

Compliance Tracking Report 5 – Bulk Liquids Berth 2 at Port Botany

May 2014

NSW Ports

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1. Introduction

1.1 Purpose of this Document

This is the sixth Compliance Tracking Report for the Bulk Liquids Berth No. 2 (BLB2) and covers the period from 16 November 2013 to 5 May 2014. This report has been prepared by NSW Ports in accordance with the Minister's Condition of Approval (CoA) 4.1b as stated below:

*The Proponent shall develop and implement a **Compliance Tracking Program** to track compliance with the requirements of this approval. The Program shall be submitted to the Director-General for approval prior to the commencement of construction. The Program shall relate to both construction and operational stages of the project and shall include, but not necessarily be limited to:*

- a) provisions for periodic review of the compliance status of the project against the requirements of this approval;*
- b) provisions for periodic reporting of compliance status to the Director-General;*
- c) provisions for specific reporting requirements as required by conditions 4.2 and 4.3;*
- d) a program for independent environmental auditing at least annually, or as otherwise agreed by the Director-General, in accordance with ISO 19011:2002 - Guidelines for Quality and/ or Environmental Management Systems Auditing; and*
- e) mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance.*

Details of NSW Ports' Compliance Tracking Program (CTP) and information on how NSW Ports complies with CoA 4.1 are contained in Section 2.

Appendix A of this report lists each of the Minister's Conditions of Approval. For each CoA the following information is provided:

- the project phase to which the condition is applicable (construction, operation, etc.)
- the status of the Condition (open; in progress; in progress non-compliant; completed compliant; completed non-compliant; reviewed closed or reviewed closed non-compliant);
- the Condition's requirements from the Project Approval;
- the responsibility for carrying out the requirements of the Condition (Sydney Ports / PBOPL, Contractor, User); and
- the evidence of compliance including a record of all Approvals issued to date by the Director-General of the Department of Planning and Infrastructure (DP&I), now Planning and Infrastructure (P&I).

The evidence of compliance contains a summary of how and when each condition is being, or has been, complied with.

1.2 Background

The development of the BLB2 will ensure New South Wales has adequate berth capacity to satisfy existing and future forecast demands for the import and export of bulk liquids including chemical, petroleum and gas products. The construction of the BLB2 will also reduce demurrage costs for ships delivering or receiving the products.

Project Approval of BLB2 was determined by the NSW Minister for Planning on 20 March 2008 (Major Projects Application 07_0061). The Conditions of Approval have been modified and amended as follows:

- a) By letter from the Director-General, dated 22/12/10 (your reference: S07/00205);
- b) By letter from the Director-General, dated 24/12/10 (your reference: S07/00205);
- c) By letter from the Director-General, dated 14/4/11 (your reference: 11/03374-1);
- d) under section 75W of the Environmental Planning and Assessment Act 1979 (EP&A Act) on 28 April 2011 (07_0061 MOD 1);

Details of the modifications and amendments are either included within the condition requirements of the relevant CoAs or included as new compliance issues that clearly reference the source of the additional compliance requirements (Appendix A of this report).

1.3 Project Description

The construction and operation of the BLB2 consists of the following key relevant components:

- A central working platform and working area, with berthing face (including bollards and fenders) and pipe manifold / marine loading arm arrangements;
- Adjacent berthing dolphins on each side of the working platform designed to accommodate the maximum design length vessel;
- Two mooring dolphins on each side of the working platform (four in total);
- Walkways (catwalks) connecting the dolphins and working platform;
- An access bridge structure connecting the working platform with the shore, providing vehicle access and pipeline support structures;
- Support infrastructure including fire control facilities (pumps, foam/water monitors and associated tanks), amenities buildings and services such as water, sewer, electrical and communications;
- Berth fit out, including fire fighting monitors and operator shelter; and
- Pipelines to user facilities including support and access structures such as pipe racks and culverts.

1.4 Location

The BLB2 has been constructed adjacent to the existing Bulk Liquids Berth 1, at the south western end of Brotherson Dock and to the west of Fishburn Road, adjacent to Vopak and the Elgas Cavern. The site's location is shown in Figure 1.



Figure 1: Location of BLB2 infrastructure

1.5 Project Update

1.5.1 Consultants and Advisers

During the reporting period (November 2013 to May 2014), NSW Ports retained the following advisers, consultants and contractors to provide services for the project:

- Main Construction Contractor – John Holland Pty Ltd;
- Contract Management – SMEC Australia Pty Ltd;
- Designer and Technical Advisory Consultant – WorleyParsons Services Pty Ltd;
- Consulting Surveyor – Hard & Forester Pty Ltd;
- Steel Work – Silo Developments Australia Pty Ltd;
- Environmental Audit – Dickson Environmental Consulting and Audit Pty Ltd; and
- Access Control Provider – SNP Security.

1.5.2 Construction/Operational Update

Practical completion of the main berth construction works was achieved on 12 April 2013. All items relating to main construction, bar minor defect works within the warranty period were completed prior to this reporting period.

Two bulk liquids berth users, namely Terminals Pty Ltd (Terminals) and Vopak Terminals Australia (Vopak) completed the installation of their infrastructure for unloading vessels of product in December 2013 and January 2014 respectively.

BLB2 commenced operations in early December 2013.

2. Compliance Tracking Program

Sydney Ports developed a Compliance Tracking Program (CTP) to track compliance with the condition of the Project Approval, in accordance with CoA 4.1. The CTP was submitted to the DP&I on 23 May 2011 with Sydney Ports being notified of its approval in a letter from DP&I, dated 14 June 2011. NSW Ports has retained the CTP and continues to track compliance with the conditions of the Project Approval, in accordance with CoA 4.1 and the approved CTP.

The CTP includes:

- Provisions for periodic review of the compliance status of the project against the conditions of the Project Approval.
- Provisions for periodic reporting of compliance status to the Director-General, including a compliance tracking report within three months of the commencement of construction and then every six months during construction, annual independent environmental audits with the initial report submitted after the first six months of construction and a compliance tracking report and an independent environmental audit in the first year of operations.
- A noise audit of the facility within 90 days of commencement of operations and a comprehensive hazard audit of the project 12 months after the commencement of operations (or within such period otherwise agreed by the Director-General), with subsequent hazard audits conducted every three years or as determined by the Director-General.
- Provisions for specific reporting requirements, including a Pre-Startup Compliance Report one month prior to the commencement of operations and a Post-Startup Compliance Report three months after the commencement of operations.
- Mechanisms for rectifying any non-compliance identified during environmental auditing or reviews of compliance.

The Compliance Tracking Program, including the frequency for reviewing compliance, is due to be reviewed in the first year of operation. This will be undertaken in consultation with P&I and submitted to the Director-General for approval.

2.1 Compliance Reporting

In accordance with the approved CTP and CoA 4.1(b), the first Compliance Tracking Report was submitted to DP&I on 21 November 2011. Notification was subsequently provided by DP&I that the Report was considered to satisfy the requirements of the condition. The second Compliance Tracking Report was submitted to DP&I on 29 May 2012 and notification was subsequently provided by DP&I that the Report was considered to satisfy the requirements of the condition (18 July 2012). The third Compliance Tracking Report was submitted to DP&I on 15 November 2012 and DP&I subsequently noted that it considered that the project is generally being undertaken in accordance with the approval (25 January 2013). The fourth Compliance Tracking Report was submitted to DP&I on 28 May 2013 and DP&I subsequently noted that it considered that the project is generally being undertaken in accordance with the approval (17 June 2013). The fifth Compliance Tracking Report was submitted to P&I on 29 November 2013.

2.2 Environmental Auditing

In accordance with the approved CTP and CoA 4.1(d), the first independent environmental audit was conducted on 27-29 June 2012 and submitted to DP&I on 23 August 2012 (see Compliance Tracking Report 4 for details). All identified Non-compliances and Issues of Concern were addressed and closed out.

The second independent environmental audit was undertaken on 7 August 2013 and the Environmental Audit Report submitted to DP&I on 26 September 2013. The audit found no Non-compliances, one Issue of Concern and four Opportunities for Improvement. As a result of the audit findings, the Issue of Concern and four Opportunities for Improvement were addressed and therefore closed out for the purposes of the final Environmental Audit Report.

3. Appendix A – Conditions of Approval

The Ministers Conditions of Approval are included in the table below, including a summary of how and when each condition is being complied with.

Legend:

In progress	Completed – non compliant
Completed – compliant	Reviewed – closed

ID	Condition	Condition Description	Condition Response	Milestone	Status	Responsibility
6800	1.1 - Terms of Approval	The Proponent shall carry out the project generally in accordance with the: a) Major Projects Application 07_0061; b) Bulk Liquids Berth No. 2 – Port Botany: Environmental Assessment dated November 2007 and prepared by Sinclair Knight Merz Pty Ltd; c) additional information provided by Sinclair Knight Merz Pty Ltd to the Department titled Failure Frequency of the Port Botany Bulk Liquids Berth 2 Marine Loading Arms (letter dated 18 December 2007); d) Response to Submissions Report prepared by Sinclair Knight Merz Pty Ltd and dated 26 February 2008; and e) the conditions of this approval	The project is progressing towards the start of commission in accordance with the required documents. Terminals operations on BLB2 commenced 4/12/13. Vopak operations on BLB2 commenced 9/1/14.	5 - General	2. In Progress	NSW Ports / Contractor
6801	1.2 - Terms of Approval	In the event of an inconsistency between: a) the conditions of this approval and any document listed from condition 1.1a) to 1.1d) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and b) any document listed from condition 1.1a) to 1.1d) inclusive, and any other document listed from condition 1.1a) to 1.1d) inclusive, the most recent document shall prevail to the extent of the inconsistency.	This is noted.	5 - General	2. In Progress	NSW Ports / Contractor
6802	1.3 - Terms of Approval	The Proponent shall comply with any reasonable requirement(s) of the Director-General arising from the Department's assessment of: a) any reports, plans or correspondence that are submitted in accordance with this approval; and b) the implementation of any actions or measures contained in these reports, plans or correspondence.	This is noted. Requirements of the Director-General provided in the following documents have been added into the Compliance Tracking System to ensure they are complied with. - Letter to Marika Calfas from NSW Planning, dated 22/12/10 (ref: S07/00205) - Letter to Marika Calfas from NSW Planning, dated 24/12/10 (ref: S07/00205) - Letter to Ryan Bennett	5 - General	2. In Progress	NSW Ports / Contractor

			<p>from NSW Planning & Infrastructure, dated 14/4/11 (ref: 11/03374-1) - Letter to Ryan Bennett from DP&I, dated 30/05/11 (ref: 11/03374-1) In accordance with the request from DP&I (letter dated 7/12/11), Sydney Ports has placed the CEMP and the associated Environmental Control Plans on the Sydney Ports Corporation website. In accordance with the request from DP&I (letter dated 18/07/12), Sydney Ports provided the Environmental Audit Report to the Department (23/08/12) and uploaded the Compliance Tracking Program and Compliance Tracking Reports onto the Sydney Ports website. DP&I requested clarification on a non-compliance noted in the Environmental Audit (email dated 26/10/12). Sydney Ports provided the requested clarification to DP&I on 19/11/12. Requirements based on the Hazard and Safety Studies were issued to NSW Ports in the letters dated 14/11/2011 and 29/07/13. These issues were addressed and compliance demonstrated in the Pre-Start Up Compliance Report submitted to DP&I on 16/10/13 and approved 29/11/13, required under CoA 4.2.</p>			
6803	1.7 - Compliance	The Proponent shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.	Compliance requirements that implicate or will be the responsibility of the construction contractor have been detailed and provided in the tender documentation. A compliance tracking system has been set up and is being actively managed by Sydney Ports' staff to help ensure compliance with conditions of approval. The construction contractor is aware of and required to satisfy relevant conditions of approval	5 - General	2. In Progress	NSW Ports

			and commitments. A Compliance Tracking Program has been prepared and approved by the D-G, which outlines how compliance issues will be managed and by whom. Compliance matters are routinely reviewed by Sydney Ports with Compliance Tracking Reports generated for submission to DP&I in accordance with CoA 4.1(b).			
6804	1.8 - Compliance	The Proponent shall be responsible for environmental impacts resulting from the actions of all persons on site, including contractors, sub-contractors and visitors.	This is noted.	5 - General	2. In Progress	NSW Ports
6805	1.10 - Utilities and Services	The Proponent shall consult with the relevant utility provider(s) for those services identified under condition 1.9 and make arrangements to adjust and/or relocate services as required. The Proponent shall bear the full cost associated with providing utilities and services to the site, and restoring any public utilities that may be damaged during the proposed works.	Consultation occurred with Ausgrid and arrangements made to relocate 2 light poles as required. Work carried out by Ausgrid to relocate and remove light poles and cable near culvert on 28/08/2011. Further consultation occurred with Ausgrid regarding disconnection of light poles in the vicinity of the temporary crane pad during piling, and these light poles were disconnected. Consultation ongoing in relation to future works. Meeting held with Ausgrid at BLB1 site on 13/12/2011 to discuss the inspection of the new 11kV cable installation and connection. Ausgrid was present during the installation of conduits bypassing the eastern culvert section on 19/12/2011. Ausgrid inspected the HV conduit installation and substation base in Jan 2012. Temporary light poles in the vicinity of BLB1 removed on 31/01/2012. Ausgrid inspected the HV cable installation and jointing and kiosk installation in Feb 2012. The Contractor	4 - Pre-construction	5. Completed-compliant	NSW Ports / Contractor

			<p>prepared a Watermain Connection Application for submission to Sydney Water and submitted the Major Works Deed to Sydney Ports for execution. Sydney Ports executed the Deed in April 2012 and the Contractor submitted it to Sydney Water for the work to be tendered. The Contractor liaised with Sydney Water regarding the BLB2 sewer connection. The Ausgrid kiosk was energised on 14/09/2012. The Plan of Easement was lodged with LPI on 18/09/2012 and confirmation of registration on 19/10/2012 has been received. Sydney Water provided conditional approval of the Wastewater Connection Application on 25/10/2012 and Sydney Ports executed the Customer Agreement - Pump to sewer service on 01/11/2012. Sydney Water approved the Water Connection Application on 05/11/2012. All works have now been completed.</p>			
6806	1.11 - Utilities and Services	<p>Prior to the commencement of construction works that may affect services/utilities, the Proponent shall provide documentary evidence to the Director-General that the requirements of the relevant utility provider(s) have been met.</p>	<p>Documentary evidence supplied to DP&I (23 August 2011) indicating that the requirements of Ausgrid have been met. Letter from DP&I (19/9/11) received confirming that the Department is satisfied that the requirements of CoA 1.11 have been met in relation to the temporary removal of the light poles. Removed light poles have been re-instated following completion of main construction works. Users to comply should their works impact any utilities. All works have now been completed.</p>	4 - Pre-construction	5. Completed-compliant	NSW Ports / Contractor
6807	1.4 - Limits of Approval	<p>This approval shall lapse five years after the date on which it is granted, unless the</p>	<p>The works were commenced in September 2011.</p>	5 - General	8. Reviewed	NSW Ports / Contractor

	- approval time period	works the subject of this approval are physically commenced on or before that time.			- Closed	
6808	1.5 - Limits of Approval - LPG	The export of Liquefied Petroleum Gas (LPG) is permitted, provided that a report detailing the reverse flow prevention arrangements for LPG export is firstly submitted to the satisfaction of the Director-General.	Following telephone discussion on 21/12/2012, email response provided to DP&I on 07/01/2013 noting that a report has not been developed because no tenants/operators are currently committed to the import and export of LPG.	5 - General	2. In Progress	Contractor
6809	1.6 - Statutory Requirements	The Proponent shall ensure that all licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the development. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent shall ensure that a copy of this approval and all relevant environmental approvals are available on the site at all times during the project.	DECCW confirmed in an email to Christa Sams of Sydney Ports that they will licence the BLB2 operators and NOT Sydney Ports (Scheduled Development Work and Shipping in Bulk EPLs) - 3 June 2010. Harbour Master approval in accordance with clause 67 of the 'Management of Waters and Waterside Lands Regulations' was obtained on 6 May 2011. Approval is valid May 2011 - June 2013. The Contractor has applied to Sydney Airport Corporation for approval of the crane heights during BLB2 construction. Permit dated 18/08/2011 received from SACL detailing the conditions imposed while operating a crane in the vicinity of the airfield. The NSW Office of Water confirmed in an email to John Holland (1/09/2011) that a dewatering licence is not required for dewatering associated with culvert works and a product pipeline. Appropriate licences will be obtained by the users. EPA currently drafting EPL clauses to issue to Vopak and Terminals for BLB2 operations.	5 - General	2. In Progress	Contractor
6810	1.9 -	Prior to the commencement of	The following utility and service	4 - Pre-	5.	Contractor /

	Utilities and Services	construction, the Proponent shall identify (including, but not limited to the position and level of service) all public utility services on the site, roadway, footpath, public reserve or any public areas that are associated with, and/or adjacent to the site, and/or likely to be affected by the construction and operation of the project.	providers were contacted to determine the location of services and utilities prior to construction commencing: -Energy Australia (Ausgrid); Jemena; Optus; Savcor; Sydney Water; Telstra. All works have now been completed.	construction	Completed-compliant	NSW Ports
6811	2.1 (a) - Hazards and Risk - Fire Safety Study	One month prior to the commencement of construction of the project (except for preliminary works as described in CoA 2.1), a Fire Safety Study shall be prepared and submitted for the approval of the Director-General, covering the relevant aspects of the Department of Planning's 'Hazardous Industry Planning Advisory Paper No. 2 - Fire Safety Study Guidelines' and the NSW Government's 'Best Practice Guidelines for Contaminated Water Retention and Treatment Systems'. In addition to approval from the Director General, approval for this study shall also be obtained from the Commissioner of the NSW Fire Brigades.	Letter to submit the FSS for DG Approval sent 14/02/11. The DG has approved the FSS as per the letter dated 14/04/11. Response received from the Commissioner of FRNSW on 28 April requesting amendments to the FSS. Amended FSS provided 23 May. Approval letter received from FRNSW (10 June 2011). Revised FSS received 31/08/2011 relating to foam tank change from bladder to atmospheric. Revised FSS with further updates received 31/10/2011 and submitted to DP&I and FRNSW on 21/11/2011. Response received from FRNSW (25/01/12) indicating that they consider this condition remains satisfied following review of revised FSS. Response received from DP&I (27/01/12) indicating that they do not have any further comments based on the amended FSS. Refer to issue 8079 for updates during the Users' construction phase.	4 - Pre-construction	5. Completed-compliant	NSW Ports
6812	2.1 (b)- Hazards and Risk- Hazard and Operability Study	One month prior to the commencement of construction of the project (except for preliminary works as described in CoA 2.1), a Hazard and Operability Study, chaired by an independent and qualified person approved by the Director-General prior to	HAZOP Study submitted on 14/02/11. The DG has approved the HAZOP Study as per the letter dated 14/04/11. A program for the implementation of the HAZOP is to be submitted to the DG by 20/05/11 (extension granted by DP&I	4 - Pre-construction	5. Completed-compliant	NSW Ports / Users

the commencement of the study, shall be carried out in accordance with Department of Planning's Hazardous Industry Planning Advisory Paper No. 8 - HAZOP Guidelines. The study report shall be accompanied by a program for the implementation of all recommendations made in the report. If the Proponent proposes to defer the implementation of a recommendation, full justification must be included.

from 14/05 to 20/05 as per email from Ingrid Ilias, dated 10/05/11). This letter also requires that: - all actions arising from the study are required to be implemented in a timely manner. If Sydney Ports intends to defer the implementation of recommendations made, then full justification must be provided to the Department. - the study is required to take into consideration the final piling methodology and associated environmental management, as relevant. Program for the implementation of the HAZOP submitted to DP&I 23 May 2011. Email sent to DP&I, dated 8 June 2011, indicating that the HAZOP Studies are not the relevant medium to consider the final piling methodology and associated environmental management. Letter received from DP&I, dated 16 June 2011, approving the HAZOP implementation program (submitted 23/05/11) and indicating that they are satisfied that the final piling methodology and associated environmental management has been adequately addressed in other studies and reports. As a result of the fire fighting foam system design change from foam bladder storage to an atmospheric tank, a HAZOP Study was conducted on 15/06/2011 and a Foam Fire Fighting System HAZOP Report received for review on 27/06/2011. Final Foam Fire Fighting System HAZOP Report received on 12/12/2011. Both Users (i.e. Vopak and Terminals) have completed their HAZOPs and these reports will be issued to DP&I in accordance with this condition. Reports

			submitted to DP&I on May 2013. Approval received 29 July 2013. Vopak may need to apply for modification in respect of MLA connections (see Issue 8079). Evidence of compliance with the HAZOP is provided in the Pre-Start Up Compliance Report required under CoA 4.2 submitted to DP&I 16/10/13 and approved 29/11/13.			
8079	DoP Letter - 14/04/11 - Hazard & Risk Studies (CoA 2.1)	The Users' designers are to review the Fire Safety Study (re CoA 2.1 a) as part of the design process and amend it based on the proposed gas and liquid transfer and infrastructure installed. The updated FSS shall then be submitted to Sydney Ports for review prior to the finalisation of the detailed design works for the berth. The Users are to confirm that the recommended safety features have been incorporated for the Marine Loading Arms during design of the pipeline facilities. The updated FSS is to be submitted to the DG for approval.	<p>Users' review will commence when required as per the project schedule. The FSS is being updated to include bitumen handling by Terminals. Users have reviewed and adopted the FSS. Reviewed and updated Fire Safety Study submitted to DP&I 31/5/13. Approval received 29/6/13. Vopak will need to seek an amendment to the approval to accommodate the method of connection proposed (quick connect /disconnect couplings instead of bolted connections) between MLA and ship's manifolds. Correspondance was issued to DP&I on 13/12/13 seeking approval of changes to Vopak's connection method. Further information was requested from DP&I by email on 16/12/13 which was provided 17/12/13. DP&I issued approval for the QC/DC method for Vopak infrastructure 23/12/13.</p> <p>NSW Ports received a letter from NSW Fire and Rescue on 27/2/14 regarding the revised FSS that was submitted to NSW Fire and Rescue on 5/7/13 seeking clarification on a number of issues and an assessment of the fire hazard risk associated with the new Terminals Changeover/Jump Station adjacent to BLB1. Terminals undertook the risk</p>	4 - Pre-construction	2. In Progress	NSW Ports / Users

			assessment and NSW Ports submitted the clarification and Risk Assessment to NSW Fire and Rescue on 6/5/14. NSW Fire and Rescue acknowledged receipt of the information and advised that due to prioritisation of issues, a formal response may be delayed.			
6813	2.1 (c) - Hazard and Risk - Final Hazard Analysis	One month prior to the commencement of construction of the project (except for preliminary works as described in CoA 2.1), a Final Hazard Analysis shall be prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis.	Letter drafted to seek the Agreement of DG for submission of the FHA 1 month prior to the BLB2 User's commencement of construction. Letter noted above sent 14/02/11. The DG has agreed to the submission of the FHA at least one month prior to the Users' commencement of construction as per the letter dated 14/04/11. The FHA was completed in May 2013 and the report is to be finalised for submission to DP&I. Report submitted to DP&I on 31/05/13 and approval was received on 29/7/13. Compliance with the FHA is detailed in the Pre-Start Up Compliance Report required under CoA 4.2 which was submitted to DP&I on 16/10/13.	4 - Pre-construction	5. Completed-compliant	NSW Ports / Users
6814	2.1 (d) - Hazard and Risk - Construction Safety Study	One month prior to the commencement of construction of the project (except for preliminary works as described in CoA 2.1), a Construction Safety Study shall be prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 7 - Construction Safety Study Guidelines. Because the construction period exceeds six months, the "commissioning" portion of the study may be submitted two months prior to the commencement of commissioning.	Letter drafted to seek the Agreement of DG for submission of the Construction Safety Study 1 month prior to the BLB2 User's commencement of construction. Letter noted above sent 14/02/11. The DG has agreed to the submission of the CSS at least one month prior to the Users' commencement of construction as per the letter dated 14/04/11. Both Users (i.e. Vopak and Terminals) have prepared a CSS to be submitted to DP&I following review by Sydney Ports. CSS's were submitted to DP&I on 31/05/13 and approval received 29/7/13.	4 - Pre-construction	5. Completed-compliant	NSW Ports / Users

			<p>Compliance with Terminals CSS was provided in the Pre-Start Up Compliance Report submitted to DP&I 16/10/13 required under CoA 4.2. Compliance with Vopak CSS to be provided in the November 2013 Compliance Tracking Report, submitted on 29/11/13 and approved by DP&I 20/12/13. As per the DP&I letter (29/7/13) user Vopak are required to submit to the D-G a separate CSS for commissioning activities no later than one month prior to commissioning of their infrastructure. Vopak Commissioning Plan submitted to DP&I on 9/12/13 to cover commissioning activities not specified in the CSS. P&I approved the Vopak Commissioning Plan on 6/2/14. All works have now been completed.</p>			
6815	2.2 (a) - Emergency Plan	<p>Two months prior to the commencement of project commissioning, or within such period otherwise agreed by the Director-General, the Proponent shall develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the project prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1 - Industry Emergency Planning Guidelines, and submit them for the approval of the Director-General.</p>	<p>NSW Ports will coordinate submission. Emergency Plan developed by NSW Ports and submitted to DP&I on 26/9/13. Approval from DP&I received 16/10/13.</p>	2 - Pre-operational	5. Completed-compliant	NSW Ports
6816	2.2 (b) - Safety Management System	<p>Two months prior to the commencement of project commissioning, or within such period otherwise agreed by the Director-General, the Proponent shall develop and implement a comprehensive Safety Management System covering all on-site operations and associated transport</p>	<p>NSW Ports will prepare and maintain safety management procedures. A SMS for BLB2 was developed in August 2013 for implementation from 1 November 2013. The SMS is available for inspection by the D-G upon request. The SMS was submitted to DP&I for approval</p>	2 - Pre-operational	5. Completed-compliant	NSW Ports

		activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records shall be kept on-site and shall be available for inspection by the Director-General upon request. The Safety Management System shall be developed in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 9 - Safety Management.	30/10/13. Comments on the SMS were received from DP&I by email on 6/11/13. A revised SMS was submitted to DP&I on 7/11/13. Awaiting final DP&I approval. Still awaiting formal approval from P&I.			
6817	2.3 - Odour	The Proponent shall not 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 unless as otherwise permitted by an Environment Protection Licence.	This is noted.	5 - General	2. In Progress	Contractor / Users
6818	2.4 - Dust Emissions	The Proponent shall undertake the project in a manner that minimises or prevents dust emissions from the site, including wind-blown and traffic-generated dust. Should visible dust emissions occur at any time, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.	This is noted. Addressed in Contractor's CEMP and associated Environmental Control Plans (see Issue 6845). Dust suppression undertaken by lightly hosing the affected area and using a road sweeper. Vopak query received 04/12/2012 regarding dust during road works, however by the time the call was received the activities had ceased. All works have now been completed.	3 - Construction	5. Completed-compliant	Contractor
6819	2.5 - Construction Noise Impacts	To mitigate construction noise impacts associated with the project, the Proponent shall only undertake construction activities that are audible at any residential receptor during the hours listed below: a) all works undertaken on Mondays to Fridays shall only be carried out between 7:00 am to 6.00 pm; b) all works undertaken on Saturdays	This is noted. All works have now been completed.	3 - Construction	5. Completed-compliant	Contractor

		shall only be carried out between 8:00 am and 1.00 pm; and c) no construction works shall occur on Sundays or public holidays. This condition does not apply in the event of a direction from police or other relevant authority for safety or emergency reasons. Note: 'safety or emergency reasons' refers to emergency works which may need to be undertaken to avoid loss of life, property loss and/or to prevent environmental harm.				
6820	2.6 - Construction Noise Impacts	The hours of construction activities specified under condition 2.5 of this approval may be varied with the prior written approval of the Director-General. Any request to alter the hours of construction specified under condition 2.5 shall be: a) considered on a case-by-case basis; b) accompanied by details of the nature and need for activities to be conducted during the varied construction hours; and c) accompanied by sufficient information for the Director-General to reasonably determine that activities undertaken during the varied construction hours will not adversely impact on the acoustic amenity of receptors in the vicinity of the site.	This is noted. All works have now been completed.	3 - Construction	5. Completed-compliant	Contractor
6821	2.7 - Construction Noise Impacts	Notwithstanding condition 2.5, no audible piling activities are permitted to occur on the weekend or public holidays.	CoA 2.7 has been deleted pursuant to Modification of Minister's Approval 07_0061 MOD 1, dated 28 April 2011, allowing pile driving activities on Saturdays in accordance with CoA 2.5.	3 - Construction	8. Reviewed - Closed	Contractor
6822	2.8 - Construction Noise Impacts	No driven piles are permitted for the construction of wharf structures unless otherwise agreed by the Director-General.	A letter to the Department of Planning regarding piling issues was sent 24 Nov 2010. DoP responded with a letter, dated 22 Dec 2010, allowing pile driving but placing additional time restrictions	3 - Construction	8. Reviewed - Closed	Contractor

			on the activity. A subsequent letter was sent to DoP (23 Dec 2010) seeking reconsideration of its position on construction hours and respite periods. DoP responded (24 Dec 2010) agreeing that piling activities may be carried out as per CoA 2.5 subject to the provisions of CoA 2.7 (see Issue 7448).			
7448	2.8 - Driven Piles- Construction Noise Impacts (DG letter 24/12/10)	The use of driven piles is permitted during the construction hours prescribed in CoA 2.5 and in accordance with CoA 2.7 and 6.2d.	Refer to Issue Response under 6822 for background information. Piling for the project was commenced on 2 December 2011 and completed on 26 April 2012.	3 - Construction	8. Reviewed - Closed	Contractor
6823	2.9 - Operation Noise Impacts	The Proponent shall minimise noise emissions from plant and equipment operated on the site by installing and maintaining, wherever practicable, efficient silencers and low-noise mufflers (residential standard).	Noted	1 - Operational	2. In Progress	NSW Ports / Users
6824	2.10 - Operation Noise Impacts	The Proponent shall design, operate and maintain the project to ensure that the noise contributions from the project do not exceed the maximum allowable noise contributions specified in Table 1 (see Project Approval document), at those locations and during those periods indicated. The maximum allowable noise contributions apply under: a) meteorological condition of wind speeds up to 3 ms ⁻¹ (measured at 10 metres above ground level); or b) temperature inversion conditions up to 3oC per 100 metres and wind speeds up to 2ms ⁻¹ (measured at 10 metres above ground level).	Noted	1 - Operational	2. In Progress	NSW Ports / Users

6825	2.11 - Operation Noise Impacts	For the purpose of assessment of noise contributions specified under condition 2.10 of this approval, noise from the project shall be: a) Measured at the most affected point on or within the residential boundary to determine compliance with the LAeq(15 minute) and LAeq(night) noise limits outlined in condition 2.10; and b) subject to the modification factors provided in Section 4 of the New South Wales Industrial Noise Policy (EPA, 2000), where applicable. Notwithstanding, should direct measurement of noise from the premises be impractical, the Proponent may employ an alternative noise assessment method deemed acceptable by the DECC (refer to Section 11 of the New South Wales Industrial Noise Policy (EPA, 2000)). Details of such an alternative noise assessment method accepted by the DECC shall be submitted to the Director-General prior to the implementation of the assessment method.	Noted	1 - Operational	2. In Progress	NSW Ports / Users
6832	2.12 - Soil and Water Impacts	The Proponent shall ensure that all stormwater on the working platform is directed to a stormwater treatment unit/pollutant trap capable of removing gross pollutants, oil, grease and sediments, prior to it being discharged to Botany Bay.	Addressed in design.	1 - Operational	5. Completed-compliant	NSW Ports / Contractor
6833	2.13 - Soil and Water Impacts	The Proponent shall ensure that all oil and grease or other pollutants in the wastewater storage tank and the stormwater treatment unit is regularly collected and disposed of off-site at a waste management facility lawfully permitted to accept this waste.	Addressed in OEMP, the Emergency Plan and the Safety Management Plan.	1 - Operational	2. In Progress	NSW Ports
6834	3.1 - Noise Audit	Within 90 days of commencement of operations associated with the project and	NSW Ports commissioned SLR Consulting to undertake the noise audit.	1 - Operational	2. In Progress	NSW Ports

		<p>during a period in which the project is operating under normal operating conditions, the Proponent shall undertake a noise audit to detail the noise emission performance of the facility. This audit shall meet the requirements of the DECC, and shall include, but not necessarily be limited to: a) noise monitoring, consistent with the guidelines provided in New South Wales Industrial Noise Policy (EPA, 2000) to assess compliance with the criteria specified in Table 1 of this approval; b) methodologies for noise monitoring; c) location(s) of noise monitoring; d) frequency of noise monitoring; e) identification of monitoring sites at which pre-and post-project levels can be ascertained; and f) provision of details of any complaints received relating to noise generated by the project, and action taken to respond to those complaints.</p>	<p>The methodology was agreed upon by the EPA (DECC) in an email received 14/2/14 and by P&I in the letter dated 19/2/14. The noise audit was completed on 27/2/14 (which was within the 90 day timeframe) and included the necessary details as required by CoA 3.1.</p>			
6835	3.2 - Noise Audit	<p>Within 28 days of conducting the noise audit referred to under condition 3.1 of this approval, the Proponent shall provide the Director-General and DECC with a copy of the report. If the noise audit identifies any non-compliance with the noise limits imposed under this approval, the Proponent shall detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Director-General.</p>	<p>NSW Ports provided a copy of the audit report to P&I on 25/3/14. The audit did not identify any non-compliances with the noise limits imposed under this approval. NSW Ports also provided a copy of the audit report to the EPA on 25/3/14.</p>	1 - Operational	2. In Progress	NSW Ports
6836	3.3 - Hazard Audit	<p>Twelve months after the commencement of operations of the project or within such period otherwise agreed by the Director-</p>	<p>Due to be completed by 4/12/14</p>	1 - Operational	2. In Progress	NSW Ports


		<p>General, the Proponent shall carry out a comprehensive Hazard Audit of the project and within one month of its completion submit the audit report to the Director General. The audit shall be carried out at the Proponent's expense by a duly qualified independent person or team approved by the Director General prior to commencement of the audit. Further audits shall be carried out every three years or as determined by the Director General and a report of each audit shall be submitted to the Director General within one month of each audit completion date. All hazard audits shall be carried out in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No.5 - Hazard Audit Guidelines. Each audit shall include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit. Each audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Proponent intends to defer the implementation of a recommendation, justification must be included.</p>				
6837	4.1 - Compliance Tracking Program	<p>The Proponent shall develop and implement a Compliance Tracking Program to track compliance with the requirements of this approval. The Program shall be submitted to the Director-General for approval prior to the commencement of construction. The Program shall relate to both construction and operational stages of the project and shall include, but not necessarily be limited to: a) provisions for periodic review of the compliance status of the project against the requirements of this approval; b) provisions</p>	<p>A Compliance Tracking System has been implemented to track compliance across all phases of the project. It allows for satisfaction of the requirements listed in a) to e). A Compliance Tracking Program (CTP) was submitted for DG approval 23 May 2011. DG approval of the CTP provided 14 June 2011. A Compliance Tracking Report (CTR) was submitted to the DoP on 21/11/2011 in accordance with the CTP. Approval of the Report was obtained from the DoP</p>	4 - Pre-construction	5. Completed-compliant	NSW Ports / Contractor

		<p>for periodic reporting of compliance status to the Director-General; c) provisions for specific reporting requirements as required by conditions 4.2 and 4.3; d) a program for independent environmental auditing at least annually, or as otherwise agreed by the Director-General, in accordance with ISO 19011:2002 - Guidelines for Quality and/ or Environmental Management Systems Auditing; and e) mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance.</p>	<p>on 7/12/2011. A CTR was submitted to DP&I on 29/05/2012. Approval of the Report was obtained from DP&I on 18/07/2012. The first Environmental Audit Report was submitted to DP&I on 23/08/2012. Sydney Ports followed up the DP&I query received 26/10/2012 seeking clarification of non-compliances relating to the disposal of waste and provided a response to DP&I on 19/11/2012. DP&I raised further questions by phone (Feb 2013), which were responded to by email from SPC on 13/02/13. A response letter from DP&I accepting the SPC response was received, dated 22/02/13. A CTR (#3) was submitted to DP&I on 15/11/2012 for the period from May - November 2012. It was approved by DP&I 25/01/2013. A CTR (#4) was submitted to DP&I on 28/5/13 for the period November 2012-May 2013. It was approved by DP&I 17/6/13. The second Environmental Audit Report was provided to DP&I on 26/09/13. It was approved by DP&I 8/10/13. A CTR (#5) was submitted to DP&I on 29/11/13 for the period May 2013 - November 2013. It was approved by DP&I 20/12/13.</p>			
6838	4.2 - Compliance Tracking Program	<p>One month prior to the commencement of project operations, the Proponent shall submit to the Director-General a Pre-Startup Compliance Report detailing compliance with conditions 2.1 and 2.2, including: a) dates of study/plan/system submission, approval, commencement of construction and commissioning; b) actions taken or proposed to implement recommendations made in the studies/plans/systems; and c) response to</p>	<p>The Pre-Start Up Compliance Report was prepared by NSW Ports and submitted to DP&I on 16/10/13. The report contained details of NSW Ports and Terminals compliance with the safety and hazard documentation in CoA 2.1 and 2.2. The report noted that Vopak were yet to commence construction so evidence of compliance with their HAZOPs and CSS were not able to be provided. Details of this</p>	1 - Operational	5. Completed-compliant	NSW Ports / Contractor

		any requirements imposed by the Director-General under condition 1.3.	compliance are provided in the November Compliance Tracking Report required under CoA 4.1 and approved 20/12/13. The Pre-Start Up Compliance Report was approved by DP&I 29/11/13.			
6840	4.3 - Compliance Tracking Program	Three months after the commencement of project operations, the Proponent shall submit to the Director-General, a Post-Startup Compliance Report verifying that: a) the Emergency Plan required under condition 2.2a) is in place and effective and that at least one emergency exercise has been conducted; and b) the Safety Management System required under condition 2.2b) has been fully implemented and that records required by that system are being kept on site.	The Post-Start Up Compliance Report was prepared by NSW Ports and submitted to P&I ON 4/3/14. The report contained details of the implementation of the emergency plan and emergency exercises conducted and the implementation of the Safety Management System. Yet to receive formal approval from P&I.	1 - Operational	2. In Progress	NSW Ports / Users
6841	5.1 - Community Information, Consultation and Involvement	Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.	The EA is publicly available on SydneyPorts.com.au. Project contacts are available on this website (as follows): Telephone: +61 2 9296 4999 Fax +61 2 9296 4742 E-mail: blb2.project@sydneyports.com.au Media inquiries: Please contact the Media Manager on +61 2 9296 4995. The website also includes a form for submission of queries, feedback and complaints. Requests by the public for any documents required under the Approval will be forwarded to Oliver Smith and Ryan Bennett and will be provided as required (subject to confidentiality). In accordance with the request from DP&I (letter dated 7/12/11), Sydney Ports has placed the CEMP and the associated Environmental Control Plans on the Sydney Ports Corporation website. In accordance with	5 - General	2. In Progress	NSW Ports / Contractor

			<p>the request from DP&I (letter dated 18/07/12), Sydney Ports uploaded the Compliance Tracking Program and Compliance Tracking Reports onto the Sydney Ports website. In accordance with the request from DP&I (letter dated 27/02/13), Sydney Ports uploaded the Environmental Audit Report onto the Sydney Ports website. As at 31 May 2013, BLB2 documentation transferred to NSW Ports website (www.nswportsbotany.com.au). The contractors CEMPs have been uploaded to the website. The second BLB2 audit undertaken on 7/8/13 reviewed the content of the website to ensure all relevant documentation was available. The second BLB2 environmental audit report has been uploaded to the website.</p>			
6842	5.2 - Complaints Procedure	<p>Prior to the commencement of construction of the project, the Proponent shall ensure that the following are available for community complaints for the life of the project (including construction and operation): a) a telephone number on which complaints about construction and operational activities at the site may be registered; b) a postal address to which written complaints may be sent; and c) an email address to which electronic complaints may be transmitted. The telephone number, the postal address and the email address shall be displayed on a sign near the entrance to the site, in a position that is clearly visible to the public, and which clearly indicates the purposes of the sign.</p>	<p>Two signs with the relevant information have been installed by the construction contractor on site gates and the entrance to the site offices. Updated signage with the NSW Ports logo and contact details have been installed compliant with this condition.</p>	4 - Pre-construction	5. Completed-compliant	NSW Ports / Contractor
6844	5.3 -	The Proponent shall record details of all	A Complaints, Incidents and Non-	5 -	2. In	NSW Ports /

	Complaints Procedure	complaints received through the means listed under condition 5.2 of this approval in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to: 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 by the Proponent in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken. The Complaints Register shall be made available for inspection by the Director-General upon request.	Conformance Register has been created. One complaint received from ACFS on 14/02/2012 regarding wheel marks in the grass verge outside their compound. This complaint was investigated and although it could not be confirmed to be attributed to the BLB2 project, as a gesture of goodwill the Contractor repaired the wheel marks on 15/02/2012.	General	Progress	Contractor
6845	6.1 - Construction Environmental Management Plan	Prior to the commencement of construction of the project, the Proponent shall prepare and implement a Construction Environmental Management Plan to outline environmental management practices and procedures to be followed during the construction of the project. The Plan shall be prepared in accordance with Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004).	Contractor's CEMP prepared and submitted to Sydney Ports on 30/06/11. Revised CEMP submitted on 26/07/11, 12/08/11 and 17/08/11 and Sydney Ports' review comments closed. Revised CEMP, with marine mammals procedure, submitted on 26/08/2011 and approved by Sydney Ports on 1/09/2011. CEMP being implemented as required and verified by Sydney Ports' contract management providers and staff. Users works - Terminals CEMP submitted 31/5/13. Revised CEMP with NSW Ports comments provided 5/7/13 and approved 11/7/13. Vopak preliminary CEMP submitted 5/7/13. Terminals CEMP updated and finalised (3/9/2013) in line with comments and actions from the Environmental Audit. Vopak associated CEMP documentation (as per Condition 2) submitted on 23/10/13 and	4 - Pre-construction	5. Completed-compliant	Contractor

			25/10/13. All works have now been completed.			
6846	6.2 (a) - Construction Traffic Management Protocol	As part of the CEMP for the project, the Proponent shall prepare and implement a Construction Traffic Management Protocol to detail how vehicle movements associated with the project will be managed during construction. The Protocol shall specifically address the movement of heavy and/or oversize loads to and from the site, the management of construction traffic and any restrictions to the hours of heavy vehicle movements to avoid road use conflicts with other port users. The Protocol shall detail the expected routes to the site for construction traffic with the intention that all residential areas are avoided	Contractor's CTMP prepared and submitted to Sydney Ports on 30/06/11. Revised CTMP submitted on 26/07/2011. Further revised CTMP submitted on 12/08/11 and Sydney Ports' review comments closed on 15/08/11. Updated CTMP submitted on 26/10/2011 and approved by Sydney Ports on 2/11/2011. CTMP being implemented as required and verified by Sydney Ports' contract management providers and staff. Users works - CEMPs to include CTMP. Terminals CEMP approved 11/7/13. Vopak submitted Traffic Management Plan 23/10/13. Revised TMP was submitted 5/11/13 following NSW Ports review. NSW Ports approved Vopak TMP 7/11/13. All works have now been completed.	4 - Pre-construction	5. Completed-compliant	Contractor
6876	6.2 (b) - Construction Water Management Protocol	As part of the CEMP for the project, the Proponent shall prepare and implement a Construction Water Management Protocol to outline specific mitigation measures that would be implemented as part of the project to minimise the impact of construction on water quality including piling activities and the handling of chemicals, fuels and concrete. The Protocol shall include the use of appropriate stormwater controls, in accordance with Managing Urban Stormwater: Soils and Construction (Landcom, 2004) and shall outline specific measures that will be implemented at the site to avoid sediment-laden stormwater from entering Botany Bay.	Contractor's CEMP prepared and submitted on 30/06/2011. Revised CEMP and associated Water Quality ECP submitted on 26/07/11. Further revised Water Quality ECP submitted on 12/08/11 and approved by Sydney Ports on 1/09/11 as part of the CEMP (see Issue 6845). Subsequent comments incorporated into amended Water Quality ECP submitted on 20/10/2011. Updated Water Quality ECP received on 18/06/2012. Water Quality ECP being implemented as required and verified by Sydney Ports' contract management providers and staff. Users works - Requirements included in users CEMPs. Terminals CEMP approved 11/7/13.	4 - Pre-construction	5. Completed  compliant	Contractor

			Vopak Water Management Plan was submitted to NSW Ports on 24/10/13 and approved 25/10/13. All works have now been completed.			
6877	6.2 (c) - Acid Sulfate Soil Management Plan	As part of the CEMP for the project, and where surface excavation is required below 1 metre or where soil testing prior to the commencement of construction identifies the presence of acid sulfate soils, the Proponent shall prepare and implement an Acid Sulfate Soil Management Plan prepared in accordance with guidance provided in Acid Sulfate Soil Manual (Acid Sulfate Soil Management Advisory Committee, 1998).	Contractor's CEMP prepared and submitted on 30/06/2011. Revised CEMP and associated Acid Sulphate Soil ECP submitted on 26/07/11. Further revised Acid Sulphate Soil ECP submitted on 12/08/11 and approved by Sydney Ports on 1/09/11 as part of the CEMP (see Issue 6845). In accordance with the ECP, excavation material from the culvert works tested and no ASS present. Two soil samples recovered from the drainage trenches were sent for ASS analysis and verification on 20/12/2011. Users works - Requirements included in user works CEMP. Terminals approved 11/7/13 - no excavation identified as being required. Vopak CEMP identified some excavation as required - An ASS management plan was submitted to NSW Ports 23/10/13 and approved 25/10/13. All works have now been completed.	4 - Pre-construction	5. Completed-compliant	Contractor
6878	6.2 (d) - Construction Noise Management Plan	As part of the CEMP for the project, the Proponent shall prepare and implement a Construction Noise Management Plan to outline construction noise mitigation, monitoring and management measures to be implemented to minimise noise impacts during construction of the project. The Plan shall include, but not necessarily be limited to: i) details of construction activities and a schedule for construction works; ii) identification of construction activities that have the potential to generate noise and/ or	A Construction Noise Environmental Control Plan (Noise ECP) has been prepared and submitted to the DP&I on 19 August 2011. The Noise ECP fulfills the requirements of CoA 6.2(d) as well as the requirements of the letter from DP&I to Sydney Ports (24/12/10). The Noise ECP has been incorporated into the project's CEMP. A letter from DP&I (14/10/11) confirms that the Noise ECP meets the requirements of CoA 6.2d and that it has been incorporated into the	4 - Pre-construction	5. Completed-compliant	Contractor

		<p>vibration impacts on surrounding land uses, particularly residential areas; iii) where the relevant construction noise goals contained in the Noise Management Guideline – Construction Noise (formerly published as Chapter 171 of the Environmental Noise Control Manual) are predicted to be exceeded at sensitive receivers, provision for the application of all practicable and reasonable noise mitigation measures to seek to achieve the relevant construction noise goals; iv) procedures for notifying residents of construction activities that are likely to effect their noise and vibration amenity, as well as procedures for dealing with and responding to noise complaints; and v) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected.</p>	<p>project's CEMP as required. The Contractor commenced noise surveys on 24/10/2011 in accordance with the ECP. Piling commenced on 2/12/2011. Sound level monitoring carried out in accordance with the ECP indicates piling works were inaudible at all four monitoring receptors and dominant noise was external environmental. The ECP was updated (dated 27/03/12) to reflect the current noise management levels and the updated version was provided to DP&I for their records on 17/04/12. Piling installation completed on 26/04/2012. Users works - Requirements to be included in users CEMP. Terminals approved 11/7/13. Vopak Noise Management Plan submitted 23/10/13. Revised NMP submitted 5/11/13. NSW Ports approved 7/11/13. All works have now been completed.</p>			
6879	6.3 - Operation Environmental Management Plan	<p>Prior to the commencement of operation of the project, the Proponent shall prepare and submit for the approval of the Director-General an Operation Environmental Management Plan to detail an environmental management framework, practices and procedures to be followed during the operation of the project. The Plan shall be consistent with the Department's Guideline for the Preparation of Environmental Management Plans (DIPNR 2004), and shall include, but not necessarily be limited to: a) a description of all activities to be undertaken on the site during operation of the project; b) statutory and other obligations that the Proponent is</p>	<p>NSW Ports prepared an OEMP and submitted to DP&I for approval on 13/09/13. DP&I requested amendments to the documents as per the email received on 2/10/13. The OEMP was also provided to Randwick City Council and EPA on 25/09/13. EPA requested that the final OEMP be provided for their records. OEMP sent to EPA on 7/11/13. Randwick City Council sent a letter response 17/10/13 outlining their requirements. The letter was forwarded to Ingrid Illias of DP&I and included justification that the revised OEMP adequately addressed Council's requirements. The revised OEMP was</p>	2 - Pre-operational	5. Completed-compliant	NSW Ports / Users

		required to fulfil during operation, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies; c) specific consideration of measures to address any requirements of Council and the DECC during operation; d) details of how the environmental performance of operations will be monitored, and what actions will be taken to address identified adverse environmental impacts; e) a description of the roles and responsibilities for all relevant employees involved in the operation of the project and a program for how these employees will be trained in responsibilities identified in the plan; and f) complaints handling procedures to be applied during operation of the project (conditions 5.2 and condition 5.3 of this approval).	submitted to DP&I 16/10/13 and approval from DPI&I was received 25/10/13. The OEMP has been uploaded to the NSW Ports website.			
6880	7.1 - Incident Reporting	The Proponent shall notify the Director-General of any incident with actual or potential significant off-site impacts on people or the biophysical environment within 12 hours of becoming aware of the incident. The Proponent shall provide full written details of the incident to the Director-General within 24 hours of any incident or potential incident occurring. A further detailed report shall be prepared and submitted following investigations of the causes and identification of necessary additional preventive measures. The detailed report is to be submitted to the Director-General no later than 14 days after the incident or potential incident.	An incident register has been created and the requirements of this condition are noted.	5 - General	2. In Progress	NSW Ports / Contractor
7449	DoP Letter - 22/12/10	A Pile Vibration Management Plan is to be prepared and implemented as a	Pile Vibration Management Plan (PVMP) submitted to the DG 28/03/2011. DoP	4 - Pre-construction	8. Reviewed	NSW Ports / Contractor

	- Pile Vibration Management Plan	requirement of the Director General agreeing to the use of driven piles. The Plan is to be approved by the Director - General prior to piling works and will be incorporated into the CEMP (CoA 6.1). The changes in construction methodology shall also be considered, as appropriate, within the Hazard and Risk studies prepared under CoA 2.1. The Plan shall be prepared in consultation with Elgas and include management measures to control vibration to acceptable limits and to protect surrounding port infrastructure (including the integrity of the Elgas LPG Cavern). This shall include the identification of vibration level criteria and a Pile Vibration Monitoring System.	subsequently queried whether the duration of piling was considered in the preparation of the PVMP and asked for the resolution of the geophones. This information was submitted to Lilia Donkova (NSW Planning & Infrastructure) in an email dated 3/5/11. An email response from Ingrid Ilias of DP&I on 4 May 2011 requested additional information with regard to the PVMP. Letter with additional information provided to DP&I 19 May 2011. As requested by DP&I in an email dated 24 May 2011, the GHD Report "BLB2 Piling and Vopak Terminal Sydney, Pile Vibration Analyses and Assessments, May 2011" was supplied on 27 May 2011. DP&I approval for the PVMP granted via a letter, dated 30 May 2011. Letter received from DP&I, dated 16 June 2011, indicating that they are satisfied that the final piling methodology and associated environmental management has been adequately addressed in other studies and reports and does not need to be further considered in the Hazard and Risk studies under CoA 2.1. The PVMP has been incorporated into the CEMP. Installation of the Vibration Monitoring System is complete and background vibration monitoring commenced in June 2011 (see Issue 8167). Vibration monitoring has been ongoing during piling and there have been no exceedances of the prescribed set levels. Piling installation completed 26/04/2012.		- Closed	
7591	DoP Letter - 24/12/10	The Construction Noise Management Plan (re CoA 6.2d) must include clear	A Construction Noise Environmental Control Plan (Noise ECP) has been	4 - Pre-construction	8. Reviewed	NSW Ports / Contractor

	- Construction Noise Management Plan	commitments in relation to the duration of driven piling activities, the provision of respite periods, and mitigation measures in response to noise criteria exceedances. The CNMP must be submitted to the Department of Planning prior to the commencement of works.	prepared and submitted to the DP&I on 19 August 2011 (prior to commencement of works). The Noise ECP fulfills the requirements of CoA 6.2(d) as well as the requirements of the letter from DP&I to Sydney Ports (24/12/10). The Noise ECP has been incorporated into the project's CEMP. A letter from DP&I (14/10/11) confirms that the Noise ECP meets the requirements of CoA 6.2d and that it has been incorporated into the project's CEMP as required.		- Closed	
8167	DP&I Letter - 30/5/11 - Pile Vibration Management Plan approval	Pile driving activities are to be done in accordance with the management measures outlined in the Pile Vibration Management Plan. Pile vibrations are to be monitored in accordance with the Pile Vibration Monitoring System and an additional probe is to be used to monitor vibrations at the adjacent Vopak storage tanks. A survey of the current condition of the Vopak storage tanks shall be undertaken prior to the commencement of piling works.	Pile Vibration Monitoring System has been installed and commenced recording background data in June 2011. Surveys of the Vopak tanks commenced in June 2011. Baseline surveys completed in September 2011. Vibration monitoring during piling is ongoing and there have been no exceedances of the prescribed set levels. The Vopak tanks levels are being surveyed regularly and there has been no exceedance of the maximum settlement criteria. Piling installation completed on 26/04/2012.	3 - Construction	8. Reviewed - Closed	NSW Ports / Contractor