

Request to Modify a Major Project or Concept Plan



Date duly made: 24, 2, 14

Modification No. DA 453-12-2002-i
MOD 8

This form should be used to request the Minister to modify a Major Project* or Concept Plan under Section 75W of the *Environmental Planning & Assessment Act 1979*.

Before lodging this form you should contact the Department of Planning and Infrastructure to discuss your modification and confirm the supporting information required to assess the modification. The Director General may issue environmental assessment requirements that must be complied with before your request will be considered by the Minister.

Persons lodging applications are required to declare reportable political donations (including donations of \$1,000 or more) made in the previous two years. For more details, go to www.planning.nsw.gov.au/donations.

* This form may also be used to modify a Part 4 consent which is subject to clause 8J(8) of the *Environmental Planning & Assessment Regulation 2000*

1. Proponent details

Company/organisation/agency		ABN	
Patrick Stevedores Operations No. 2 Pty Ltd		64 056 292 687	
<input checked="" type="checkbox"/> Mr <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/> Dr <input type="checkbox"/> Other			
First name		Family name	
Richard		Pollock	
Position			
Assistant Director			
STREET ADDRESS			
Unit/street no.	Street name		
4B	Lord Street		
Suburb or town	State	Postcode	
BOTANY	NSW	2019	
POSTAL ADDRESS (or mark 'as above')			
As above			
Suburb or town	State	Postcode	
Daytime telephone	Fax	Mobile	
02 8333 6227		0400 186 455	
Email			
richard.pollock@patrick.com.au			

2. Identify the land

Fill out the relevant fields or attach a schedule of lands and a detailed map of the land.

Unit/street no. [n/a]	Street or property name Penrhyn Road	
Suburb, town or locality Botany	Postcode 1455	Council area Botany

Lot/DP or Lot/Section/DP or Lot/Strata no.

Please ensure that you put a slash (/) between lot, section, DP and strata numbers. If you have more than one piece of land, you will need to separate them with a comma e.g. 123/579, 162/2.

Lots 1-6, 8-14 and 16-19 DP452236; Lots 1 and 2 DP1009870; Lots 1-4 DP11263320

Note: You can find the lot, section, DP or strata number on a map of the land or on the title documents for the land, if title was provided after 30 October 1983. If you have documents older than this, you will need to contact the Land & Property Management Authority for updated details.

OR: detailed description of land attached:

3. Details of the original major project or concept plan

Briefly describe what the original approval allows

The original approval comprises demolition and removal of structure, construction of road, rail and wharf infrastructure, installation of operational equipment, construction of buildings and other infrastructure upgrades to the infrastructure of the existing terminal.

Further details regarding the project are provided in the Environmental Assessment Report – Section 75W Modification for the Port Botany Container Terminal Project.

What was the original application no.? DA-453-12-2002	What was the date of the approval? 27 October 2003	What was the original application fee?
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4. Describe the modification(s) you propose to make

Describe the modification(s), including details of any conditions of approval to be amended or deleted

To provide a condition in the consent that allows for out of hours works to be considered and approved by the Director-General on a case by case basis.

What is the capital investment value of the proposed modification? Not applicable.

5. Other approvals

Did the original project / concept plan, but for section 75U of the EP&A Act, require any of the following?

- concurrence under Part 3 of the *Coastal Protection Act 1979* of the Minister administering that Part of that Act
- a permit under section 201, 205 or 219 of the *Fisheries Management Act 1994*
- an approval under Part 4, or an excavation permit under section 139, of the *Heritage Act 1977*
- an Aboriginal heritage impact permit under section 90 of the *National Parks and Wildlife Act 1974*
- an authorisation referred to in section 12 of the *Native Vegetation Act 2003* (or under any Act repealed by that Act) to clear native vegetation or State protected land
- a bush fire safety authority under section 100B of the *Rural Fires Act 1997*
- a water use approval under section 89, a water management work approval under section 90 or an activity approval under section 91 of the *Water Management Act 2000*

Did the original project / concept plan require any of the following approvals in order to be carried out?

- an aquaculture permit under section 144 of the *Fisheries Management Act 1994*
- an approval under section 15 of the *Mine Subsidence Compensation Act 1961*
- a mining lease under the *Mining Act 1992*

- a petroleum production lease under the *Petroleum (Onshore) Act 1991*
- an environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997* (for any of the purposes referred to in section 43 of that Act)
- a consent under section 138 of the *Roads Act 1993*
- a licence under the *Pipelines Act 1967*

6. Landowner's consent (where required)

As the owner(s) of the above property, I/we consent to this request being made by the proponent:

Land <input type="text"/>	Land <input type="text"/>
Signature <input type="text" value="refer attached letter"/>	Signature <input type="text"/>
Name <input type="text" value="from NSW Ports"/>	Name <input type="text"/>
Date <input type="text"/>	Date <input type="text"/>

Note: Under Clause 8F of the *Environmental Planning and Assessment Regulation 2000*, certain applications for approval under Part 3A of the Act do not require consent of the landowner, however, the proponent is required to give notice of the application (e.g. linear infrastructure, mining & petroleum projects, and critical infrastructure).

7. Political donation disclosure statement

Have you attached a disclosure statement to this request?
 Yes No

For more details about political donations disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations

8. Proponent's signature

As the proponent(s) of the project and in signing below, I/we hereby:

- provide a description of the modification to the project approval or concept plan and address all matters required by the Director-General pursuant to Section 75W of the Act, and
- declare that all information contained within this form is accurate at the time of signing.

Signature <input type="text" value="Patrick"/>	In what capacity are you signing if you are not the proponent <input type="text"/>
Name, if you are not the proponent <input type="text"/>	Date <input type="text" value="19/02/14"/>

9. Supporting documents

What supporting documents are you submitting with this application?

- Environmental Assessment
- Other, please describe:

Please refer to attached table, which lists examples of the types of activities Patrick are considering would require out of hours approval.

21 February 2014

Tine Birkemose
PBRP Senior Project Manager
Patrick
Level 2
4b Lord Street
BOTANY NSW 2019

Dear Ms Birkemose,

Re: Modification to DA 453-12-2002 for Construction Works Outside of Standard Hours at 7-15 Penrhyn Road, Port Botany

Thank you for providing the modification application for construction works to occur outside of standard hours to NSW Ports for our consideration.

NSW Ports provides in principle support for the lodgement of the modification application with the Department of Planning and Infrastructure. As discussed, NSW Ports will seek the consent of Port Lessor as landowner on behalf of Patrick for the modification application.

It should be noted that the landowner consent of Port Lessor is not guaranteed, however NSW Ports has confirmed to Port Lessor that it has no objection to the modification application proposed by Patrick.

If you have any further questions please do not hesitate to contact me on 9296 4672.

Yours sincerely,



Greg Walls
Environmental Planner
NSW Ports

Please refer to table below setting out examples of the types of activities which Patrick is considering would require out of hours approval.

No	Area and Description of Activity	Plant / Equipment	Reason for Out of Hours Works
A.	Administration Building		
	Numerous complex lifts are required for the pre-cast panels forming the 43m control tower. The construction of this tower is critical for the commissioning of the Auto-strads and other key components.	Cranes	Given the nature of this work, it would be safer and more efficient undertaking works outside normal working hours. Further, bringing in the pre-cast panels out of hours will minimise the potential effect on peak-hour traffic.
	Shut-downs and re-instatement of existing services.	Various	Shut-downs are more efficiently undertaken outside normal working hours.
B.	Maintenance Building and Workshop (the existing maintenance building and workshop maintain fully operational during the project)		
	Lifting of steel columns and beams	Cranes	Undertaking the upgrades and new works, while operating the existing workshop and maintenance building, is a challenge. If the works could be undertaken out of hours it would provide for a safer and more expeditious project delivery.
	Critical activities include the lifting and extension of the roof to the existing workshop and the connection of the roof canopy between the existing and the new workshop.	Cranes	Works being undertaken in an operational environment, i.e. construction activities and maintenance of straddle cranes. If the works could be undertaken out of hours it would provide for a safer and more expeditious project delivery.
	Interaction between numerous projects at the northern point of the maintenance facility, new maintenance workshop and support building, Telstra diversion, Ramp D construction and infrastructure upgrade.	Various	A multitude of activities are being undertaken in a small area, which required flexibility in working arrangement to meet schedule and access requirements for all projects concurrently.

No	Area and Description of Activity	Plant / Equipment	Reason for Out of Hours Works
	Construction activities in general.		To ensure the program / schedule can be met in relation to the go live date for the Autostrads.
C.	Existing Terminal		
	Excavation and installation of electrical, communication and drainage pits.	Crane Excavator	Safety and high risk activities in a live operational terminal.
	Placement of bedding and haunch material, followed by installation of drainage lines.	Excavator	Safety and high risk activities in a live operational terminal.
	Trenching, installation of conduits for services and backfilling of excavated areas.	Excavator	Safety and high risk activities in a live operational terminal.
	Concrete works, including formworks and steel-fixing.	Trucks	Safety and high risk activities in a live operational terminal.
	Installation and commissioning of light towers and light curtains.	Cranes	The light towers and light curtains are critical to the automation technology. Lighting output further needs to be checked, adjusted and commissioned at night.
D.	Auxiliary and Other Upcoming Works		
	Modifications to the rail portals.	Trucks, cranes and heavy machinery	It would be more safe, flexible and expeditious undertaking the relocation after-hours and minimise the potential effect on peak-hour traffic.
	Change-over of truck grids.	Trucks	It would be more safe, flexible and expeditious undertaking the relocation after-hours and minimise effect on peak-hour traffic.