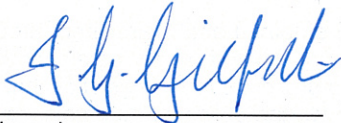


**SYDNEY PORTS CORPORATION**

**APPROVAL UNDER PART 5 OF THE  
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979**

I, the Chief Executive Officer for Sydney Ports Corporation, **approve** the Activity referred to in Schedule 1 in accordance with Part 5 of the *Environmental Planning & Assessment Act 1979* (EP&A Act), subject to the conditions in Schedule 2. I have determined that there will not be a significant effect on the environment from this Activity and, therefore, no environmental impact statement is required subject to compliance with Schedule 2 and 3.



Signed

J. G. GILFILLAN

Print name

Date: 28/6/11

SPC Reference: C11/311

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**SCHEDULE 1**

<b>Proponent:</b>	Caltex Australia Petroleum Pty Ltd
<b>Determining Authority:</b>	Sydney Ports Corporation (Sydney Ports)
<b>Land:</b>	Bunnerong Canal at Bumborah Point Road, Port Botany (Part of Lot 6 DP 1053768)
<b>Activity / Project:</b>	Maintenance works on four existing fuel pipelines
<b>Activity under Part 5 of the Act:</b>	The development is an activity under Part 5 of the EP&A Act, because it is a development of a kind described in clause 2 of Schedule 7 to State Environmental Planning Policy (Major Development) 2005.

**SCHEDULE 2: Conditions of Approval**

<b>General Conditions</b>		
1.	<b>Approved Activity / Project</b>	<p>The approved Activity is to be undertaken generally in accordance with the Review of Environmental Factors dated April 2011 prepared by Caltex in so far as it relates to the approved Activity, and the below Conditions of Approval.</p> <p>All mitigation measures nominated and commitments made in the Review of Environmental Factors form part of this Approval and must be adhered to. This includes commitments listed in Schedule 3 of this document.</p> <p>In the event of any inconsistency between the submitted assessment documentation and the Conditions of Approval, the Conditions of Approval prevail.</p>
2.	<b>Expiry of Approval</b>	This Approval expires two (2) years from the date of this Approval, if the Activity has not substantially commenced.
3.	<b>Adherence to other Acts and other Statutory Requirements</b>	All licences, permits and approvals must be obtained and maintained throughout the life of this Activity. This Approval does not imply that any other permission, approval or consent required under other state or federal legislation has been granted. No condition of this Approval removes the obligation to obtain, renew or comply with required licences, permits or approvals.
4.	<b>Compliance with Conditions of Approval</b>	Evidence of compliance with Conditions of Approval is to be submitted to Sydney Ports Corporation within two (2) weeks of a request by the Corporation, or other time frame as agreed with Sydney Ports.
5.	<b>Construction and Operational Incident Management and Reporting</b>	<p>5.1 Sydney Ports must be notified of any incident with actual or potential significant impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. Written details of the incident must be provided to Sydney Ports within seven (7) days of the date on which the incident occurred.</p> <p>5.2 A register of accidents, incidents and potential incidents with actual or potential significant impacts on people or the biophysical environment must be maintained. The register is to be made available for inspection at any time by Sydney Ports.</p> <p>5.3 If directed, all of Sydney Ports' requirements to address the cause or impact of any incident must be undertaken within a period agreed by Sydney Ports.</p>
<b>Conditions Relating to Construction Works</b>		
6.	<b>Construction Hours</b>	All construction works are to be carried out between the following hours, unless inaudible at the closest residence: Monday to Friday 7:00am to 6:00pm, Saturdays 8:00am to 1:00pm and no work on Sundays or Public Holidays.
7.	<b>Approval to Commence Construction</b>	Approval to commence construction works is to be obtained from Sydney Ports' Senior Property Manager, prior to commencement of construction.
8.	<b>Documents to be provided to Sydney Ports Corporation</b>	<p>The following documents / management plans are to be provided in draft form to Sydney Ports for review. Sydney Ports' comments on the draft documents are to be incorporated in the finalisation of these documents. The final documents are to be submitted to Sydney Ports prior to commencement of construction:</p> <ul style="list-style-type: none"> <li>i) Spill Management Plan</li> <li>ii) Construction Environmental Management Plan</li> </ul>

9.	<b>Water Quality &amp; Spill Management</b>	<p>9.1 A Spill Management Plan for the project must be prepared and outline the environmental management practices and procedures to be implemented during construction, and include spill response processes and management measures that will be undertaken in the event of a pipeline leak.</p> <p>9.2 An emergency spill management kit is to be kept on site at all times during construction and staff trained in its use. Any spill is to be immediately reported to Sydney Ports Harbour Control on 9296 4000.</p> <p>9.3 Sediment control devices must be put in place to ensure any excavated material does not enter the waterways.</p> <p>9.4 Any material dropped into the water that may cause an obstruction or pollution is to be immediately removed.</p>
10.	<b>Construction Environmental Management Plan (CEMP)</b>	<p>A Construction Environmental Management Plan (CEMP) for the project must be prepared and outline the environmental management practices and procedures to be implemented during each stage of construction, and include:</p> <ul style="list-style-type: none"> <li>i) a description of all activities to be undertaken on the site during construction of the project, including an indication of stages of construction, where relevant;</li> <li>ii) statutory and other obligations required to be fulfilled / met during construction, including all approvals, consultations and agreements required from authorities and other stakeholders;</li> <li>iii) details of how the environmental performance of the construction works would be monitored, and what actions would be taken to address identified adverse environmental impacts;</li> <li>iv) a description of the roles and responsibilities for all relevant employees involved in the construction of the project; and</li> <li>v) complaints handling procedures during construction and site preparation.</li> </ul>
11.	<b>Noise &amp; Vibration</b>	<p>The Construction Environmental Management Plan (CEMP) must detail measures to minimise noise generated during construction activities associated with the development including, but not limited to:</p> <ul style="list-style-type: none"> <li>i) identification of the potential sources of noise during the proposed works;</li> <li>ii) specification of the noise and vibration criteria for the proposed works;</li> <li>iii) a detailed description of what actions and measures would be implemented to ensure that these works would comply with the relevant noise and vibration criteria; and</li> <li>iv) procedures for dealing and responding to noise complaints.</li> </ul>
12.	<b>Acid Sulfate Soils</b>	<p>An Acid Sulfate Soil (ASS) Management Plan is to be prepared as part of the Construction Environmental Management Plan (CEMP) should excavation works need to exceed a depth greater than 1m below ground level. The plan must be prepared in accordance with Acid Sulphate Soils Management Guidelines (1998) and published by the Acid Sulphate Soil Management Advisory Committee (ASSMAC).</p>
13.	<b>Air Quality</b>	<p>13.1 The design and construction of the project must be undertaken in a manner that prevents and/or minimises dust, odour and vapour emissions from the site.</p> <p>13.2 All trucks used for construction must have their loads covered.</p> <p>13.3 Vehicles, plant and equipment are to be turned off when not in use to minimise emissions to air.</p>

14.	<b>Use of External Material</b>	Material sourced external to the site can only be used if the material is Virgin Excavated Natural Material (VENM) / Excavated Natural Material (ENM) as defined under the NSW Department of Environment and Climate Change (DECC – now Office of Environment and Heritage) <i>Waste Classification Guidelines</i> (DECC, 2008). Sydney Ports must be provided with proof of classification prior to material arriving on site.
15.	<b>Pipeline Corridor</b>	<p>15.1 Certification from a qualified engineer that the pipeline corridor is able to withstand the proposed construction work loads (i.e. the use of the excavator) is to be obtained prior to construction works commencing.</p> <p>15.2 All pipeline owners within the pipeline corridor at Bunnerong Canal must be notified of the works at least two (2) weeks prior to the commencement of construction and consider their requirements when undertaking the proposed works.</p>
16.	<b>Scaffolding</b>	There is to be no contact or bracing of scaffolding on adjoining pipelines or their supports.
17.	<b>Complaints Procedure</b>	<p>Details of all complaints received from members of the public must be recorded in an up-to-date Complaints Register. The Register is to record, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i) the date and time, where relevant, of the complaint;</li> <li>ii) the means by which the complaint was made (telephone, mail or email);</li> <li>iii) details of the complainant that were provided, or if no details were provided, a note to that effect;</li> <li>iv) the nature of the complaint;</li> <li>v) any action(s) taken in relation to the complaint, including any follow up contact with the complainant; and</li> <li>vi) if no action was taken in relation to the complaint, the reason(s) why no action was taken.</li> </ul> <p>The Complaints Register is to be made available for inspection by Sydney Ports upon request.</p>

**SCHEDULE 3: Site Operator's Mitigation Measures and Commitments to undertake the Activity**

Environmental Assessment Matter		Mitigation Measure
1.	Concrete Cutting	<ul style="list-style-type: none"> <li>i. Selected concrete cutting will be used for the canal wall removal, rather than mechanical breaking of the concrete.</li> <li>ii. Concrete canal walls over any pipelines, other than the Caltex pipelines, will not be disturbed.</li> </ul>
2.	Excavation	Excavation will be performed after the establishment of sediment control devices and before any concrete cutting is undertaken.
3.	Scaffolding and Under-Pipe Containment	<ul style="list-style-type: none"> <li>i. Licenced scaffolders will be used for the erection of the scaffolding which will meet all relevant regulations, standards and guidelines.</li> <li>ii. The under-pipe containment lining will be secured to the scaffolding and fixed to the canal walls to prevent pollution of Bunnerong Canal.</li> <li>iii. The under-pipe containment lining will be swept/mopped at the end of each working day and prior to removal.</li> </ul>
4.	Waste Management	<ul style="list-style-type: none"> <li>i. All waste materials removed from the site will be classified, handled and disposed of in accordance with the NSW Department of Environment and Climate Change (DECC – now Office of Environment and Heritage) <i>Waste Classification Guidelines</i> (DECC, 2008).</li> <li>ii. Concrete waste will be disposed of to a concrete recycling facility.</li> </ul>