

APPENDIX A1

Development Consent Conditions & SICTL's Compliance

| SECTION | DESCRIPTION | IMPLEMENTATION EVIDENCE AND OEMP REFERENCE |
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| C1 GENERAL REQUIREMENTS | | |
| Application of Schedule | | |
| C1.1 | 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. | SICTL's activities are outlined in the OEMP. Refer to Purpose and Scope of OEMP (section 1.3 of the OEMP) |
| 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. Refer to Purpose and Scope of OEMP (section 1.3 of the OEMP) |
| Interim Uses Port, Maritime and Waterway Related Uses – Hayes Dock Services Area | | |
| 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, C3.1, C3.2, C3.3, C4.2, C4.3, C4.4 and C4.5. | SICTL will not undertake activities or works associated with Hayes Dock Services Area within the meaning of this condition. No evidence required. |
| Operation Environmental Management Plan – Port, Maritime and Waterway Related Interim Uses – Hayes Dock Services Area | | |
| C1.2B | The Applicant shall prepare an Operation Environmental Management Plan (OEMP) – Port, Maritime and Waterway Related Interim Uses prior to the commencement of Port, Maritime and Waterway Related Interim 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 Management; • Waste Management; • Water and Wastewater Management; • Hazard Risk Management; | SICTL will not undertake activities or works associated with Hayes Dock Services Area within the meaning of this condition. No evidence required. |

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| | <ul style="list-style-type: none"> • Amenity, including lighting; and • Incident Reporting. <p>The OEMP shall also address:</p> <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; • 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. <p>A copy of the updated OEMP shall be submitted for approval by the Secretary within (3) months of the date of approval of Modification 16, unless otherwise agreed by the Secretary.</p> | |

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| Noise Management Plan – Interim Uses - Hayes Dock Services Area Operation | | |
| 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, • complaint 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 Hayes Dock Services Area within the meaning of this condition.</p> <p>No evidence required.</p> |
| Noise Compliance Assessment – Interim Uses Hayes Dock Services Area Operation | | |
| 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> | <p>SICTL will not undertake activities or works associated with Hayes Dock Services Area within the meaning of this condition.</p> <p>No evidence required.</p> |
| 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. | <p>SICTL will not undertake activities or works associated with Hayes Dock Services Area within the meaning of this condition.</p> <p>No evidence required.</p> |
| C1.2F | <p>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.</p> | <p>SICTL will not undertake activities or works associated with Temporary Uses within the meaning of this condition.</p> <p>No evidence required.</p> |

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| 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; • 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 DPIE, 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. | <p>The HSEQ 5.7 Operational Environmental Management Plan was prepared based on this condition.</p> <p>The OEMP version 03 was approved by the Secretary on 16 September 2013 prior to the commencement of Operations at the terminal.</p> <p>The OEMP was reviewed and updated in 2018, and version 04 was approved by the Secretary on 19 February 2019.</p> <p>The OEMP has been uploaded to the company website. at http://www.hutchisonports.com.au/operations/environmental-management-plans/</p> |

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| Compliance Certification | | |
| C1.4 | 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. <ul style="list-style-type: none"> a) commencement of any operations within the terminal area; and b) commencement of each stage or phase of operations. | The Pre-Operational Compliance Report was prepared on the basis of this condition. The Pre-Operational Compliance Report (version 02 dated 3 September 2013) was approved by the Secretary on 16 September 2013. The Pre-Operational Compliance Report has been uploaded to the company website at http://www.hutchisonports.com.au/operations/environmental-management-plans/ |
| C1.5 | 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. | SICTL is committed to comply with the Development Conditions, as relevant. Refer to Reporting and Records (section 3.5 of the OEMP) |
| C2 OPERATIONAL ENVIRONMENTAL PERFORMANCE | | |
| Air Quality Management | | |
| C2.1 | 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 (Section 7.1 of the OEMP). |
| C2.2 | 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 (Section 7.1 of the OEMP) |
| C2.3 | 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 (Section 7.1 of the OEMP) |

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| C2.4 | <p>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.</p> | <p>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 (Section 7.1 of the OEMP)</p> |
| Noise Management | | |
| C2.5 | <p>Operation Noise Management Plan</p> <p>Prior to the commencement of operations, the Applicant must prepare an Operation Noise Management Plan in consultation with EPA, DPIE, 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 (Section 7.3 of the OEMP) 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 Secretary on 16 September 2013 prior to commencement of operations at the terminal.</p> |

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| C2.6 | <p>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 style="text-align: center;">Noise Limits (dB(A))</p> <table border="1" data-bbox="309 395 1355 1029"> <thead> <tr> <th rowspan="2">Most affected residential Location</th> <th>Day</th> <th>Evening</th> <th colspan="3">Night</th> </tr> <tr> <th>L_{Aeq}(15 minute)</th> <th>L_{Aeq}(15 minute)</th> <th>L_{Aeq}(15 minute)</th> <th>L_{Aeq},9hrs</th> <th>LA1(1 minute)</th> </tr> </thead> <tbody> <tr> <td>Chelmsford Avenue</td> <td>40</td> <td>40</td> <td>40</td> <td>38</td> <td>53</td> </tr> <tr> <td>Dent Street</td> <td>45</td> <td>45</td> <td>45</td> <td>43</td> <td>59</td> </tr> <tr> <td>Jennings Street</td> <td>36</td> <td>36</td> <td>36</td> <td>35</td> <td>55</td> </tr> <tr> <td>Botany Road (north of Golf Club)</td> <td>47</td> <td>47</td> <td>47</td> <td>45</td> <td>59</td> </tr> <tr> <td>Australia Avenue</td> <td>35</td> <td>35</td> <td>35</td> <td>35</td> <td>57</td> </tr> <tr> <td>Military Road</td> <td>42</td> <td>42</td> <td>42</td> <td>40</td> <td>60</td> </tr> </tbody> </table> <p>For the purpose of this condition;</p> <ul 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 | | | L _{Aeq} (15 minute) | L _{Aeq} (15 minute) | L _{Aeq} (15 minute) | L _{Aeq} ,9hrs | LA1(1 minute) | Chelmsford Avenue | 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 | <p>Details of these operational noise limits are included in the Noise Management Plan (Section 7.3 of the OEMP).</p> |
| Most affected residential Location | Day | | Evening | Night | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | L _{Aeq} (15 minute) | L _{Aeq} (15 minute) | L _{Aeq} (15 minute) | L _{Aeq} ,9hrs | LA1(1 minute) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Chelmsford Avenue | 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 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| C2.7 | <p>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.</p> | <p>Details of the noise monitoring requirements are included in the Noise Management Plan (Section 7.3 of the OEMP).</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| 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 (Section 7.3 of the OEMP). |
| 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 (Section 7.3 of the OEMP). |
| 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 (Section 7.3 of the OEMP). |
| 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 1.5°C/100m positive lapse rate. | Details of the noise monitoring requirements are included in the Noise Management Plan (Section 7.3 of the OEMP). |
| Operational Traffic Management Plan | | |
| C2.12 | <p>Prior to the commencement of terminal operations, the applicant must prepare a Operational Traffic Management Plan in consultation with TfNSW(RMS), DPIE, 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:</p> <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 Plan (Section 7.4 of the OEMP) was prepared on the basis of and to satisfy this condition through extensive consultation with stakeholders regarding operational traffic management, monitoring and response.</p> <p>The Operational Traffic Management Sub-Plan (Version 2 dated 30 August 2013) was approved by the Secretary on 16 September 2013 prior to the commencement of operations at the terminal.</p> |

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| Waste Management On-Site | | |
| C2.13 | Management of waste must be in accordance with the environment protection licence issued by EPA under the Protection of the Environment Operations Act 1997. | The Waste Management Plan (Section 7.7 of the OEMP) 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 |
| C2.13A | 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. | The Waste Management Plan (Section 7.7 of the OEMP) was prepared on the basis of and in support of this condition. |
| Water and Wastewater Management | | |
| C2.14 | 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. | The Water & Wastewater Management Plan (Section 7.8 of the OEMP) and the Stormwater Management Plan (Section 7.5 of the OEMP) was prepared on the basis of and in support of this condition. |
| C2.15 | Pollutant Concentration Limits For each monitoring/discharge point or utilisation area, the concentration of any pollutant discharged at that point, or applied to the area, must not exceed concentration limits specified in the relevant environmental protection licence. | The SICTL EPA Licence does not specify monitoring of discharge points or concentration limits which must be applied to the terminal operations. Provisions to monitor stormwater quality and SICTL's internal limits are nonetheless included in the Stormwater Management Plan (Section 7.5 of the OEMP) |
| C2.15A | Hazards and Risk Management – Hayes Dock Interim Uses Port, maritime and waterway related 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. | SICTL will not undertake activities or works associated with Hayes Dock Interim Uses within the meaning of this condition. No evidence required. |
| Hazards and Risk Management | | |
| C2.16 | Storage and Handling of Dangerous Goods Prior to the commencement of operation, the Applicant shall develop management measures in consultation with the Major Hazards Unit of DPIE regarding the use of the new terminal for loading, unloading and storage of dangerous goods of Classes 2.3 and 6. | The Dangerous Goods Management Plan (Section 7.6 of the OEMP) was prepared on the basis of and in support of this condition. The Handling of Dangerous Goods and Hazardous Substances Sub-Plan (version 02) was approved by the Secretary on 25 October 2013 prior to the commencement of operations at the terminal. |

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| Hazards and Risk Management – Storage and Handling of Dangerous Goods | | |
| C2.17 | <p>Twelve months after the determination of DA 494-11-2003-I MOD 16, the Applicant 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 <i>Hazardous Industry Planning Paper No. 6, "Hazard Analysis"</i>; • assess compliance against the land use safety planning risk criteria (including individual fatality risk, injury/irritation risk and societal risk), as outline in <i>Hazardous Industry Planning Advisory Paper No. 4 "Risk Criteria for Land Use Safety Planning"</i>; 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 <i>Port Botany Land Use Safety Study Overview Report 1996</i>, or 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 (Section 7.6 of the OEMP) was prepared on the basis of and in support of this condition.</p> |
| C2.18 | <p>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>.</p> | <p>The Dangerous Goods Management Plan (Section 7.6 of the OEMP) was prepared on the basis of and in support of this condition.</p> |
| C2.19 | Deleted | N/A |

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| Emergency Incident Management | | |
| C2.20 | <p>Emergency Response and Incident Management Plan</p> <p>The Applicant shall develop an Emergency Response and Incident Management Plan in consultation with EPA, DPIE, Council and the Community Consultative Committee. The Plan must be approved by the Secretary prior to the commencement of operations and shall detail:</p> <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. | <p>The HSEQ10.1.3 Emergency Response Plan - SICTL was prepared to satisfy this condition through extensive consultation with stakeholders regarding terminal emergency response plans.</p> <p>The Emergency Response Plan (Version 3 dated 17 October 2013) was approved by the Secretary on 4 November 2013.</p> <p>The summary has been included in Emergency Control and Response (Section 3.8 of the OEMP).</p> |
| Aviation Operational Impacts | | |
| C2.21 | <p>Impact on Aviation Operations at Sydney Airport</p> <p>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.</p> | <p>The Aviation Operational Impacts Management Plan (Section 7.2 of the OEMP) 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> |
| 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 <i>Airports Act 1999 and Airports (Protection of Airspace) Regulation 1966</i>.</p> | <p>The Aviation Operational Impacts Management Plan (Section 7.2 of the OEMP) 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> |

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| 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 <i>Civil Aviation Regulations 1988</i>.</p> | <p>The Aviation Operational Impacts Management Plan (Section 7.2 of the OEMP) 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> |
| 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 (Section 7.2 of the OEMP) was prepared on the basis of and in support of this condition.</p> |
| 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 (Section 7.2 of the OEMP) 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> <p>The Bird Hazard Management Plan (version 02) was approved by the Secretary on 16 September 2013 prior to the commencement of operations at the terminal.</p> |

| SECTION | DESCRIPTION | IMPLEMENTATION EVIDENCE AND OEMP REFERENCE |
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| C3 COMMUNITY INFORMATION, INVOLVEMENT AND CONSULTATION | | |
| Community Information, Involvement and Consultation | | |
| C3.1 | <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); ○ 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>Complaints Management (Section 3.10 of the OEMP) was prepared on the basis of and in support of this condition.</p> |

| SECTION | DESCRIPTION | IMPLEMENTATION EVIDENCE AND OEMP REFERENCE |
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| Community Consultative Committee | | |
| C3.2 | <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><i>Note: The Applicant may, with the approval of the Secretary, combine the function of this CCC with the function of other existing Community Consultative mechanisms the area, including the construction phase CCC (Condition B3.2) however, if it does this it must ensure that the above obligations are fully met in the combined process.</i></p> | <p>The primary mechanism used by SICTL to interface with the community is the Port Botany Community Consultative Committee (PBCCC).</p> <p>Following agreement between its members and approval from DPIE on 16 September 2013, the Port Botany Expansion Community Consultative Committee combined with the Port Botany Neighbourhood Liaison Group to form the Port Botany Community Consultative Committee (PBCCC).</p> <p>Community Consultation (Section 3.9 of the OEMP) was prepared on the basis of and in support of this condition.</p> |

| SECTION | DESCRIPTION | IMPLEMENTATION EVIDENCE AND OEMP REFERENCE |
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| 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>Community Consultation (Section 3.9 of the OEMP) was prepared on the basis of and in support of this condition.</p> |
| C4 ENVIRONMENTAL MONITORING AND AUDITING | | |
| Incident Reporting | | |
| C4.1 | <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 Reporting and Management (Section 3.7 of the OEMP) was prepared on the basis of and in support of this condition.</p> |

| SECTION | DESCRIPTION | IMPLEMENTATION EVIDENCE AND OEMP REFERENCE |
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| Annual Environmental Management Report (AEMR) | | |
| C4.2 | <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; • 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>The AEMR is prepared every 12 months and submitted to DPIE every year and mfor the previous 12 months.</p> <p>Reporting and Records (section 3.5 of the OEMP) was prepared on the basis of and in support of this condition.</p> |
| C4.3 | Deleted | N/A |

| SECTION | DESCRIPTION | IMPLEMENTATION EVIDENCE AND OEMP REFERENCE |
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| Environmental Training | | |
| C4.4 | <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>Induction and Training (section 3.6 of the OEMP) was prepared on the basis of and in support of this condition.</p> |
| Environmental Auditing | | |
| C4.5 | <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>Note: An independent environmental audit can verify compliance (or otherwise) with the Minister’s consent and various approvals. Auditing also provides an opportunity for continued improvement in environmental performance.</p> | <p>Auditing (section 6.2 of the OEMP) was prepared on the basis of and in support of this condition.</p> |