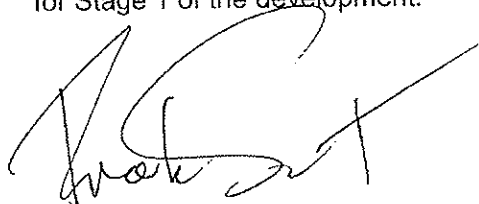


**STAGE 2 DEVELOPMENT CONSENT  
UNDER SECTIONS 80(4) AND 80(5) OF THE  
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

I, the Minister for Planning, pursuant to sections 80(4) and 80(5) of the *Environmental Planning and Assessment Act 1979*, grant development consent to Stage 2 of the development referred to in Schedule 1, subject to the conditions in Schedule 2.

The reason for the imposition of conditions is to ensure consistency with the requirements for Stage 1 of the development.



Frank Sartor MP  
Minister for Planning

Sydney, 22<sup>nd</sup> Aug. 2006

File No. S01/02520

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**SCHEDULE 1**

- Development Consent:** Granted by the Minister for Planning on 13 October 2005.
- Development Application:** Development Application DA-494-11-2003-i, lodged with the Department on 26 November 2003, accompanied by *Port Botany Expansion Environmental Impact Statement* (ten volumes), prepared by URS Pty Ltd and dated November 2003.
- Application made by:** Sydney Ports Corporation.
- In respect of:** Lot 2 DP 1009870, Lot 6 DP 1053768, Lots 301 & 302 DP 712992, Part of Crown Reserve R91288, Lots 203 & 205 DP 712991 and Lot 401 DP 816961, Botany Bay Local Government Area.
- For the following:** The construction and operation of a new container terminal and associated infrastructure.
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## SCHEDULE 2

- A1.1 For the purpose of this consent, "Stage 1" and "Stage 2" of the development are defined under condition A2.1 of the development consent granted by the Minister for Planning on 13 October 2005 with respect to development application DA-494-11-2003-i.
- A1.2 To avoid any doubt, Stage 2 of the development is shown hatched in the diagram included as Schedule 3 to this consent.
- A1.3 Conditions of the development consent granted by the Minister for Planning on 13 October 2005 with respect to development application DA-494-11-2003-i shall apply to Stage 2, to the extent that they are relevant, in the same manner as the conditions apply to Stage 1.
- A1.4 The scope of the Port Freight Logistics Plan required under condition A2.4 of the development consent granted by the Minister for Planning on 13 October 2005 with respect to development application DA-494-11-2003-i shall be expanded to also address the following matters:
- a) consideration of the Botany yard and any constraints on the yard with respect to capacity or timing of any necessary upgrade and/or expansion works;
  - b) the need and timing of any necessary upgrades and/ or expansion works to provide dedicated departure and arrival roads for the Botany yard; and
  - c) a production line arrangement of separate shuttle services to each stevedore siding for future operations, or other appropriate measure.
- A1.5 Notwithstanding condition B2.30 the development consent granted by the Minister for Planning on 13 October 2005, the Applicant shall, prior to the commencement of construction of Stage 2 of the development, prepare and submit for the approval of the Director-General, a comprehensive **Estuary Flushing Protocol** to detail how the development has been designed and will be managed to optimise flushing of Penrhyn Estuary and to achieve satisfactory water quality outcomes. The Protocol shall detail specific design measures applied to the development, including measures such as culverts, pipes or other water channelling devices to ensure enhanced flushing. The Protocol shall also include a program to monitor water quality and flushing characteristics of the Estuary both pre- and post-construction, and a framework for the identification and implementation of remedial measures in the event that water quality outcomes are not achieved.
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# Schedule 3 - Approved Stage 1 Port Footprint

