

APPENDIX A1

Development Consent Conditions & SICTL's Compliance

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE
C1 GENERAL REQUIREMENTS			
C1.2	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 Port, Maritime and Waterway Related Interim Uses at Hayes Dock Services Area, which are subject to condition C1.2A – C1.2F. 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.	SICTL is a “party undertaking the activities and works referred to under condition C1.1” and thus commits to comply with the conditions, as relevant. A formal commitment is given in section 1.4 of this document.	HSQE 5.7 V4.0 Operational Environmental Management Plan
C1.2A	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 Port, Maritime and Waterway Related Uses Interim Uses, except conditions C1.3, C1.4, C1.5, C2.5, C2.12, C2.16, C2.17, C2.18, C2.20, C2.25, C3.2, C3.3, C4.2, C4.3, C4.4 and C4.5.	SICTL will not undertake activities or works associated with Temporary Uses within the meaning of this condition. No evidence required.	N/A
C1.2B	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: <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. The OEMP shall also address: <ul style="list-style-type: none"> • details of operation activities including key noise and/or vibration generating activities and machinery that have the potential to generate noise and/or vibration impacts on surrounding sensitive receivers; 	SICTL will not undertake activities or works associated with Temporary Uses within the meaning of this condition. No evidence required.	N/A

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE
	<ul style="list-style-type: none"> • identification of feasible and reasonable measures proposed to be implemented to minimize and manage operation noise and vibration impacts, especially during sleep disturbance; • a description of how the effectiveness of mitigation and management measures would be maintained. <p>Noise management shall include:</p> <ul style="list-style-type: none"> • hours in which particular activities are undertaken; • use of shore power where available; • restrictions on notably noisy vehicles and vessels from the site; • use of building and vehicle alarms and/or alternatives available. <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. 		
C1.2 C	<p>The noise management plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> • compliance standards, • community consultation, • compliant handling monitoring system, • site contact person to follow up complaints, • mitigation measures, • the design/orientation of the proposed mitigation methods demonstrating best practice, • operation times, • contingency measures where noise complaints are received, and • monitoring methods and program. 	<p>SICTL will not undertake activities or works associated with Temporary Uses within the meaning of this condition. No evidence required.</p>	<p>NA</p>

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE
C1.2D	<p>Noise from the Hayes Dock Services Area must not exceed the Leq (15 minute) noise limits presented in the Table at C2.6 by more than 5d(B)A between 10.00pm and 7.00am. The Secretary may require a detailed noise compliance assessment, prepared by a qualified acoustic consultant. The noise compliance assessment shall meet the requirements of the Environment Protection Authority.</p> <p>The noise compliance assessment shall include the representative residential receiver locations identified in the table in C2.6.</p>	SICTL will not undertake activities or works associated with Temporary Uses within the meaning of this condition. No evidence required.	NA
C1.2E	<p>A complaint handling procedures shall be implemented for the Hayes Dock Services Area. Annual reports shall be provided to the Department, outlining details of the complaints received. A register of complaints shall be kept and include the following:</p> <ul style="list-style-type: none"> • date and time, where relevant, of the comment, inquiry or complaint, • how the comment, inquiry or complaint was communicated, • any personal details of the commenter, inquirer or complainant that were provided. If no details were provided this should be recorded, • the nature of the comment, inquiry or complaint, • any actions taken by the Applicant in relation to the comment, inquiry or complaint, including any follow-up contact, and • if no action was taken, record the reason(s) why. 	SICTL will not undertake activities or works associated with Temporary Uses within the meaning of this condition. No evidence required.	NA
C1.2F	Reporting on the compliance of the Hayes Dock Services Area with the OEMP shall be conducted annually. Reports shall be provided to the Department within twelve (12) months of this modification unless otherwise agreed.	SICTL will not undertake activities or works associated with Temporary Uses within the meaning of this condition. No evidence required.	NA
Operational Environment Management Plan (OEMP)			
C1.3	<p>The Applicant shall prepare an Operational Environmental Management Plan (OEMP) which must be approved by the Secretary prior to commencement of any operations at the terminal. The OEMP must:</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; • 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; 	<p>The HSEQ 5.7 Operational Environmental Management Plan was prepared based on this condition.</p> <p>The OEMP has been uploaded to the company website. at http://www.hutchisonports.com.au/operations/environmental-management-plans/</p>	HSQE 5.7 V4.0 Operational Environmental Management Plan

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	<ul style="list-style-type: none"> • 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, EPA 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 Secretary. 		
Compliance Certification			
C1.4	<p>Prior to each of the events listed from a) to c) below, or within such period otherwise agreed by the Secretary, 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 Secretary. 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 Secretary.</p> <p>a) commencement of any operations within the terminal area; and b) commencement of each stage or phase of operations.</p>	<p>The Pre-Operational Compliance Report was prepared on the basis of this condition.</p> <p>The Pre-Operational Compliance Report (version 02 dated 3 September 2013) was approved by the Director-General on 16 September 2013.</p> <p>The Pre-Operational Compliance Report has been uploaded to the company website at http://www.hutchisonports.com.au/operations/environmental-management-plans/</p>	NA
C1.5	<p>Notwithstanding condition C1.4 of this consent, the Secretary 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 Secretary and be submitted within such period as the Secretary may agree.</p>	<p>SICTL is committed to comply with the Development Conditions, as relevant.</p> <p>A formal commitment is given in the OEMP</p>	Sec 1.3

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE
C2 OPERATIONAL ENVIRONMENTAL PERFORMANCE			
Air Quality Management			
C2.1	Air Quality Management – Odour 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.	Provisions to manage odour are included in the Air Quality Management Plan .	Sec 7.1
C2.2	Air Quality Management – Dust Emissions 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 implanted such that emissions of visible dust cease.	The operational portion of the SICTL terminal will be completely paved however full provisions to manage dust were included in the Air Quality Management Plan	Sec 7.1
C2.3	Air Quality Management – Dust Emissions All trafficable and vehicle manoeuvring areas shall be maintained at all times in a condition that minimises the generation and emission of dust.	The operational portion of the SICTL terminal will be completely paved however full provisions to manage dust were included in the Air Quality Management Plan	Sec 7.1
C2.4	Air Quality Management – Dust Emissions 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.	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 Air Quality Management Plan	Sec 7.1

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE
Noise Management			
C2.5	<p>Noise Management – Operational Noise Management Plan</p> <p>Prior to the commencement of operations, the Applicant must prepare an Operation Noise Management Plan in consultation with EPA, 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 Operational Noise Management Plan must:</p> <ul style="list-style-type: none"> • 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 EPA; • 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 EPA; • 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 Secretary prior to the commencement of operation. 	<p>The Noise Management Plan was prepared on the basis of and to satisfy this condition through extensive consultation with stakeholders regarding noise management, monitoring and response.</p> <p>The Noise Management Plan (Version 2 dated 30 August 2013) was approved by the Director-General on 16 September 2013.</p>	Sec 7.3
C2.6	<p>Noise Management – Noise Limits.</p> <p>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.</p>	<p>Details of these operational noise limits are included in the Noise Management Plan.</p>	Sec 7.3

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE																																															
	<table border="1" data-bbox="315 328 1456 962"> <thead> <tr> <th data-bbox="315 328 533 512" rowspan="2">Most affected residential Location</th> <th data-bbox="533 328 719 411">Day</th> <th data-bbox="719 328 947 411">Evening</th> <th colspan="3" data-bbox="947 328 1456 411">Night</th> </tr> <tr> <th data-bbox="533 411 719 512">LAeq(15 minute)</th> <th data-bbox="719 411 947 512">LAeq(15 minute)</th> <th data-bbox="947 411 1153 512">LAeq(15 minute)</th> <th data-bbox="1153 411 1285 512">LAeq,9hrs</th> <th data-bbox="1285 411 1456 512">LA1(1 minute)</th> </tr> </thead> <tbody> <tr> <td data-bbox="315 512 533 584">Chelmsford</td> <td data-bbox="533 512 719 584">40</td> <td data-bbox="719 512 947 584">40</td> <td data-bbox="947 512 1153 584">40</td> <td data-bbox="1153 512 1285 584">38</td> <td data-bbox="1285 512 1456 584">53</td> </tr> <tr> <td data-bbox="315 584 533 651">Dent Street</td> <td data-bbox="533 584 719 651">45</td> <td data-bbox="719 584 947 651">45</td> <td data-bbox="947 584 1153 651">45</td> <td data-bbox="1153 584 1285 651">43</td> <td data-bbox="1285 584 1456 651">59</td> </tr> <tr> <td data-bbox="315 651 533 715">Jennings Street</td> <td data-bbox="533 651 719 715">36</td> <td data-bbox="719 651 947 715">36</td> <td data-bbox="947 651 1153 715">36</td> <td data-bbox="1153 651 1285 715">35</td> <td data-bbox="1285 651 1456 715">55</td> </tr> <tr> <td data-bbox="315 715 533 831">Botany Road (north of)</td> <td data-bbox="533 715 719 831">47</td> <td data-bbox="719 715 947 831">47</td> <td data-bbox="947 715 1153 831">47</td> <td data-bbox="1153 715 1285 831">45</td> <td data-bbox="1285 715 1456 831">59</td> </tr> <tr> <td data-bbox="315 831 533 898">Australia Avenue</td> <td data-bbox="533 831 719 898">35</td> <td data-bbox="719 831 947 898">35</td> <td data-bbox="947 831 1153 898">35</td> <td data-bbox="1153 831 1285 898">35</td> <td data-bbox="1285 831 1456 898">57</td> </tr> <tr> <td data-bbox="315 898 533 962">Military Road</td> <td data-bbox="533 898 719 962">42</td> <td data-bbox="719 898 947 962">42</td> <td data-bbox="947 898 1153 962">42</td> <td data-bbox="1153 898 1285 962">40</td> <td data-bbox="1285 898 1456 962">60</td> </tr> </tbody> </table> <p data-bbox="392 970 784 1002">For the purpose of this condition;</p> <ul data-bbox="347 1005 1366 1161" style="list-style-type: none"> • 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 	Most affected residential Location	Day	Evening	Night			LAeq(15 minute)	LAeq(15 minute)	LAeq(15 minute)	LAeq,9hrs	LA1(1 minute)	Chelmsford	40	40	40	38	53	Dent Street	45	45	45	43	59	Jennings Street	36	36	36	35	55	Botany Road (north of)	47	47	47	45	59	Australia Avenue	35	35	35	35	57	Military Road	42	42	42	40	60		
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C2.7	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.	Details of the noise monitoring requirements are included in the Noise Management Plan .	Sec 7.3																																															

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE
C2.8	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.	Details of the noise monitoring requirements are included in the Noise Management Plan .	
C2.9	Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy.	SICTL submitted a proposed methodology for conducting noise measurements and modelling as an alternative to conducting environmental noise monitoring at all six noise monitoring locations on 5 June 2014. The EPA approved the use of a calibrated noise model on 11 July 2014. Details of the noise monitoring requirements are included in the Noise Management Plan .	Sec 7.3
C2.10	The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.	SICTL submitted a proposed methodology for conducting noise measurements and modelling as an alternative to conducting environmental noise monitoring at all six noise monitoring locations on 5 June 2014. The EPA approved the use of a calibrated noise model on 11 July 2014. Details of the noise monitoring requirements are included in the Noise Management Plan .	Sec 7.3
C2.11	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 1.50C/100m positive lapse rate.	Details of the noise monitoring requirements are included in the Noise Management Plan .	Sec 7.3
Operational Traffic Management Plan			
C2.12	Prior to the commencement of terminal operations, the applicant must prepare a 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 EIS such as:	The Operational Traffic Management Plan was prepared on the basis of and to satisfy this condition through extensive consultation with stakeholders regarding operational traffic management, monitoring and response.	Sec 7.4

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE
	<ul style="list-style-type: none"> • 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. <p>The plan must be submitted and approved by the Secretary prior to the commencement of operations.</p>	<p>The Operational Traffic Management Sub-Plan (Version 2 dated 30 August 2013) was approved by the Director-General on 16 September 2013.</p>	
Waste Management On-Site			
C2.13	<p>Management of waste must be in accordance with the environment protection licence issued by EPA under the Protection of the Environment Operations Act 1997.</p>	<p>The Waste Management Plan was prepared on the basis of and in support of this condition. The EPA Licence 20322 has been issued to Sydney International Container Terminals Pty Ltd</p>	<p>Sec 7.7</p>
C2.13A	<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 <i>Protection of the Environment Operation (Waste) Regulation 2005</i> and the <i>Waste Classification Guidelines</i> (DECCW 2009), or any future guideline that may supercede 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>	<p>The Waste Management Plan was prepared on the basis of and in support of this condition.</p>	<p>Sec 7.7</p>
Water and Wastewater Management			
C2.14	<p>Except as may be expressly permitted by a licence under the <i>Protection of the Environment Operations Act 1997</i> 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.</p>	<p>The Water & Wastewater Management Plan was prepared on the basis of and in support of this condition.</p>	<p>Sec 7.8</p>
C2.15	<p>Deleted</p>		
C2.15A	<p>Hazards and Risk Management – Hayes Dock Interim Uses Port, Maritime and Waterway Related Interim Uses with in Hayes Dock may involve the loading, unloading and storage of minor volumes of dangerous goods (DGs) for the sole purpose of minor site maintenance; line boat, barge and tug maintenance; related service activities and boat refuelling.</p>	<p>SICTL will not undertake activities or works associated with Temporary Uses within the meaning of this condition. No evidence required.</p>	<p>N/A</p>

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE
Hazards and Risk Management			
C2.16	<p>Hazards and Risk Management – Storage and Handling of Dangerous Goods</p> <p>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.</p>	<p>The Dangerous Goods Management Plan was prepared on the basis of and in support of this condition.</p>	<p>Sec 7.6</p>
C2.17	<p>Twelve months after the determination of DA 494-11-2003-I MOD 16, the Proponent shall submit an annual report to the Secretary which provides details on actual Dangerous Goods movements listed in the Table 1 provided in Schedule 4.</p> <p>Should the threshold limits listed in Table 2 in Schedule 4 be exceeded for three consecutive annual reporting years, or if the maximum limits are reached in a single 12 month reporting period, the Applicant shall prepare an updated hazard analysis for the PBE operations. The hazard analysis shall:</p> <ul style="list-style-type: none"> • be prepared in consultation with the Department; • be prepared in accordance with Hazardous Industry Planning Paper No. 6, “Hazard Analysis”; • assess compliance against the land use safety planning risk criteria (including individual fatality risk, injury/irritation risk and societal risk), as outline in Hazardous Industry Planning Advisory Paper No. 4 “Risk Criteria for Land Use Safety Planning”; and • assess whether the risks from PBE operations will significantly impact on the cumulative risk contour of 1×10^{-6} per annum, contained in Figure 2 of the Port Botany Land Use Safety Study Overview Report 1996, or in any other revised land use safety study for the Port that supersedes the 1996 study. <p>The report shall be prepared to the satisfaction of the Secretary.</p> <p>The hazard analysis is to be submitted to the Secretary within 6 months of an identified threshold exceedance, or as agreed to by the Secretary.</p> <p>The information provided shall cover all stevedores in the PBE area. The information may be provided separately by each stevedore to the Department or in total for the PBE by the Applicant.</p>	<p>The Dangerous Goods Management Plan was prepared on the basis of and in support of this condition.</p>	<p>Sec 7.6</p>

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE
C2.18	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 <i>Port Botany Land Use Safety Study (1996)</i> .	The Dangerous Goods Management Plan was prepared on the basis of and in support of this condition.	Sec 7.6
C2.19	Deleted	N/A	N/A
Emergency Incident Management			
C2.20	Emergency Response and Incident Management Plan 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: <ul style="list-style-type: none"> • 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. 	The HSEQ10.1.3 Emergency Response Plan - SICTL was prepared to satisfy this condition through extensive consultation with stakeholders regarding terminal emergency response plans. The Emergency Response Plan (Version 3 dated 17 October 2013) was approved by the Director-General on 4 November 2013. The same has been included in the OEMP.	Sec 3.8
Aviation Operational Impacts			
C2.21	Impact on Aviation Operations at Sydney Airport The Applicant shall ensure that the location of fixed terminal operating infrastructure adequately takes into account the required lateral separation distances to minimise the interference to Sydney Airport radar and navigational systems.	The Aviation Operational Impacts Management Plan was prepared on the basis of and in support of this condition. An approval was granted by Aviation Environment, Aviation and Airports Division of the Department of Infrastructure and Transport on 04 September 2013 prior to the commencement of operations for the intrusion of four Quay Cranes into prescribed airspace, subject to conditions of maximum operating height and obstacle lighting at night and during daylight hours.	Sec 7.2

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C2.22	<p>Obstacle Limitation Surface</p> <p>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.</p>	<p>The Aviation Operational Impacts Management Plan was prepared on the basis of and in support of this condition.</p> <p>An approval was granted by Aviation Environment, Aviation and Airports Division of the Department of Infrastructure and Transport on 04 September 2013 prior to the commencement of operations for the intrusion of four Quay Cranes into prescribed airspace, subject to conditions of maximum operating height and obstacle lighting at night and during daylight hours.</p>	Sec 7.2
C2.23	<p>Terminal Lighting</p> <p>The Applicant shall ensure design specifications of the terminal lighting conform to the requirement of Regulation 94 of the Civil Aviation regulations 1988.</p>	<p>The Aviation Operational Impacts Management Plan was prepared on the basis of and in support of this condition.</p> <p>An approval was granted by Aviation Environment, Aviation and Airports Division of the Department of Infrastructure and Transport on 04 September 2013 prior to the commencement of operations for the intrusion of four Quay Cranes into prescribed airspace, subject to conditions of maximum operating height and obstacle lighting at night and during daylight hours.</p>	Sec 7.2

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C.24	<p>Light Spill</p> <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. 	<p>The Aviation Operational Impacts Management Plan was prepared on the basis of and in support of this condition.</p> <p>An approval was granted by Aviation Environment, Aviation and Airports Division of the Department of Infrastructure and Transport on 04 September 2013 prior to the commencement of operations for the intrusion of four Quay Cranes into prescribed airspace, subject to conditions of maximum operating height and obstacle lighting at night and during daylight hours.</p>	Sec 7.2
C2.25	<p>Bird Hazard Management Plan</p> <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 Secretary prior to the commencement of operations.</p>	<p>The Aviation Operational Impacts Management Plan, was prepared on the basis of and to satisfy this condition regarding bird hazard management/ minimisation of bird attractants, monitoring of bird presence on the terminal and response through active management measures.</p>	Sec 7.2
C3 COMMUNITY INFORMATION, INVOLVEMENT AND CONSULTATION			
C3.1	<p>Community Information Complaints Handling</p> <p>The Applicant must meet the following requirements in relation to community consultation and complaints management:</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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); 	<p>SICTL has developed complaint management procedure which is included in the OEMP.</p>	Sec 3.10

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE
	<ul style="list-style-type: none"> • 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; • 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 EPA, unless otherwise agreed by the Secretary, outlining details of complaints received. 		
<p>C3.2</p>	<p>Community Consultative Committee</p> <p>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:</p> <ol style="list-style-type: none"> a) be comprised of: <ul style="list-style-type: none"> 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 Secretary in consultation with the Council; b) be chaired by an independent party approved by the Secretary; 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 e) port rail noise within the Port Botany Expansion site is to be an ongoing agenda item to be discussed by the CCC and relevant stakeholders; and f) within 12 months of the commencement of MOD 16, an advertisement must be placed for new members to join the CCC, given that the other working groups such as the RNWG are no longer present. 	<p>The primary mechanism used by SICTL to interface with the community is the Operational Community Consultative Committee (OCCC). 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 and received approval from DP&I on the 23 May 2013.</p>	<p>Sec 3.9</p>

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE
C3.3	<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 Secretary within a month of the Committee meeting 	<p>Operational Community Consultative Committee (OCCC) meetings are conducted as required and sharing of information is explained in the OEMP.</p>	<p>Sec 3.9</p>
C4 ENVIRONMENTAL MONITORING AND AUDITING			
C4.1	<p>Incident Reporting</p> <p>The Secretary 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 Secretary within seven days of the date on which the incident occurred. The Secretary 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 Secretary may require.</p>	<p>Incident management is included in the OEMP</p>	<p>Sec 3.7</p>
C4.2	<p>Annual Environmental Management Report (AEMR)</p> <p>The Applicant must prepare an Annual Environmental Management Report for the development. The Annual Environmental Management Report must:</p> <ul style="list-style-type: none"> • 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; 	<p>SICTL submits the AEMR report to DPE every year for the previous 12 months. The requirements for AEMR is included in OEMP.</p>	<p>Sec 3.5</p>

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE
	<ul style="list-style-type: none"> • 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; • to the satisfaction of the Secretary for approval; and • be made available for public inspection 		
<p>C4.3</p>	<p>Environmental Representative</p> <p>Prior to the commencement of operations, a suitably qualified and experienced Environmental Representative(s) shall be nominated to and approved by the Secretary. The Environmental Representative(s) shall be employed for the duration of operations, or as otherwise agreed by the Secretary. The Environmental Representative shall be:</p> <ul style="list-style-type: none"> • 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. 	<p>Senior Manager HSEQ is the nominated Environmental Representative as required under the Development Consent.</p>	<p>Sec 3.4.2</p>

SECTION	DESCRIPTION	IMPLEMENTATION EVIDENCE	OEMP REFERENCE
C4.4	<p>Environmental Training</p> <p>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:</p> <ol style="list-style-type: none"> 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. 	<p>The training requirements have been identified and included in the OEMP.</p>	<p>Sec 3.6</p>
C4.5	<p>Environmental Auditing</p> <p>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 Secretary. The audits would be made publicly available and would:</p> <ul style="list-style-type: none"> • 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. 	<p>The requirements of independent auditing are included in the OEMP.</p>	<p>Sec 6.2</p>