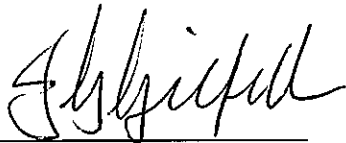


SYDNEY PORTS CORPORATION

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



Print name

Date: 18/2/11

SPC Reference: C10/6502

SCHEDULE 1

Proponent:	Vopak Terminals Australia
Determining Authority:	Sydney Ports Corporation (Sydney Ports)
Land:	Part of Lot 6 DP 1053768, 20 Friendship Rd Port Botany (Lease Lot 1 DP 806558) [Vopak Site B]
Activity / Project:	Expansion of Ground Level and First Floor of the Control Room Building and Ancillary Works
Activity under Part 5 of the Act:	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

General Conditions		
1.	Approved Activity / Project	<p>The approved Activity is to be undertaken generally in accordance with:</p> <ul style="list-style-type: none"> - Review of Environmental Factors dated 13 December 2010 prepared by Vopak Terminals Australia - Vopak Site B Control Room Building Extension Project Development Code Checklist dated 13 December 2010 - Drawing Number DA01 Rev A Project 10 825 dated March 2010 prepared by McDivitt Group Architects - Drawing Number DA03 Rev B Project 10 825 dated March 2010 prepared by McDivitt Group Architects - Drawing Number DA04 Rev B Project 10 825 dated March 2010 prepared by McDivitt Group Architects - Drawing Number DA05 Rev A Project 10 825 dated March 2010 prepared by McDivitt Group Architects - Drawing Number DA06 Rev A Project 10 825 dated March 2010 prepared by McDivitt Group Architects - Noise & Vibration Assessment for Expansion of Control Room Building Project dated 18 January 2011 - Traffic Impact Assessment for Expansion of Control Room Building Project dated 19 January 2011 - Climate Change Risk Assessment for Expansion of Control Room Building Project dated 19 January 2011-01-21 - Performance Specification for Vopak Site B Petroleum: Operations Building dated 27 October 2010 prepared by McDivitt Group Architects - Functional Design Brief for Vopak Site B Petroleum: Operations Building dated 22 November 2010 prepared by McDivitt Group Architects - Drawing Number 5510-81-001 Rev B dated 17 December 2008 prepared by Bilfinger Berger indicating contractor laydown area and contractor vehicle/crane parking area - Response email to request for further information dated 14 February 2011 prepared by Vopak Terminals Australia <p>in so far as they relate to the approved Activity, and the below Conditions of Approval.</p> <p>All mitigation measures nominated and commitments made in the above listed documentation form part of this Approval and must be adhered to. This includes commitments listed in Schedule 3.</p> <p>In the event of any inconsistency between the submitted assessment documentation and plans and the Conditions of Approval, the Conditions of Approval prevail.</p>

2.	Expiry of Approval	This Approval expires two (2) years from the date of this Approval, if the Activity has not substantially commenced.
3.	Adherence to other Acts and other Statutory Requirements	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.	Compliance with Conditions of Approval	Evidence of compliance with Conditions of Approval is to be submitted to Sydney Ports Corporation within 2 weeks of a request by the Corporation, or other time frame as agreed with Sydney Ports.
Conditions Relating to Construction Works		
5.	Construction Certification	Certification that the proposed Activity complies with the Building Code of Australia, the relevant conditions of approval and commitments listed in Schedule 3, is to be obtained prior to construction works commencing. A copy of this certification is to be provided to Sydney Ports prior to works commencing.
6.	Approval to Commence Construction	Approval to commence construction works is to be obtained from Sydney Ports' Senior Property Manager, prior to commencement of construction.
7.	Documents to be provided to Sydney Ports Corporation	<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"> i) Detailed design drawings ii) Construction Environmental Management Plan iii) Complaints Procedure
8.	Construction Hours	<p>All construction works are to be carried out between the following hours: Monday to Friday 7:00am to 6:00pm, Saturdays 8:00am to 1:00pm and no work on Sundays or Public Holidays, unless inaudible at the closest residence.</p>

9.	Construction Environmental Management Plan (CEMP)	<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"> 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; ii) statutory and other obligations required to be fulfilled / met during construction, including all approvals, consultations and agreements required from authorities and other stakeholders; 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; iv) a description of the roles and responsibilities for all relevant employees involved in the construction of the project; and v) complaints handling procedures during construction and site preparation.
10.	Potential Acid Sulfate Soils	<p>An Acid Sulfate Soil (ASS) Management Plan is to be prepared as part of the CEMP should excavation works need to exceed a depth greater than 1m below ground level.</p>

11.	Noise & Vibration	<p>The 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"> i) identification of the potential sources of noise during the proposed works; ii) specification of the noise and vibration criteria for the proposed works; 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; iv) procedures for dealing and responding to noise complaints; v) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and if any non-compliance is detected; and vi) a description of what procedures would be followed to ensure compliance
12.	Air Quality	<p>12.1 The design and construction of the project is to be undertaken in a manner that prevents and/or minimises dust, odour and vapour emissions from the site.</p> <p>12.2 Vehicles, plant and equipment are to be maintained and operated in good working condition and are to be turned off when not in use to minimise emissions to air.</p> <p>12.3 Air filters are to be installed in all ventilation systems to the Control Room building to remove particulate contamination.</p>
13.	Soil and Water Management	<p>13.1 A Construction Soil and Water Management Plan is required to be developed in accordance with the strategies outlined in Managing Urban Stormwater: Soils & Construction (the Blue Book) (Landcom 2004)</p> <p>13.2 In the event that dirt is tracked onto roads external to the works area it must be removed immediately.</p> <p>13.3 All trucks used for construction must have their loads covered.</p>

<p>14.</p>	<p>Traffic Management Plan</p>	<p>14.1 A Construction Traffic Management Plan is to be prepared in accordance with Sydney Ports' <i>Traffic Management Plan Guidelines 2007</i> as part of the CEMP.</p> <p>14.2 All employee and visitor parking must be accommodated within the leased area. Car parking areas (i.e. parking bays and loading areas) are to:</p> <ul style="list-style-type: none"> i) be designed in accordance with <i>Australian Standard AS 1428:1-4 Design for Access and Mobility, Australian Standard AS 2890.1 Car Parking Facilities</i> and <i>Australian Standard AS 2890.2 Commercial Vehicle Facilities,</i> ii) provide a minimum of 33 carparking spaces for employees and two (2) carparking spaces for visitors for the control room building in accordance with Section 4, Criteria 5 of the <i>Sydney Ports Port Botany Development Code 2009,</i> iii) provide for at least one (1) mobility impaired parking space, to be located adjacent to building entries and clearly delineated, iv) be paved with concrete or bituminous surfacing designed and drained to the approved stormwater drainage system, and v) incorporate landscaping to provide visual screening to reduce the visual impact particularly from external roadways. <p>14.3 Vopak will be required to provide traffic marshals should Sydney Ports deem that construction related traffic movements will interfere with port road users.</p> <p>14.4 Bicycle parking should be provided at a rate of at least two (2) bicycle parking spaces plus 5% of the total number of required car parking spaces. Bicycle parking facilities should be located in highly visible, illuminated areas and securely anchored to the site surface to prevent removal and shall be of sufficient strength to resist vandalism and theft.</p>
<p>15.</p>	<p>Reuse of Soil</p>	<p>Material sourced external to the site can only be reused if the material is virgin excavated natural material/excavated natural material as defined under DECCW's Waste Classification Guidelines. Sydney Ports must be provided with proof of classification prior to material arriving on site.</p>

16.	Waste	<p>16.1 Management of waste during the Construction stage must apply the waste minimisation hierarchy principles of avoid/reduce/re-use/recycle/dispose</p> <p>16.2 Any waste to be disposed off site must be assessed and classified in accordance with DECCW's Waste Classification Guidelines: Part 1 Classifying Waste prior to disposal and must be disposed at a facility approved to receive that type of waste</p> <p>16.3 Any excavated soil will be collected and independently assessed for contamination before reuse; if there are any signs of contamination then an independent environmental assessment will be undertaken. Any disposal of soil off site will be assessed and classified to the DECCW's Waste Classification Guidelines: Part 1 Classifying Waste and disposal to an approved facility.</p>
17.	Complaints	Sydney Ports must be advised of any complaints received during the construction period.
18.	Road Signage Relocation	Approval is to be obtained from Sydney Ports regarding the new location of the Sydney Ports roadside blade signage prior to its relocation. No additional signage is to be installed without separate approval from Sydney Ports.
19.	Light Pole Relocation	Approval is to be obtained from Energy Australia and Sydney Ports prior to the relocation of the light pole.
20.	Landscaping Design	Landscaped areas must use hardy native or indigenous plant species suited to site-specific environmental conditions with a low fire risk (ie. low combustion or fire retardant properties). The suggested planting palette for this area is set out at Appendix A of the <i>Sydney Ports Port Botany Development Code June 2009</i> .
21.	Visual Amenity	<p>21.1 The development is to incorporate the indicative palette of colours for building structures shown at Figure 2 of the <i>Sydney Ports Port Botany Development Code June 2009</i>.</p> <p>21.2 Materials and colours for buildings and roofs are to be non-reflective. All glazing is to have a reflectivity coefficient of less than 20%.</p>

22.	Sydney Airport Corporation Limited Approval / Referral	<p>22.1 An approval is to be obtained from Sydney Airport Corporation Limited or the Civil Aviation Safety Authority under the <i>Airports Act 1996</i> prior to the commencement of construction works should any structures or construction equipment (including cranes) protrude into the 'prescribed airspace'.</p> <p>22.2 The site's lighting details and configuration must be referred to Sydney Airport Corporation Limited (SACL) for consideration under Section 9.1.3 of the Civil Aviation Safety Authority (CASA) Manual of Standards Part 139 – Aerodromes (MoS). A copy of any correspondence or approval from SACL / CASA is to be provided to Sydney Ports within seven (7) days of receiving such documentation.</p>
23.	Security	<p>23.1 The development is to incorporate the principles of crime prevention through environmental design in the layout and security measures (principles are available from the NSW Department of Planning).</p> <p>23.2 All fencing is to be chain wire fencing with optional 3 strand barbed wire along the top portion of the fence (Figure 6 of the <i>Sydney Ports Port Botany Development Code June 2009</i>). The maximum fence height permitted is 3.5m (inclusive of the barbed wire portion).</p> <p>23.3 All chain wire fencing, posts and rails and gates that are visible from Friendship Road are required to be black in colour (ie black PVC, powder coated or the like).</p> <p>23.4 Proposed gates are to comprise either chain wire fencing set within a framed rim (with optional 3 strand barbed wire on top), or palisade slide gates with optional spikes or barbed wire on top (Figure 6 of the <i>Sydney Ports Port Botany Development Guidelines June 2009</i>).</p>
24.	Environmentally Sustainable Development	The development is to achieve a minimum 4 Star Green Star rating (or the equivalent) under the Green Star – Office Design v3 tool, or the latest applicable version.

25.	Construction Incident Management and Reporting	<p>25.1 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>25.2 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>25.3 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>
26.	Vopak Site A Temporary Structures	The proposed temporary structure for 49 Friendship Road (i.e. Site A) does not form part of this approval. Further detail on these structures is to be provided to Sydney Ports for approval.
Conditions Relating to Site Operations		
27.	Occupation Certificate	An occupation certificate is required to be obtained prior to occupying the new building extension. A copy of this certificate and 'as built' drawings are to be provided to Sydney Ports prior to occupying the building extension area.
28.	Approval to Commence Operations	Approval to commence on-site operations is to be obtained from Sydney Ports' Senior Property Manager, prior to commencement of construction.
29.	Documents to be provided to Sydney Ports Corporation	<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 operations:</p> <p>i) Operational Environmental Management Plan.</p>
30.	Hours of Operation	The Activity is permitted to operate 24 hours a day, 7 days a week.

31.	Operational Environmental Management Plan (OEMP)	<p>An Operational Environmental Management Plan (OEMP) for the project must be prepared and describe the environmental management framework, practices and procedures that will be followed during operations, and include:</p> <ul style="list-style-type: none"> i) identification of all statutory and other obligations required to be fulfilled / met in relation to operation of the development, including all approvals, licences and consultations; ii) a description of the roles and responsibilities for all relevant employees involved in the operation of the development; iii) overall environmental policies, principles, performance measures and management procedures that will be applied to the operation of the development; and iv) all existing and approved environmental management measures and procedures for the site and any additional measures and/or procedures to be implemented for the proposed Activity
32.	Access, Parking and Loading	32.1 No queuing of vehicles (i.e. vehicles entering or exiting the site) are permitted to protrude onto Friendship Road at any time.
33.	Waste Management	<p>33.1 Garbage and Recycling is to be collected by private arrangement and must take place wholly within the Lease Boundary.</p> <p>33.2 All liquid and/ or non-liquid waste generated and / or stored on the site must be assessed and classified in accordance with the DECCW's Waste Classification Guidelines.</p> <p>33.3 All waste materials removed from the site must be directed to a waste management facility lawfully permitted to accept the materials.</p> <p>33.4 For the life of the Activity, the site operator must:</p> <ul style="list-style-type: none"> i) monitor the amount of waste generated by the Activity; ii) investigate ways to minimise waste generated by the Activity; and iii) implement reasonable and feasible measures to minimise the waste generated by the Activity.

34.	Noise & Vibration	<p>34.1 Except as may be expressly provided under an Environment Protection Licence applicable to this Activity, the operation of all plant and equipment must not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.</p> <p>34.2 The operation of any plant or equipment on the site must not give rise to an L10 sound pressure level which is 5dB(A) greater than the A-weighted L90 background sound pressure level, measured at any point on a residential boundary or within any residential dwelling.</p>
35.	Air Quality	<p>35.1 The operation and maintenance of plant and equipment must be undertaken in a manner that minimises or prevents emissions to air.</p> <p>35.2 Except as may be expressly provided under an Environment Protection Licence applicable to this Activity, the Activity must not cause or permit the emissions of offensive odours from the site, as defined under Section 129 of the Protection of the Environment Operations Act 1997.</p>
36.	Water Quality	<p>Except as may be expressly provided under an Environment Protection Licence applicable to this Activity, the Activity must comply with Section 120 of the <i>Protection of the Environment Operations Act 1997</i> which prohibits the pollution of waters.</p>
37.	Maintenance of Landscaped Areas	<p>Regular maintenance of landscaped areas is to be undertaken. Any noxious weeds cleared from the site must be disposed of at appropriate offsite landfill facilities.</p>

<p>38.</p>	<p>Operational Incident Management and Reporting</p>	<p>38.1 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>38.2 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>38.3 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>
<p>39.</p>	<p>Complaints Procedure</p>	<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"> a) the date and time, where relevant, of the complaint; b) the means by which the complaint was made (telephone, mail or email); c) details of the complainant that were provided, or if no details were provided, a note to that effect; d) the nature of the complaint; e) any action(s) taken in relation to the complaint, including any follow up contact with the complainant; and f) if no action was taken in relation to the complaint, the reason(s) why no action was taken. <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
<i>Temporary Structures during Construction</i>	<ul style="list-style-type: none"> i) Details of temporary structures to be provided to Sydney Ports for approval after design. ii) All temporary structures to be removed at the end of the construction period and all areas made good.
<i>Noise Levels during Construction</i>	The maximum target noise level for the project is: L[Aeq] (15 min) 75 dB(A) when measured at 50m from the noise source.
<i>Complaints Reporting System</i>	Implement Complaints Reporting system with Sydney Ports Corporation and most immediate neighbouring facilities.
<i>Construction Traffic</i>	No vehicles will be parked in Friendship Road during the Construction period.
<i>Australian Standards and Codes</i>	All work is to comply with the relevant Australian Standards and Codes and the <i>Sydney Ports Port Botany Development Code June 2009</i> applicable to the proposed work.
<i>Environmental Protection Licence</i>	Vopak will contact DECCW prior to construction works commencing to verify that the existing Environmental Protection Licence (No6007) is not required to be amended as a result of the proposed Activity.