3 September 2013 is attached. An application was made to penetrate the OLS prior to the delivery of the Quay Cranes in August 2013.			
Ongoing environmental management during operation?	Nil		
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.		
Ongoing environmental reporting during operation?	Nil		



Condition	Title	DP&I approval required?	Status
C 2.23	Terminal lighting to comply with the Civil Aviation Regulations 1988	No	Open
Condition Requirement			
The Applicant shall ensure design specifications of the terminal lighting shall conform to the requirements of Regulation 94 of the Civil Aviation regulations 1988.			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
Provisions to manage lighting specifications for SICTL were included in HSEQ5.1.7b Aviation Operational Impacts Sub-Plan, Version 2 dated 3 September 2013 is attached, details on the engagement of a specialist lighting consultant are also included. The requirements of Regulation 94 of the Civil Aviation regulations 1988 have been included in the sub-plan in addition to			
<ul style="list-style-type: none"> Manual of Standards Part 139 – Aerodromes. Version 1.6: June 2011, Civil Aviation Safety Authority (section 9.21; Lighting in the Vicinity of Aerodromes) Marine Order 32 (Cargo Handling Equipment) 2011, Australian Maritime Safety Authority (subsection 2 (Lighting) in Schedule 1 (Dock Work Safety)). 			
Ongoing environmental management during operation?	To be undertaken during terminal operations.		
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.		
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.		



Condition	Title	DP&I approval required?	Status
C 2.24	Light spill from ships	No	Open
Condition Requirement			
<p>The Applicant shall adopt measures to ensure that there is minimal light spill from ships which may cause distraction, confusion or glare to pilots. These may include:</p> <ul style="list-style-type: none"> • minimising ship board lighting while berthed • orientating ships in a specific direction and/ or • providing temporary shielding on the ship mounted floodlights while docked. 			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
<p>Processes to manage light spill from ships were included in HSEQ5.1.7b Aviation Operational Impacts Sub-Plan, Version 2 dated 3 September 2013 is attached. The requirements of Regulation 94 of the Civil Aviation regulations 1988 have been included in the sub-plan in addition to</p> <ul style="list-style-type: none"> • Manual of Standards Part 139 – Aerodromes. Version 1.6: June 2011, Civil Aviation Safety Authority (section 9.21; Lighting in the Vicinity of Aerodromes) • Marine Order 32 (Cargo Handling Equipment) 2011, Australian Maritime Safety Authority (subsection 2 (Lighting) in Schedule 1 (Dock Work Safety)). 			
Ongoing environmental management during operation?	To be undertaken during terminal operations.		
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.		
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.		



Condition	Title	DP&I approval required?	Status
C 2.25	Establishment of the bird hazard management plan	Yes	Open
Condition Requirement			
<p>Prior to operations, the Applicant shall develop a Bird Hazard Management Plan to minimise the attraction of bird species that pose a risk to aircraft movements. The plan is to be prepared in consultation with the Department of Transport and Regional Services, Sydney Airport Corporation, and Botany and Randwick Councils. The Plan must be approved by the Director-General prior to the commencement of operations.</p>			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
<p>HSEQ5.1.7c Bird Hazard Management Sub-Plan, Version 2 dated 3 September 2013 was Prepared on the basis of and to satisfy this condition through extensive consultation with stakeholders regarding bird hazard management/ minimisation of bird attractants, monitoring of bird presence on the terminal and response through active management measures.</p>			
Ongoing environmental management during operation?		To be undertaken during terminal operations.	
Ongoing environmental monitoring during operation?		To be undertaken during terminal operations.	
Ongoing environmental reporting during operation?		To be undertaken during terminal operations.	



Condition	Title	DP&I approval required?	Status
C 3.1	Community consultation and complaints management	No	Open

Condition Requirement

The Applicant must meet the following requirements in relation to community consultation and complaints management:

- all monitoring, management and reporting documents required under the development consent shall be made publicly available;
- provide means by which public comments, inquiries and complaints can be received, and ensure that those means are adequately publicised; and
- includes details of a register to be kept of all comments, inquiries and complaints received by the above means, including the following register fields:
 - the date and time, where relevant, of the comment, inquiry or complaint;
 - the means by which the comment, inquiry or complaint was made (telephone, fax, mail, email or in person);
 - any personal details of the commenter, inquirer or complainant that were provided, or if no details were provided, a note to that effect;
 - the nature of the complaint;
 - any action(s) taken by the Applicant in relation to the comment, inquiry or complaint, including any follow-up contact with the commenter, inquirer or complainant; and
 - if no action was taken by the Applicant in relation to the comment, inquiry or complaint, the reason(s) why no action was taken.
- Provide quarterly reports to the Department and DEC, where relevant, outlining details of complaints received.

Implementation Responsibility

SICTL

Evidence of Compliance

Processes to manage consultation and complaints management (including complaints that involve SICTL and neighbouring stevedores) were developed included in section 4.6 of HSEQ5.1.7 Operational Environmental Management Plan, Version 2 dated 30 August 2013 is attached.

Ongoing environmental management during operation?	To be undertaken during terminal operations.
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.



Condition	Title	DP&I approval required?	Status
C 3.2	Establishment of community consultative committee	Yes	Open

Condition Requirement

At least 6 months prior to commencement of operations, the Applicant shall establish a Community Consultative Committee to oversee the environmental performance of the development. This committee shall:

(a) be comprised of:

- 2 representatives from the Applicant, including the person responsible for environmental management;
- 1 representative from Botany Bay City Council; and
- at least 3 representatives from the local community,

whose appointment has been approved by the Director-General in consultation with the Council;

(b) be chaired by an independent party approved by the Director-General;

(c) meet at least four times a year, or as otherwise agreed by the CCC;

(d) review and provide advice on the environmental performance of the development, including any construction or environmental management plans, monitoring results, audit reports, or complaints; and

Implementation Responsibility

NSW Ports

Evidence of Compliance

Following agreement between its members during meeting number 43 on 12 February 2013, the Construction Phase Community Consultative Committee agreed to form into the Operational Community Consultative Committee six months prior to the commencement of operations at the SICTL terminal. The Construction Phase CCC has submitted formal correspondence to DP&I confirming its evolution into the OCCC.

Approval was received from DP&I on the 23 May 2013.

Ongoing environmental management during operation?	To be undertaken during terminal operations.
Ongoing environmental monitoring during operation?	Nil
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.



Condition	Title	DP&I approval required?	Status
C 3.3	Interfacing with the community consultative committee	No	Open
Condition Requirement			
<p>The Applicant shall, at its own expense:</p> <ul style="list-style-type: none"> (a) ensure that 2 of its representatives attend the Committee’s meetings; (b) provide the Committee with regular information on the environmental performance and management of the development; (c) provide meeting facilities for the Committee; (d) arrange site inspections for the Committee, if necessary; (e) take minutes of the Committee’s meetings; (f) make these minutes available on the Applicant’s website within 14 days of the Committee meeting, or as agreed to by the Committee; (g) respond to any advice or recommendations the Committee may have in relation to the environmental management or performance of the development; and (h) forward a copy of the minutes of each Committee meeting, and any responses to the Committee’s recommendations to the Director-General within a month of the Committee meeting. 			
Implementation Responsibility			
NSW Ports			
Evidence of Compliance			
Provisions for SICTL’s obligations with respect to the OCCC were included in section 4.6.2 of HSEQ5.1.7 Operational Environmental Management Plan, Version 2 dated 30 August 2013 is attached.			
Ongoing environmental management during operation?	To be undertaken during terminal operations.		
Ongoing environmental monitoring during operation?	Nil		
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.		



Condition	Title	DP&I approval required?	Status
C 4.1	Incident notification timeframe and reporting requirements	No	Open
Condition Requirement			
<p>The Director-General shall be notified of any incident with actual or potential significant off-site impacts on people or the biophysical environment within 12 hours of the Applicant, or other relevant party undertaking the development, becoming aware of the incident. Full written details of the incident shall be provided to the Director-General within seven days of the date on which the incident occurred. The Director-General may require additional measures to be implemented to address the cause or impact of any incident, as it relates to this consent, reported in accordance with this condition, within such period as the Director-General may require.</p>			
Implementation Responsibility			
SICTL			
Evidence of Compliance			
<p>The requirement for SICTL to notify DP&I of incidents were included in the procedures in HSEQ10.1.3 Emergency Response and Incident Management Plan - SICTL and sections 2.2 and 2.2.7 of HSEQ5.1.7 Operational Environmental Management Plan, Version 2 of both documents dated 30 August 2013 is attached.</p>			
Ongoing environmental management during operation?	To be undertaken during terminal operations.		
Ongoing environmental monitoring during operation?	Nil		
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.		



Condition	Title	DP&I approval required?	Status
C 4.2	Annual environmental management report requirements	Yes	Open

Condition Requirement

The Applicant must prepare an Annual Environmental Management Report for the development. The Annual Environmental Management Report must:

- detail compliance with the conditions of this consent;
 - contain a copy of the Complaints Register (for the preceding twelve-month period, exclusive of personal details) and details of how these complaints were addressed and resolved;
 - include a comparison of the environmental impacts and performance predicted in the EIS and additional information documents provided to the Department and Commission of Inquiry;
 - detail results of all environmental monitoring required under the development consent and other approvals, including interpretations and discussion by a suitably qualified person;
 - contain a list of all occasions in the preceding twelve-month period when environmental performance goals have not been achieved, indicating the reason for failure to meet the goals and the action taken to prevent recurrence of that type of incident;
 - be prepared within twelve months of the commencement of operation, and every twelve months thereafter;
 - be approved by the Director-General each year; and
- be made available for public inspection.

Implementation Responsibility

SICTL

Evidence of Compliance

A requirement for the Annual Environmental Management Report (as per this Condition) were included in sections 2.2, 2.1.2.2 and 2.2.4 of HSEQ5.1.7 Operational Environmental Management Plan, Version 2 dated 30 August 2013 is attached.

Ongoing environmental management during operation?	To be undertaken during terminal operations.
Ongoing environmental monitoring during operation?	To be undertaken during terminal operations.
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.



Condition	Title	DP&I approval required?	Status
C 4.3	Establishment of environment representative	Yes	Complete

Condition Requirement

Prior to the commencement of operations, a suitably qualified and experienced Environmental Representative(s) shall be nominated to and approved by the Director-General. The Environmental Representative(s) shall be employed for the duration of operations, or as otherwise agreed by the Director-General. The Environmental Representative shall be:

- the primary contact point in relation to the environmental performance of the terminal operations;
- responsible for all Management Plans and Monitoring Programs required under this consent, in relation to the terminal operations;
- responsible for considering and advising on matters specified in the conditions of this consent, and all other licences and approvals relating to the environmental performance and impacts of the terminal operations;
- responsible for the management of procedures and practices for receiving and responding to complaints and inquiries in relation to the environmental performance of the terminal operations;
- required to facilitate an induction and training program for relevant persons involved with the terminal operations; and
- given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and
- failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.

Implementation Responsibility

SICTL

Evidence of Compliance

The nomination of an Environmental Representative is in section 2.1.2.8 and figure 3 of [HSEQ5.1.7 Operational Environmental Management Plan](#), Version 2 dated 30 August 2013 is attached.

NSW Department of Planning Letter dated 31 July 2012 (Ref: 11/10812-1) approving Mr Trevor Ballantyne (National HSEQ Manager, HPA) as the Environmental Representative for the operational phase of the terminal and referencing Condition C4.3.

Ongoing environmental management during operation?	Nil
Ongoing environmental monitoring during operation?	Nil
Ongoing environmental reporting during operation?	Nil



Condition	Title	DP&I approval required?	Status
C 4.4	Requirements of environmental training	No	Open

Condition Requirement

Prior to the commencement of operations an Environmental Training Program shall be developed and implemented to establish a framework in which relevant employees will be trained in environmental management and the operation of plant and equipment, including pollution control equipment, where relevant. The Program shall include, but not necessarily be limited to:

- a) identification of relevant employment positions associated with the development that have an operational or management role related to environmental performance;
- b) details of appropriate training requirements for relevant employees;
- c) a program for training relevant employees in operational and/ or management issues associated with environmental performance; and
- d) a program to confirm and update environmental training and knowledge during employment of relevant persons.

Implementation Responsibility

SICTL

Evidence of Compliance

The framework for environmental training were has been described in section 2.3 of HSEQ5.1.7 Operational Environmental Management Plan, Version 2 dated 30 August 2013 is attached. This framework applies to employees with different roles and different levels of involvement in the operational and environmental management functions of the new terminal.

Ongoing environmental management during operation?	To be undertaken during terminal operations.
Ongoing environmental monitoring during operation?	Nil
Ongoing environmental reporting during operation?	Nil



Condition	Title	DP&I approval required?	Status
C 4.5	Requirements of environmental auditing	Yes	Open

Condition Requirement

Within one year of the commencement of operations and every year thereafter, the Applicant shall fund a full independent environmental audit. The audit must be undertaken by a suitably qualified person/team approved by the Director-General.

The audits would be made publicly available and would:

- be carried out in accordance with ISO 14010 – Guidelines and General Principles for Environmental Auditing and ISO 14011 – Procedures for Environmental Auditing;
- assess compliance with the requirements of this consent, and other licences and approvals that apply to the development;
- assess the construction against the predictions made and conclusions drawn in the development application, EIS, additional information and Commission of Inquiry material; and
- review the effectiveness of the environmental management of the development, including any environmental impact mitigation works.

Implementation Responsibility

SICTL

Evidence of Compliance

All facets of auditing are thoroughly explained in sections 5.2 and 5.2.4.1 of HSEQ5.1.7 Operational Environmental Management Plan including internal, external and annual audits, Version 2 dated 30 August 2013 is attached

Ongoing environmental management during operation?	To be undertaken during terminal operations.
Ongoing environmental monitoring during operation?	Nil
Ongoing environmental reporting during operation?	To be undertaken during terminal operations.



Appendix 1 – Supporting Evidence



Appendix 2 – Environment Document Register



Appendix 3 – Evidence of Consultation – Correspondence to Stakeholders



Appendix 4 – Evidence of Consultation – Correspondence from Stakeholders



Appendix 5 - Schedule of Consultation Changes to OEMP & Sub-Plans

In this section:

- Schedule of Comments from NSW Ports and amendments by SICTL;
- Schedule of Comments from DP&I and amendments by SICTL;

Note: the schedule of stakeholder amendments between Draft 1 and Version 1 of all OEMP and sub-plan documents was provided in version 1 of this Compliance Report. This has been superseded by the incorporation of DP&I comments and NSW Ports' outstanding comments.