Project Approval

Section 75J of the Environmental Planning and Assessment Act 1979

I, the Minister for Planning, approve the project referred to in Schedule 1, subject to the conditions in Schedule 2 to 4.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project

Frank Sartor MP
Minister for Planning

Sydney 22nd Dec 2006

SCHEDULE 1

Application No:	05_0187
Proponent	Sydney Slipways Pty Ltd
Approval Authority	Minister for Planning
Land	Lots 31 and 34, James Craig Road, Rozelle
Project	Marine Repair Facility

DEFINITIONS

Act	*Environmental Planning and Assessment Act, 1979*
Construction	Includes any activity requiring a Construction Certificate, significant excavation work, road works, demolition, or any construction related activity as described in Major Projects Application 05_0187.
Council	Leichhardt Council
dB(A)	Decibel (A-weighted scale)
Department	NSW Department of Planning
Project, the	The project as described in the EA and amended by the conditions of this approval
DEC	Department of Environment and Conservation
DPI	Department of Primary Industries
EA	*Environmental Assessment: Sydney Slipways Pty Ltd, Boat Repair Facility upon Lot 31 and Lot 34*, prepared by Global Perspectives
PPR	*Preferred Project Report: Sydney Slipways Marine Repair Facility at Rozelle Bay*, October 2006, prepared by Global Perspectives
EPL	Environmental Protection Licence issued under the *Protection of the Environment Operations Act, 1997*
Master Plan	NSW Maritime Authority 'Master Plan for Rozelle and Blackwattle Bays Maritime Precincts'
Minister	NSW Minister for Planning, or delegate
Operation	Commissioning of any stage of works as described in the Major Projects Application 05_0187
Proponent	Sydney Slipways Pty Ltd, or its successors on title
Publicly available	Available for inspection by a member of the general public (for example available on an internet site or at a display centre).
Land	Land to which Major Projects Application 05_0187 applies.
Day	The period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays
Dredging	Dredging means the removal of material from the sea or harbour bed or the bed of a river, being an activity for the purpose of constructing a new or deeper navigational area or channel or reopening a discontinued navigational area or channel, but does not include intertidal dredging or maintenance dredging as defined in SREP (Sydney Harbour Catchment) 2005.
Evening	The period from 6pm to 10pm
Infill	Fill material including excavated sandstone, construction materials, rubble and demolition spoil, but not marine sediments.
Maintenance Dredging	Maintenance dredging means removal of material from the sea or harbour bed or the bed of a river where the activity is for the purpose of maintaining the previously established harbour of river depth as defined in SREP (Sydney Harbour Catchment) 2005
Night	The period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays
External Noisy Activities	Including but not limited to painting, application of anti-foulants, hammering, grinding, engine testing and flushing, and any activities deemed potentially noisy by DEC and or outlined in their environment protection licence issued under the *Protection of Environment Operations Act 1997*
Reclamation	Reclamation work means any work that involves: the filling or draining of submerged land for the purpose of

	reclaiming the land, or the filling of submerged land for the purpose of supporting a building or structure (such as a bridge) being erected over the land.
SREP	Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

SCHEDULE 2
ADMINISTRATIVE CONDITIONS

Obligations to Minimise Harm to the Environment

1. The Proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction and/or operation of the project.

Terms of Approval

2. The Proponent shall carry out the project generally in accordance with:

   (a) Major Project Application 05_0187;
   (b) *Environmental Assessment: Sydney Slipways Pty Ltd, Boat Repair Facility upon Lots 31 and 34;*
   (c) *Preferred Project Report: Sydney Slipways Marine Repair Facility at Rozelle Bay*, October 2006;
   (d) the Statement of Commitments, prepared by Global Perspectives, October 2006;
   (e) *Response to Submissions: Sydney Slipways Marine Repair Facility at Rozelle Bay*, July 2006;
   (f) the following approved plans; and
   (g) conditions of this approval.

   If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of the inconsistency.

3. The Proponent shall comply with any reasonable requirements of the Director-General arising from the Department's assessment of:

   (a) any reports, plans or correspondence that are submitted by the Proponent in accordance with this approval; and
   (b) the implementation of any actions or measures contained in those reports, plans or correspondence submitted by the Proponent.

Limits on Approval

4. This Approval shall lapse within three years of the date of this approval, unless the works the subject of this approval are physically commenced on or before that time.

Structural Adequacy

5. The Proponent shall ensure that all new buildings and structures on the site are constructed in accordance with the relevant requirements of the BCA and the latest version of the Australian Standard *AS 3962:2001*.

   Notes:
   - ***Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works***
   - ***Part 8 of the EP&A Regulation sets out the requirements for the certification of the project***

6. Prior to the commencement of construction, appropriate fully detailed dimensioned drawings and specifications are to be submitted to and approved by NSW Maritime Authority in writing. The drawings and specifications are to:
   (a) comply with NSW Maritime's Engineering Standards and Guidelines for Maritime Structures and NSW Maritimes Guidance Note Documentation;
   (b) fully and clearly describe all new works proposed for land below the Mean High Water Mark and all their components and interconnections; and
   (c) demonstrate that structural components have been designed by a practising consulting structural Engineer qualified for corporate membership of the Institution of Engineers Australia and experienced in the design of maritime structures.

Statutory Requirements

7. The Proponent must ensure that all necessary licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the Development. None of the Conditions of Approval remove the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.

Protection of Public Infrastructure

8. The Proponent shall:

   (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
   (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

SCHEDULE 3
SPECIFIC ENVIRONMENTAL CONDITIONS

Air Quality

1. The Proponent shall design, construct, operate and maintain the project in a manner that prevents and/or minimises dust and vapour emissions from the site.

2. The Proponent shall 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*.

3. The Proponent shall ensure that all trucks entering or leaving the site have their loads covered at all times and do not track dirt onto the public road network. In the event that dirt is tracked onto the public road, the proponent shall remove it immediately.

Noise

4. During operation, noise from the premises must not exceed the sound pressure level (noise) limits in Table 1.

Table 1: Noise Limits

Noise Assessment Location (see Note below)	Day	Evening	Night	
	$L_{Aeq\ (15\ minute)}$	$L_{Aeq\ (15\ minute)}$	$L_{Aeq\ (15\ minute)}$	$L_{A1\ (1\ minute)}$
R1 Mansfield St (residential)	35	35	35	45
R2 Cresent St (residential)	35	35	35	45
R3 Hornsey St (residential)	35	35	35	45
R4 Bayview Cres(residential)	35	35	35	45
R5 Federal Rd (residential)	35	35	35	45
R6 Oxley St (residential)	43	41	40	50
R7 Bank St (residential)	51	42	39	45
R8 Refinery Rd (residential)	47	43	40	45
R9 Bowan St (residential)	45	40	39	45
Bicentennial Park	When in use			
	$L_{Aeq\ (15\ minute)}$			
	50			

Note:

(a) ***the limits represent the sound level pressure (noise) contribution, at the nominated receiver locations in Table 1. The DEC notes that noise has been assessed at nominated sensitive receiver locations. Bicentennial Park on the opposite side of Rozelle Bay to the proposed site should also be included. The DEC considers the park to be in either of the INP Amenity categories of passive and active recreation, depending on the particular use at the time, and recommends that the most stringent Amenity Criteria be applied to this sensitive receiver. For the residential receiver locations where the Amenity Criterion is the more stringent of the Amenity and Intrusive Criteria, the DEC recommends that both the Amenity and Intrusive criteria limits be included;***

(b) ***for guidance in the selection of an assessment location, reference should be made to the NSW Industrial Noise Policy;***

(c) ***noise from the premises is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary, todetermine compliance with the noise level limits in Condition 4 of Schedule 3 of this Approval unless otherwise stated;***

(d) ***noise from the premises is to be measured at 1m from the dwelling façade to determine compliance with the $L_{A1\ (1\ minute)}$ noise level in Condition 4 of Schedule 3 of this Approval. Where it can be demonstrated that direct measurement of noise from the premises is impractical, the DEC may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy. The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable;***

(e) ***The noise emission limits identified in above table apply under meteorological conditions of:***

- ***Wind speed up to 3m/s at 10 metres above ground level; or***
- ***Temperature inversion conditions of up to 3^0C/100m and wind speed up to 2m/s at 10 metres above the ground***

5. The Proponent shall comply with the construction and operation hours in Table 2, unless otherwise agreed with the Director-General.

Table 2: Construction and Operation Hours for the Project

Activity	Day	Time
Construction	Monday – Friday	7.00am to 6.00pm
	Saturday	8.00am to 1.00pm
	Sunday	Nil
Mixed marine tenancies	Monday – Saturday	7:00am to 6:00pm
	Sunday	8:00am to 6:00pm
All external areas including the hardstand	Monday – Friday	7:00am to 6:00pm
	Saturday and Sunday	8:00am to 6:00pm
Work sheds	All days	Any time
Café / food premises	Sunday – Wednesday	7:00am to 11:00pm
	Thursday – Saturday	7:00am to 12:00am
Commercial office space tenancies, including the marine chandlery office and boat arrivals and departures.	All days	Any time

***Note**: No external noisy activities are permitted between 6.00pm and 7.00am Mondays to Sundays, inclusive. Activities (except external noisy activities) undertaken in the mixed marine tenancies, work sheds and all external areas including the hardstand may be conducted outside the hours in Table 2 provided that the activities are consistent with the noise limits imposed in Table 1, and environmental protection licence issued by DEC under the Protection of the Environment Operations Act 1997.*

Soil and Water

6. The Proponent shall comply with section 120 of the *Protection of the Environment Operations Act 1997* which prohibits the pollution of waters.

7. The Proponent shall ensure that all areas involving the handling, treatment or storage of waste and outputs must be sealed, with all runoff directed to a first flush system.

8. All wash down areas must have appropriate controls which prevent polluted water from entering the bay or stormwater system.

9. The Proponent shall make satisfactory arrangements for the provision of water and sewer services to the land. Prior to the issue of a construction certificate, the Proponent shall make an application to Sydney Water for a Certificate under Part 6, Division 9, Section 73 of the Sydney Water Act 1994 (Compliance Certificate).

10. The Proponent shall ensure construction is carried out in a manner that minimises the potential for materials, including construction and demolition debris, sediments and other pollutants, to entering the bay and waterway. In the event that material enters the bay and waterway, the Proponent shall remove it immediately.

11. The Proponent shall ensure that construction is carried out in a way that minimises disturbance of the seabed.

12. The erosion, sediment and pollution management system is to be effectively maintained at or above design capacity during construction and until such time as all ground disturbed has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

13. Any material that is to be stockpiled on site is to be stabilised and covered to prevent erosion or dispersal of the material into the adjacent waterway.

14. Unless otherwise agreed by the Director General, the Proponent shall install and maintain a floating boom and silt curtain around construction areas. The floating boom and silt curtain is to be retained and suitably maintained until the proposed works have been completed and the water quality inside the silt curtain and boom is equal to the water quality of Rozelle Bay. The Proponent shall ensure that the silt curtain extends from the surface of the water to at least 2 metres below the surface and that ensure attachment points for silt curtains will need to be firmly anchored to avoid gaps and release of contaminants.

15. During construction, the Proponent shall ensure that, the level of total suspended solids (TSS) within 1 metre of the outside of the silt curtain does not exceed the background TSS by more than 50mg/l. As part of this process, the Proponent is required to measure nephelometric turbidity units (NTU) levels with a turbidity meter. At least two representative samples from water within 1 metre of the outside of the silt curtain are to be taken to establish the NTU levels. Background NTU levels are to be identified by taking representative samples from the water within 25 metres of construction works.

Readings of less than 25 NTU should be considered to be less than 50mg/l TSS. In the event that turbidity readings exceed the background levels by 25 NTU, the Proponent shall have a sample of the water analysed for TSS, and record the NTU and TSS levels in a logbook that must be made available to an officer of the DEC on request.

In the event that the TSS level within 1 metre of the outside of the silt curtain exceeds the background TSS level by more than 50mg/L, the Proponent must report this incident to the DEC within one week of receiving these results.

Spoil and Fill Management

16. Any imported fill must be Virgin Excavated Natural Material as defined in the Environmental Protection Authority's guideline *Assessment, Classification and Management of Liquid and Non-Liquid Wastes.*

Acid Sulfate Soils

17. The Proponent shall ensure that a suitably qualified Environmental Scientist be employed to supervise all disturbance of acid sulfate soils on site.

Hazards

18. The Proponent shall store and handle all hazardous chemicals, dangerous goods, fuels and oils, strictly in accordance with:

    (a) all relevant Australian Standards, particularly *AS1940 and AS1596*
    (b) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund;
    (c) the Dangerous Goods Code; and
    (d) DEC's technical bulletin on *Bunding and Spill Management*

    Note: In the event of any inconsistency between these requirements, the Proponent shall comply with the most stringent requirement

19. The Proponent shall ensure that spillage control equipment, such as absorbent pads and absorbent booms, are available at the marine repair facility at all times, and stored in a location where they can be employed quickly if any spills occur.

Waste

20. No waste will be disposed of on site, with all waste disposed of at an appropriately licensed waste management facility.

21. The Proponent shall ensure that all liquid and/or non-liquid waste generated and/or stored on the site is assessed and classified in accordance with the EPA's Environmental Guidelines: *Assessment, Classification and Management of Liquid and Non Liquid Wastes (Waste Guidelines).*

Dredging and Reclamation

22. During construction, the Proponent shall not undertake any dredging/reclamation works, unless the removal of material from the bed of the bay is infill, and the activity undertaken is maintenance dredging.

23. In the event that the Proponent is required to undertake dredging/reclamation works, a **Dredging and Reclamation Assessment** shall be prepared in consultation with DPI and NSW Maritime Authority. This assessment must include:

    (a) purpose of works;
    (b) distance of adjacent marine vegetation from outer boundary of proposed works;
    (c) method, times and duration of dredging works;
    (d) duration of dredging works;
    (e) dimension and depth of area to be dredged, include Acid Sulfate Soil
    (f) environmental safeguards to be used during and after works;
    (g) measures for minimising harm to fish habitat and scouring of the Bay;
    (h) spoil type and source location for reclamation activities;
    (i) method of disposal of dredge material
    (j) location and duration of spoil stockpiling, if planned.

    The dredging and reclamation assessment shall be submitted for the approval of the Director-General no later than one month prior to the commencement of operation of the project, or within such period otherwise agreed by the Director-General.

24. Prior to the commencement of any maintenance dredging/reclamation works, the seabed sediments which are to be removed shall be tested and classified in accordance with ANZECC (2000) Sediment Quality Guidelines and DEC (2004) Environmental Guidelines requirements.

Heritage

25. The Proponent shall implement appropriate procedures and safeguards to protect Glebe Island Bridge from damage from the project. The Proponent is to fund the repair of any fabric damaged by the project's activities. The fabric is to be repaired to match the original condition prior to the commencement of works, to the satisfaction of the Director-General.

Visual Impacts

26. Prior to the commencement of construction, the Proponent shall submit details of the proposed external materials and finishes of Building B and D, including schedules and a sample board of materials and colours to the satisfaction of the Director General.

27. The visible light reflectivity from building materials used on the facades of the buildings shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place.

28. The Proponent shall submit detailed plans of site signage for the Director General's approval, prior to its installation on site.

29. The Proponent shall submit detailed plans of the acoustic barrier fence for the Director-General's approval, prior to its installation on site.

30. During operation, the Proponent shall:

    (a) maintain landscaping on the site to the satisfaction of the Director General; and
    (b) ensure that the landscaping on the site does not impede driver sight distance of vehicles entering or leaving the site.

Additional Details – Outdoor Lighting

31. The Proponent shall ensure that the lighting associated with the project:
    (a) complies with the latest version of Australian Standard *AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting*; and
    (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network,

    to the satisfaction of the Director-General.

32. The proposed internal lighting system for the office spaces must be designed to provide for the efficient use of energy including the use of energy efficient light fittings, zoned lighting and controls and sensors to ensure automatic switch off during non-working hours.

Car Parking

33. Parking associated with the Project shall be designed, constructed and maintained in accordance with the latest versions of the Australian Standards *AS 2890.1:2004* and *AS 2890.2:2002*.

Water Conservation

34. Water saving devices, such as dual flush toilets and AAA rated flow regulators to all showers and taps must be installed in all areas of the project to reduce water consumption and promote energy efficiency to help reduce external water demands.

Travel Lifts and Cranes

35. The proposed travel-lifts and cranes and all their components shall be designed, detailed, installed, operated and maintained in accordance with relevant Australian Codes, Rules, and Standards, and NSW Workcover Authority's "*Requirements for Shore Mounted Cranes and Hoists*"

36. Prior to the commencement of operations, the Proponent shall submit to the Director-General, a signed statement from the designer/manufacturer or from a practising Mechanical Engineer qualified for corporate membership of the Institution of Engineers Australia certifying that the travel-lifts comply with *AS1418* or equivalent.

Construction of food premises

37. The fitout of the food premises shall be carried out in accordance with the National Code for the Construction and Fitout of Food Premises.

SCHEDULE 4
ENVIRONMENTAL MONITORING AND MANAGEMENT

Construction and Environmental Management Plan

1. Prior to the commencement of construction, the Proponent shall prepare (and following approval implement) a **Construction Environmental Management Plan** (CEMP) for the project. This plan must outline the environmental management practices and procedures that would be implemented during each stage of construction, and include:
   (a) 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;
   (b) statutory and other obligations that the Proponent is required to fulfil during construction, including all approvals, consultations and agreements required from authorities and other stakeholders;
   (c) 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;
   (d) a description of the roles and responsibilities for all relevant employees involved in the construction of the project
   (e) the management plans listed under condition 2; and
   (f) complaints handling procedures during construction and site preparation.

   The Plan must be prepared in consultation with NSW Maritime and shall be submitted for the approval of the Director-General no later than one month prior to the commencement of construction of the project, or within such period otherwise agreed by the Director-General. Construction shall not commence until written approval has been received by the Director-General.

2. The CEMP for the project shall include the following Management Plans and Strategy:

   (a) a **Construction Noise Management Plan** to detail measures to manage and minimise noise emissions during construction. The plan must be prepared in consultation with the DEC, and include but is not necessarily limited to:
      (i) identification of each work area, site compound and access route (both private and public);
      (ii) identification of the specific activities that will be carried out and associated noise sources at each work area, site compound and access route;
      (iii) identification of all potentially affected sensitive receivers;
      (iv) the construction noise and vibration objectives in the EA;
      (v) assessment of potential noise and vibration from the proposed construction methods (including noise from construction traffic) against the objectives identified in the EA;
      (vi) where the objectives are predicted to be exceeded an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts;
      (vii) description of management methods and procedures and specific noise mitigation treatments that will be implemented to

control noise and vibration during construction, including the early erection of operational noise barriers;
(viii) procedures for notifying residents of construction activities that are likely to effect their noise and vibration amenity;
(ix) measures to receive, record and respond to complaints;
(x) measures to monitor and report against noise performance.

(b) a **Traffic Noise Management Strategy** to detail measures to manage and minimise the impact of traffic associated with the project. This plan must be prepared in consultation with DEC, and must include:
(i) driver training to ensure that noisy practices such as the use of compression engine brakes are not unnecessarily used near sensitive receivers;
(ii) best noise practice in the selection and maintenance of vehicle fleets;
(iii) movement scheduling where practicable to reduce impacts during sensitive times of the day;
(iv) communication and management strategies for non-Sydney Slipways owned and operated vehicles to ensure the provision of the TNMS are implemented;
(v) a system of audited management practices that identifies non conformances, initiates and monitors corrective and preventative action (including disciplinary action for breaches of noise minimisation procedures) and assesses the implementation and improvement of the TNMS.
(vi) specific procedures for drivers for minimising road traffic noise impacts; and
(vii) clauses in conditions of employment, or in contracts, of drivers that require adherence to the noise minimisation procedures and facilitate effective implementation of the disciplinary actions for breaches of the procedures.

(c) a **Water Quality Management Plan** to detail measures to manage and minimise water quality impacts associated with construction of the project. This plan must be prepared in consultation with NSW Maritime and any other relevant agencies, and include:
(i) compliance standards;
(ii) remedial action;
(iii) monitoring and testing programs for water quality, groundwater, and indicators such as the suspension of sediments, and colonisation of sediments and structures associated with the development;
(iv) contingency measures to improve water quality should monitoring and testing programs show water quality does not satisfy relevant water quality guidelines or standards;
(v) procedures for the notification of the Department of Primary Industries of any fish kills on the project site;
(vi) downstream impacts associated with the project; biological monitoring;
(vii) the proposed drainage system and stormwater treatment measures;
(viii) criteria for the use of a flushing pump (if it is required as a contingency measure); and
(ix) measures to prevent drawdown from adversely impacting on actual/potential acid sulphate soil.

(d) an **Erosion and Sediment Control Plan** to detail measures to manage and minimise erosion and control sediment impacts associated with construction of the project. This plan must be prepared in consultation with NSW Maritime Authority and include:

(i) the mitigation measures identified in the Environmental Assessment and Preferred Project Report;

(ii) be consistent with Landcom's manuals entitled *Soil and Water Management for Urban Development* and *Managing Urban Stormwater: Soils and Construction*;

(iii) identify the Construction activities that could cause soil erosion or discharge sediment or water pollutants from the Development site including reclamation works (if undertaken);

(iv) describe management methods to minimise soil erosion or discharge of sediment or water pollutants from the Development site including a strategy to minimise the area of bare surfaces during Construction.

(v) describe the location and capacity of erosion and sediment control measures;

(vi) identify the timing and conditions under which Construction stage controls will be decommissioned;

(vii) include contingency plans to be implemented for events such as fuel spills; and

(viii) identify how the effectiveness of the sediment and erosion control system will be monitored, reviewed and updated.

(e) The Proponent shall prepare a **Heritage Assessment Plan** to manage and minimise impacts to the Glebe Island Bridge during construction. The Plan must be prepared in consultation with NSW Heritage Office, and include:

(i) identification of all activities to be undertaken on site during reclamation within 10 metres of the curtilage of the Glebe Island Bridge including an indication of stages of reclamation ;

(ii) measures to monitor and minimise reclamation impacts;

(iii) contingency measures should monitoring of reclamation impacts indicate the project has had, or is having an adverse heritage impact.

(f) a **Spill Management Plan** detailing procedures that must be followed in the event of any spills involving liquid waste, particularly hydraulic oils. The Proponent must ensure that all its employees, contractors, sub-contractors, and lessees are familiar with the plan, and are properly trained to use the spill equipment.

(g) an **Acid Sulfate Soil Management Plan** detailing measures to be implemented in relation to the management and handling of any potential or actual acid sulfate soils on site. The Plan shall be prepared in accordance with guidance provided in Acid Sulfate Soil Manual (Acid Sulfate Soil Management Advisory Committee, 1998).

(h) A **Landscape Plan** detailing planting schedules, trees sizes, planting details, fencing details and landscape materials The landscape plan must:

(i) be prepared in accordance with the principles and provisions contained within the Master Plan;

(ii) identify existing trees on-site to be retained and protected;

(iii) use a range of trees and shrubs and include plant species that are endemic to the locality and low water tolerant; and

(iv) provide adequate screen planting.

Operational Environmental Management Plan

3. Prior to the commencement of operations, the Proponent shall (and following approval implement) an **Operational Environmental Management Plan** (OEMP) for the project. The Plan must be prepared in consultation with NSW Maritime Authority and Sydney Ports Corporation. This plan must describe the environmental management framework, practices and procedures that would be followed during operations, and include:
   (a) identification of all statutory and other obligations that the Proponent is required to fulfil in relation to operation of the development, including all approvals, licences and consultations;
   (b) a description of the roles and responsibilities for all relevant employees involved in the operation of the development;
   (c) overall environmental policies, principles and performance measures that will be applied to the operation of the development;
   (d) the management plans listed under condition 4 of Schedule 4 of this Approval.

   The Plan shall be submitted for the approval of the Director-General no later than one month prior to the commencement of operation of the project, or within such period otherwise agreed by the Director-General. Operation shall not commence until written approval has been received from the Director-General.

4. As part of the Operational Environmental Management Plan for the project, required under condition 3 of this schedule, the Proponent shall prepare and implement the following management plans:
   (a) an **Air Quality Management Plan** to outline measures that will be employed to minimise air pollutant emissions from the site. The Plan must be prepared in consultation with DEC, and include:
      (i) a program for monitoring air quality to ensure that air pollution impacts associated with the project are minimised;
      (ii) details of air pollution management practices to ensure that air pollutant emissions from the site are minimised under all weather conditions and during periods of inactivity at the site;
      (iii) details of reporting procedures consistent with Condition and 14 of Schedule 4 of this Approval in the event of a air emission incident with actual or potential off-site impacts;
      (iv) details of complaint management procedures for air-related complaints received through the means listed in Condition 13 of Schedule 4 of this Approval; and
      (v) details of the contingency measures that would be implemented if air emission incidents with actual off-site impacts occur.
   (b) a **Noise Management Plan** to outline measures that will be employed to minimise noise emissions from the site. The Plan must be prepared in consultation with DEC, and include:
      (i) a program for monitoring noise emissions from the site to ensure that noise impacts associated with the project are minimised;
      (ii) details of reporting procedures consistent with condition of this approval in the event of a noise emission incident with actual or potential off-site impacts;
      (iii) details of compliant management procedures for noise-related complaints received through the means listed in condition 5 of this schedule; and

(iv) details of the contingency measures that would be implemented if noise emission incidents with actual off-site impacts occur.

(c) a **Traffic Management Plan** to outline minimum requirements for the movement of vehicles to and from the site. The Plan must be prepared in consultation with the NSW Maritime Authority and Sydney Ports Corporation, and include:
   (i) details of access routes to be used by vehicles associated with the site, and the means by which these access routes will be enforced;
   (ii) ingress and egress of vehicles to the site;
   (iii) loading and unloading, including construction zones;
   (iv) predicted traffic volumes, types and routes;
   (v) pedestrian and traffic management methods.

(d) a **Stormwater Management Plan** that provides details regarding the management of stormwater on the site. The Plan shall be prepared in consultation with NSW Maritime Authority, and include:
   (i) details of the performance requirements and standards for the operation of the stormwater management system;
   (ii) details of the measures proposed to ensure water discharged from the site is of a suitable quality, including on-going monitoring of the quality and quantity of water discharged ;
   (iii) details of the contingency measures that would be implemented if stormwater discharge incidents with actual off-site impacts occur; and
   (iv) details of how the reasonable requirements of NSW Maritime Authority have been addressed, should NSW Maritime Authority have any requirements.

(e) a **Vessel Traffic Management Plan** that provides details regarding the management of vessels serviced on the site. The Plan shall be prepared in consultation with NSW Maritime Authority, and include:
   (i) detailed description of all boat handling procedures;
   (ii) details of education measures including inducting users of the facility into the navigational procedures in Rozelle Bay (principally no wash zones and speed restrictions);
   (iii) providing appropriate signage including but not limited to 'no wash zone' and 'beware of rowers';
   (iv) details of the contingency measures that would be implemented if vessel incidents occur; and
   (v) details of any reasonable requirements of NSW Maritime Authority.

(f) The Proponent shall submit an **Outdoor Lighting Plan** to the Director-General for approval prior to the commencement of operations. The Plan must include:
   (i) identification of all areas, including site compounds, car parks etc where outdoor lighting is proposed;
   (ii) identification of specific activities that will be carried out where outdoor lighting is required and associated lighting sources;
   (iii) identification of all potentially affected sensitive receivers;
   (iv) details of lighting mitigation measures to be implemented during operations;
   (v) monitoring measures for lighting impacts; and
   (vi) measures to receive, record and respond to complaints.

COMPLIANCE

5. The Proponent must be responsible for environmental impacts resulting from the actions of all persons on-site, including contractors, subcontractors and visitors.

6. Prior to the commencement of construction and operations, the Proponent shall certify in writing to the satisfaction of the Director-General, that it has complied with all the applicable conditions of this approval.

7. The Director-General may require update report(s) on compliance with all, or any part, of the Conditions of Approval. The report(s) must meet the requirements of the Director-General and be submitted within such period as the Director-General may require.

8. The Proponent must meet the requirements of the Director-General in respect of the implementation of any measure necessary to ensure compliance with the Conditions of Approval, and general consistency with the documents listed under Conditions 1 and 3 of Schedule 4 of this Approval.

9. A noise compliance assessment shall be undertaken within three months of commencement of operations at the premises and a yearly compliance monitoring program shall be undertaken. The assessment shall be prepared by a suitably qualified and experienced acoustical practitioner and shall assess compliance with noise limits in Condition 4 of Schedule 3.

ENVIRONMENTAL REPORTING

Incident Reporting

10. The Proponent shall notify DEC and the Director-General of any incident with actual or potential significant off-site impacts on people or the biophysical environment as soon as practicable upon the Proponent becoming aware of the incident. The Proponent shall provide full written details of the incident to Council and the Director-General within 7 days of the date on which the incident occurred.

Annual Performance Reporting

11. Within 12 months of the commencement of operations, and annually thereafter, the Proponent shall submit an Annual Environmental Management Report (AEMR) to the Department. THE AEMR shall include:
    (a) details of compliance with the conditions of this approval, and any other licenses and approvals for the project;
    (b) a list of variations obtained to approvals, applicable to the project and to the site during the preceding twelve-month period;
    (c) a copy of the Complaints Register (refer to Condition 14 of Schedule 4 of this Approval) for the preceding twelve-month (exclusive of personal details), and details of how these complaints were addressed and resolved;
    (d) results of all environmental monitoring required under this approval and other approvals, including interpretations and discussion by a suitably qualified person;
    (e) identification of any circumstances in which the environmental impacts and performance of the project during the year have not been generally

consistent with the environmental performance predicted in the documents listed in Condition 2 of Schedule 2 of this approval, with details of additional mitigation measures applied to the project or any change to the OEMP to prevent recurrence of these circumstances;

(f) identification of trends in monitoring data over the life of the project to date; and

(g) environmental management targets and strategies for the following twelve-month period, taking into account identified trends in monitoring results.

COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

Access to Information

12. Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.

Complaints Procedure

13. Prior to the commencement of construction of the project, the Proponent shall ensure that the following are available for community complaints:
    (a) a 24-hour, toll free telephone number on which complaints about the project may be registered;
    (b) a postal address to which written complaints may be sent; and/or
    (c) an email address to which electronic complaints may be transmitted.

    The Proponent shall ensure that the telephone number, postal address and/or email address are made know to the local community and any potentially affected neighbours prior to the commencement of construction.

14. The Proponent shall record details of all complaints received through the means listed under Condition 13 of Schedule 4 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) any personal 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 complainant, the reason(s) why no action was taken.

    The Complaints Register shall be made available for inspection by Council and the Director-General upon request.