

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF MAJOR PROJECT NO. 06-0037

(FILE NO. S08/00591)

**CONSTRUCTION OF A MARINE REFUELLING AND SUPPLY FACILITY
BERTH 6, WHITE BAY, BALMAIN**

I, the Minister for Planning, under section 75J of the *Environmental Planning & Assessment Act, 1979*, approve the project referred to in Schedule 1 subject to the conditions in Schedule 2 and proponent's Statement of Commitments in Schedule 3.



The Hon Kristina Keneally MP
Minister for Planning

Sydney,

12/6/09

2009

SCHEDULE 1

PART A—TABLE

Application made by:	Bailey's Marine Fuels Pty Ltd
Application made to:	Minister for Planning
Major Project Application:	MP 06_0037
On land comprising:	Lots 1 & 3 Berth 6, White Bay, Balmain
Local Government Area	Leichhardt
For the carrying out of:	<ul style="list-style-type: none"> • Construction of a 2 storey commercial office and storage building • Construction of a bulk storage building • Construction of refuelling infrastructure • Construction of 3 temporary moorings, wharf, travel lift ramp, roll on roll off ramp and steel pontoon.
Estimated Cost of Works	\$8,000,000
Type of development:	Major Project
S.119 Public inquiry held:	No
Determination made on:	
Date approval is liable to lapse:	5 years from the date of determination unless specified action has been taken in accordance with section 75Y of the Act.

PART B—NOTES RELATING TO THE DETERMINATION OF MP NO. 06-0037

Responsibility for other consents / agreements

The Proponent is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Legal notices

Any advice or notice to the approval authority shall be served on the Director General.

PART C—DEFINITIONS

In this approval,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Advisory Notes means advisory information relating to the approved development but do not form a part of this approval.

BCA means the Building Code of Australia.

Certifying Authority has the same meaning as Part 4A of the Act, or where development is carried out by the Crown it has the same meaning as s. 116G of the Act.

Council means Leichhardt Council.

CPI means Consumer Price Index.

DECC means the Department of Environment and Climate Change

Department means the Department of Planning or its successors.

Director General means the Director General of the Department.

Environmental Assessment means the Environmental Assessment prepared by Kellogg Brown & Root dated September 2006.

Minister means the Minister for Planning.

MP No. 06-0037 means the Major Project described in the Proponent's Environmental Assessment.

PPR means Preferred Project Report including its addendum.

Proponent means Bailey's Marine Fuels Pty Ltd or any party acting upon this approval.

Regulation means the *Environmental Planning and Assessment Regulation 2000* (as amended).

RTA means the Roads and Traffic Authority

Subject Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2

RECOMMENDED CONDITIONS OF APPROVAL

MAJOR PROJECT NO. 06-0037

PART A — ADMINISTRATIVE CONDITIONS

A1 Development Description

- (1) Development approval is granted only to carrying out the development described in detail below:
- Construction of a 2 storey commercial office and storage building;
 - Construction of a bulk storage building;
 - Construction of refuelling infrastructure; and
 - Construction of 3 temporary moorings, wharf, travel lift ramp, roll on roll off ramp and steel pontoon.
- (2) Development must be carried out consistently with the Statement of Commitments (attached Schedule 3) except as amended by the conditions of approval.
- (3) Building identification signage does not form part of this approval. Any signage for the buildings will be subject to separate development applications.

A2 Development in Accordance with Plans

The development will be undertaken in accordance with the Environmental Assessment dated September 2006 prepared by Kellogg Brown & Root Pty Ltd, including all Appendices and the following drawings:

Architectural (or Design) Drawings prepared by Allen Jack + Cottier Architects,:			
Drawing No.	Revision	Name of Plan	Date
A1000	01	Site elevations	31/07/2006
A2101	01	Building 1 – Level 1 Plan	31/07/2006
A2102	01	Building 1 – Level 2 Plan	31/07/2006
A2103	01	Building 1 – Roof Plan	31/07/2006
A2201	01	Building 1 – Elevations North & South	31/07/2006
A2202	01	Building 1 – Elevations	31/07/2006
A2301	01	Building 1 – Sections	31/07/2006
A3101	01	Building 2 – Level 1 Plan	31/07/2006
A3201	01	Building 2 – Elevations & Sections	31/07/2006

Marine Structures Drawings prepared by Patterson Britton & Partners			
Drawing No.	Revision	Name of Plan	Date
6356-SK1	D	General arrangement plan	24/04/2006
6356-SK2	D	Sections	24/04/2006
6356-SK3	D	Sections	24/04/2006
6356-SK4	D	Details	24/04/2006
Concept Plan prepared by Kellogg Brown & Root			
Drawing No.	Revision	Name of Plan	Date
-	-	Concept Plan incorporating the proposed land based and water based structures	May 2006
Fuel tank schematics and elevations prepared by Cooper Engineering Services Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
CESWB005	1	Fuel P&ID	30/01/2006
CESWB007	1	Civil Details	17/03/2006

A3 Development in Accordance with Documents

The development will be undertaken in accordance with the following documents:

- (1) *Environmental Assessment Report* prepared by Kellogg Brown & Root Pty Ltd dated September 2006;
- (2) Architectural Plans prepared by Allen Jack + Cottier Architects dated 31 July 2006;
- (3) Marine Structures Plans prepared by Patterson Britton & Partners Pty Ltd dated 24 April 2006;
- (4) Fuel tank schematics prepared by Cooper Engineering Services Pty Ltd, various dates;
- (5) Traffic Impact Assessment prepared by Arup dated 20 March 2007;
- (6) Preferred Project Report prepared by Kellogg Brown and Root Pty Ltd dated July 2007 and Addendum dated 20 November 2007;
- (7) Environmental Noise Survey Report prepared by Bridges Acoustics Pty Ltd dated 8 April 2008;
- (8) Additional Noise Information for Panel of Experts Report dated 9 April 2008;
- (9) Statement of Commitments dated July 2007.

A4 Lease Renewal

Prior to renewing any lease arrangements for the continuation of the use, the Proponent shall consult with the Director General, and the Proponent is to demonstrate that:

- (a) the environmental and amenity performance of the development are consistent with the condition of this approval; and
- (b) the use of the site and the operation of the facility is consistent with planning controls applicable at the time.

A5 Inconsistency between documents

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above, the conditions of this approval prevail.

A6 Prescribed conditions

The Proponent shall comply with the prescribed conditions of approval under clause 98 of the Regulation.

A7 Hours of Operation

The hours of operation for the facility are restricted as follows:

Activity	Day	Time
Mixed marine tenancies & commercial storage & work sheds	Monday-Saturday Sunday and Public Holidays	7.00 am to 6.00 pm 8.00 am to 6.00 pm
All activities on hardstand / lay down areas e.g. power tools, travel lifts, roll on roll off ramp, cranes, forklifts		
Truck movements to and from the site		
General deliveries		
Disposal & collection of garbage, including cans & bottles from vessels		
Recreational vessel arrivals, departures and mooring	Monday-Sunday	5.00 am to 10.00 pm
Recreational vessel refuelling and grey water and sewerage pump out * (refer to Condition F15)		
Commercial vessel arrivals, departures and mooring	Monday-Sunday	Any time
Commercial vessel refuelling and grey water and sewerage pump out * (refer to Condition F15)		
Commercial offices		
Office building mechanical services e.g. A/C plant, compressors for chiller room etc		

PART B — PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE**B1 Structural Details**

Prior to the issue of a Construction Certificate, the Proponent shall submit to the satisfaction of the Certifying Authority, structural drawings prepared and signed by a suitably qualified practising Structural Engineer that complies with:

- (1) The relevant clauses of the BCA
- (2) Drawings and specifications comprising the Construction Certificate, and
- (3) The relevant Australian standards listed in the BCA (Specification A1.3)

B2 Marine Infrastructure

Prior to the issue of a Construction Certificate, appropriate fully detailed dimensioned drawings and specifications must be submitted to and approval by NSW Maritime Authority in writing. The drawings and specifications are to:

- (1) comply with NSW Maritime's Engineering Standards and Guidelines for Maritime Structures and NSW Maritime's Guidance Note: Documentation.
- (2) fully and clearly describe all new works for land below the Mean High Water Mark and all their components and interconnections, and
- (3) demonstrate the structural components have been designed by a practising consulting structural Civil Engineer and experienced in the design of maritime structures.

B3 Mechanical Ventilation

All mechanical ventilation systems shall be designed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 *Microbial Control of Air Handling and Water Systems of Building*, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

B4 Construction and Traffic Management Plan

Prior to the issue of a Construction Certificate a Construction and Traffic Management Plan shall be finalised and submitted to the Certifying Authority and must include:

- (1) The proposed method of access to and egress from the site construction vehicles, including access routes through the Leichhardt Council area.
- (2) Movement scheduling where practicable to reduce impacts during sensitive times of the day.
- (3) The proposed method of unloading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible, mobile cranes should be located wholly within the site. The use of crane must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30 am without the prior approval of Leichhardt Council.
- (4) The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period.
- (5) The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site.
- (3) The proposed method of support to any excavation adjacent to adjoining properties or waters of White Bay. The proposed methods of support should be designed by an appropriately Qualified Practising Civil Engineer with current Corporate Membership to the Institute of Engineers, Australia and NPRE (Civil Category) status.

B5 Noise And Vibration Management Plan

A Noise and Vibration Management Plan is to be prepared detailing

- (1) Specific activities to be carried out on the site and associated noise sources
- (2) Identification of potentially affected sensitive receivers
- (3) Construction noise and vibration criteria specified in the conditions of this approval

- (4) Noise and vibration monitoring, reporting and response procedures
- (5) Mitigation treatments, management methods and procedures to be implemented during construction to control noise and vibration
- (6) Contingency plans to be implemented where non-compliances or noise complaints.

The Noise and Vibration Management Plan is to be submitted to the Certifying Authority prior to the issue of a Construction Certificate.

B6 Erosion and Sediment Control

A Water and Sediment Control Plan shall be prepared, consistent with the principles and practices set out in *Managing Urban Stormwater–Soils & Construction Volume 1* (2004) by Landcom and must include:

- (1) The procedures by which stormwater and waste water deposited or generated on site is to be collected and treated prior to discharge including details of any proposed pollution control device;
- (2) The procedures to be adopted for the prevention of run-off from the site onto the public way; and
- (3) The procedures to be adopted for the prevention of loose material and litter from being blown onto the public way.

During the works:

- (4) Erosion and sediment controls must be regularly inspected, repaired and maintained in working order sufficient for a 10 year Average Recurrence Interval (ARI) rainfall event;
- (5) Erosion and sediment control signage available from the relevant Authority must be completed and attached to the most prominent structure visible at all times when entering the site for the duration of demolition; and
- (6) Demolition operations and stockpiles must not be located on the public footway or any other locations which could lead to the discharge of materials into the stormwater system.

The Water and Sediment Control Plan is to be submitted to the Certifying Authority prior to the issue of the first Construction Certificate.

B7 Landscaping

Prior to the issue of a Construction Certificate, a detailed Landscape Plan is to be submitted to the Director General for approval. The Plan shall incorporate the following:

- (1) Locally native species to be at least 20% of plants by number.
- (2) Details of hard landscaping including paving and boundary treatments.
- (3) Details of planting procedures and maintenance.
- (4) Details of drainage and watering systems.

B8 Car Park

The layout of the car park shall comply with Australian Standard AS2890.1:2004 Parking Facilities Part 1: Off Street Parking. Parking provision for people with disabilities shall be in accordance with AS1428.1. All parking spaces are to be line marked. The layout of any service vehicle area shall comply with

B9 Bicycle Storage

A minimum of 3 bicycle storage spaces for use by staff are to be provided within the site as part of the Project, and are to be shown on the plans submitted with the construction certificate.

B10 Disabled Access

Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 which provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

B11 Outdoor Lighting

All outdoor lighting must comply with, where relevant, AS/NZ1158.3:1999 Pedestrian Area (Category P) Lighting and AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting and must be mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network. Details showing compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

B12 Water Conservation

All new fixtures and fittings are to achieve the following WELS rating and performance

- (1) hand wash basins rated to WELS 4 Star
- (2) sink taps rated to WELS 4 Star
- (3) showerheads rated to WELS 4 Star
- (4) dual flush toilets rated to WELS 4 Star
- (5) urinals should be waterless or sensor rated and rated to WELS 5 Star, and
- (6) dishwashers rated to WELS 4 star.

Evidence demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

B13 Sydney Water

Prior to issue of a Construction Certificate, a Notice of Requirements under Part 6, Division 9 of the Sydney Water Act 1994 shall be obtained and a copy must be submitted to the Certifying Authority (Council or a private accredited certifier).

PART C — PRIOR TO COMMENCEMENT OF WORKS**C1 Fire Hazard Plan**

Prior to carrying out any works on site, a detailed Fire Hazard Plan is to be prepared for the site to the satisfaction of the NSW Fire Brigade incorporating the following:

- (1) Fire Safety Study prepared by a suitably qualified independent person.
- (2) Emergency Plan that has been prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No 1 – Industrial Emergency Planning Guidelines*, and

- (3) Safety Management System covering all on-site operations and associated transport activities involving hazardous materials. The Safety Management System shall be developed in accordance the Department's *Hazardous Industry Planning Advisory Paper No 9 – Safety Management*.

The Fire Hazard Plan shall be submitted to the Director General demonstrating compliance with this condition.

C2 Vehicle Cleansing

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

C3 Utility Services

To ensure that utility authorities are advised of the development:

- (1) A survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.
- (2) Prior to the commencement of work the Proponent is to negotiate with the utility authorities (eg. Energy Australia, Sydney Water and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

C4 Contact Telephone Number

The Proponent shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.

C5 Remediation

Prior to construction on land identified as contaminated, the Proponent shall remediate the soil and groundwater to a level suitable for the continued maritime industrial use of the site. Any unanticipated contaminated soil uncovered should be managed in accordance with the *Contaminated Land Management Act 1997* and the DECC notified immediately.

PART D — DURING CONSTRUCTION

D1 Hours of work and noise

The hours of excavation and work on the development must be as follows:

- (1) All excavation and construction work and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg loading and unloading of goods, transferring of tools etc) in connection with the approved development must only be carried out between the hours of:
 - a) 7.00 am and 6.00 pm on Mondays to Fridays,
 - b) 8.00am and 1.00 pm on Saturdays, and
 - c) No work must be carried out on Sundays or public holidays.
- (2) All work, including excavation and construction work must comply with Australian Standard 2436-1981 'Guide to Noise Control on Construction, Maintenance and Demolition Sites'.

- (3) Noise and vibration emissions from equipment and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents or businesses and the relevant provisions of the Protection of the Environment Operations Act 1997 must be satisfied at all times.
- (4) Works may be undertaken outside these hours where:
 - a) The delivery of materials is required outside these hours by the Police or other authorities;
 - b) It is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; and
 - c) The work is approved by the Director General or his nominee.

D2 Notification of Excavation Works

The PCA and Council must be given a minimum of 48 hours notice that excavation, shoring or underpinning works are about to commence.

D3 Erosion and Sediment Control

- (1) Construction must be 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, it must be removed immediately.
- (2) 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 the ground disturbed has been stabilised and rehabilitated so that it no longer acts as a source of sediment.
- (3) 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.

D4 Floating Booms and Silt Curtains

Unless otherwise agreed by the Director General, a floating boom and silt curtain must be installed and maintained around construction areas. The floating boom and silt curtain is to be retained and suitably maintained until the construction works have been completed and the water quality inside the silt curtain and boom is equal to the water quality of the Bay. The silt curtain must extend from the surface of the water to the seabed, and ensure that all attachment points for silt curtains are firmly anchored to avoid gaps and release of contaminants.

D5 Water Sampling

During construction, the Proponent must 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. On each occasion sampling is carried out, 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 must 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 DECC on request.

If sampling results indicate 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.

D6 Acid Sulfate Soils

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

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 must be prepared in accordance with guidance provided in Acid Sulfate Soil Manual (Acid Sulfate Soil Management Advisory Committee, 1998).

D7 Spoil and Fill Management

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*.

D8 Covering of loads

All vehicles involved in the excavation process and departing with spoil or loose matter must have their loads fully covered before entering the public roadway.

D9 Construction Traffic

All excavation and construction vehicles are to be parked or otherwise contained wholly within the site and vehicles must enter the site before stopping.

D10 Movement of Trucks Transporting Waste Material

The Proponent shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

D11 Traffic

- (1) All loading and unloading associated with works must occur on site;
- (2) All vehicles must enter and leave the site in a forward direction;
- (3) The cost of all traffic management works shall be borne by the Proponent;
- (4) No trucks associated with the approved works are permitted to park or stand on public roadways;
- (5) Gates shall be closed between vehicle movements; and
- (6) Movement of trucks to and from the site shall be staggered so as to limit access and egress during peak traffic periods.

D12 Disposal of seepage and stormwater

Any seepage or rainwater collected on-site during excavation shall not be pumped to the street stormwater system unless separate prior approval is given in writing by the relevant Authority.

D13 Dredging and Reclamation

During construction, no dredging or reclamation work is permitted.

D14 Approved plans to be on-site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department or Council.

PART E — PRIOR TO OCCUPATION OR COMMENCEMENT OF USE**E1 Operational Environmental Management Plan**

Prior to the commencement of operations, the Proponent must lodge to the satisfaction of the Director General an Operational Environmental Management Plan. The Plan must be prepared in consultation with DECC, RTA, NSW Maritime Authority and Sydney Ports Corporation. The Plan must describe the environmental management framework, practices and procedures that would be followed during operations, and include:

- (a) **Noise Management Plan** to outline measures that cover all operational activities proposed for the site. The Plan must be prepared in consultation with DECC, and include:
- (i) the measures necessary to satisfy the limits in Condition B2 at all times;
 - (ii) the measures necessary to reduce noise emissions over time to satisfy the Project Specific Noise Levels (PSNL), where the PSNL identified in the PPR exceed the limits specified in Condition B2;
 - (iii) implementation of a system that allows for initial and periodic assessment of Best Management Practice (BMP) and Best Available Technology Economically Achievable (BATEA) to minimise noise impacts over the life of the proposal;
 - (iv) the effective implementation of practicable and reasonable mitigation measures required to achieve the limits in Condition B2 and, where possible, to reduce noise levels to the PSNL where the limits exceed the PSNL;
 - (v) measures to encourage vessel refuelling during daytime and evening, and measures to discourage vessel refuelling at night;
 - (vi) measures to monitor noise performance and respond to complaints;
 - (vii) measures for community consultation including site contact details; and
 - (viii) noise monitoring and reporting procedures.
- (b) **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 Council and the RTA, 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) measures to reduce peak AM and PM vehicular movements;
 - (vi) traffic management methods including measures reducing peak PM vehicular movements.

- (c) **Stormwater Management Plan** that provides details regarding the management of stormwater on the site. The Plan must 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.
- (d) **Security Management Plan** to detail measures and security procedures to be implemented at the site to protect the Facility, on-site personnel and visitors, and/or adjoining facilities. The Plan must be prepared in consultation with Sydney Ports Corporation and NSW Water Police, and must clearly specify all security procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. Records of the implementation of the Security Management Plan must be kept on-site and must be made available for inspection by the Director General, Sydney Ports Corporation and NSW Water Police upon request.
- (e) **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 any induction measures and procedures;
 - (iii) provisions for safety signage;
 - (iv) details of contingency measures that would be implemented if vessel incidents occur; and
 - (v) details of any reasonable requirements of NSW Maritime Authority.

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

E2 Fire Safety Certificate

A Fire Safety Certificate shall be furnished to the PCA for all the Essential Fire or Other Safety Measures forming part of this approval prior to issue of the Occupation Certificate for the building. A copy of the Fire Safety certificate must be submitted to the relevant authority and Council.

E3 Road Damage

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the Proponent/developer prior to the issue of the final Occupation Certificate for the building.

E4 Waste Management

Prior to Occupation Certificate being issued, the Certifying Authority must ensure that waste handling works have been completed in accordance with the Waste Management Plan; other relevant approval conditions; and any relevant Council policy.

E5 Signage

All signage details and plans including building identification signage shall be submitted for the Director General's approval prior to its installation on site.

E6 Water Certificate

Prior to issue of an Occupation Certificate a (Developer) Compliance Certificate under section 73 of the Sydney Water Act 1994 must be submitted to the Principal Certifying Authority (Council or a private accredited certifier).

PART F—POST OCCUPATION**F1 Noise Limits**

The use of any part of the premises including vessel refuelling and other activities, and the operation of any plant, machinery or other equipment on the site must not exceed the sound level pressure (noise) limits presented in the Table below. Note the limits represent the sound pressure level (noise) contribution, at the nominated receiver locations in the Table

(a) Noise Limits – During operation of the facility

Residential location	Day	Evening	Night		
	L _{Aeq} (15 minute)	L _{Aeq} (15 Minute)	L _{Aeq} (15 Minute)	L _{Aeq} (9 hrs)	L _{Aeq} (1 Minute)
1 Grafton St, Balmain	54	48	48	45	59*
Datchett St Balmain	49	44	44	41	54*
33 Adolphus St, Balmain	36	35	35	35	60
2 Point St, Pymont	40	35	35	35	61

*The sleep disturbance limits do not apply to trucks whilst engaged in movements on the access road to enter or leave the site

(b) For the purpose of clause (a) of this condition:

- (i) Day is defined as the period from 7.00 am to 6.00 pm Monday to Saturday and 8.00 am to 6.00 pm Sundays and Public Holidays;
- (ii) Evening is defined as the period from 6.00 pm to 10.00 pm; and
- (iii) Night is defined as the period from 10.00 pm to 7.00 am Monday to Saturday, and 10.00 pm to 8.00 am Sundays and Public Holidays.

F2 Noise measurements

- (1) 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, to determine compliance with the noise level limits in Condition F1 unless otherwise stated.
- (2) Noise from the premises is to be measured at 1m from the dwelling façade to determine compliance with the $L_{Aeq(1\text{ Minute})}$ noise level in Condition F1.
- (3) Where it can be demonstrated that direct measurement of noise from the premises is impractical, the DECC may accept alternative means of determining compliance (See Chapter 11 of the *Industrial Noise Policy*).
- (4) The modification factors presented in section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where practicable.
- (5) The noise emission limits identified in F1 apply under meteorological conditions of wind speed up to 3 metres per second at 10 metres above ground level, and temperature inversion conditions.

F3 Noise Compliance Monitoring

A noise compliance assessment must be undertaken within three months of commencement of operations at the premises and submitted to the Director General. The assessment must be prepared by a suitably qualified and experienced acoustical practitioner and must assess compliance with noise limits in Condition F1.

Should the assessment indicate any non-compliance with the specified noise limits the Proponent must take appropriate measures to limit any impacts and must submit a further report upon the implementation of the measures. Further reporting must be undertaken every 12 months unless otherwise directed by the Director General.

F4 Annual Environmental Management Report

Within 12 months of the commencement of operations, and annually thereafter unless the Director General directs otherwise, the Proponent must submit an Annual Environmental Management Report (AEMR) to the Director General, Sydney Ports Corporation and the NSW Maritime Authority. The AEMR must include:

- (a) include consultation with any relevant government agencies;
- (b) details of compliance with all relevant conditions of this Approval, and any other licenses and approvals for the Project;
- (c) a list of variations obtained to approvals, applicable to the Project and to the site during the preceding 12 month period;
- (d) 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 A3;
- (e) results of all environmental monitoring required under this Approval and other approvals, including interpretations and discussion by a suitably qualified person;
- (f) identification of trends in monitoring data over the life of the Project to date;
- (g) review the adequacy of any strategy/plan/program required under this Approval,
- (h) environmental management targets and strategies for the following 12 month period, taking into account identified trends in monitoring results.

- (i) if necessary recommend measures or actions to improve the environmental performance of the Project, and/or any strategy/plan/program required under this Approval with details of additional mitigation measures applied to the Project or any change to prevent recurrence of these circumstances;
- (j) a copy of the vessel register required by Condition F16; and
- (k) a copy of the Complaints Register as required by Condition F8, for the preceding 12 month (exclusive of personal details), and details of how these complaints were addressed and resolved.

F5 Independent Environmental Management Report

Within three years of the date of the commencement of the operation of the Facility, if required by the Director General, the Proponent will commission and pay the full cost of an Independent Environmental Management Report.

The Director General shall determine the need for this report on the basis of the results included in the Annual Environmental Management Report required by Condition F4.

This report must be conducted by a suitably qualified, experienced, and independent person(s) whose appointment has been approved by the Director General;

Within one month of completion of the Independent Report, the Proponent must submit a copy of the report to the Director General and relevant agencies including the NSW Maritime Authority, with a response to any of the recommendations in the report.

Within six months of completing the Independent Report the Proponent will review, and if necessary revise, the management plans, monitoring programs, and implement any other measures deemed necessary to improve the environmental performance of the Project.

Should the Independent Report indicate the need for measures or actions to improve the environmental performance of the Project, the Proponent must take appropriate action to implement of the measures. Further Independent Environmental reporting must be undertaken if required by the Director General.

F6 Incident Reporting

The Proponent must notify DECC 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 must provide full written details of the incident to the Director General within seven days of the date on which the incident occurred.

F7 Complaints Procedure

The Proponent must ensure the following facilities are available to handle community complaints:

- (1) A 24 hour, toll free telephone number on which complaints may be registered.
- (2) A postal address to which written complaints may be sent.
- (3) An email address to which electronic complaints may be registered.

F8 Complaints Register

The Proponent must record all details of all complaints received through the means listed under Condition F7 in an up to date Complaints Register. The Register must record, but not be necessarily limited to:

- (1) The date and time, where relevant, of the complaint.

- (2) The means by which the complaint was made (telephone, mail or email).
- (3) Any personal details of the complainant that were provided.
- (4) The nature of the complaint.
- (5) Any actions taken up by the Proponent in relation to the complaint, including any follow-up contact, and
- (6) If no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.

The Complaints Register must be made available for inspection by Council, the Director General and Sydney Ports Corporation upon request.

F9 *Vibration*

The use of any part of the facility shall not give rise to the transmission of vibration to any place of different occupancy greater than specified in AS 2670. The method of measurement of vibration must be carried out in accordance with AS2973.

F10 *Air Quality*

The Proponent must not cause or permit the emissions of offensive odours from the site, as defined under section 129 of the *Protection of the Environment Operations Act 1997*.

F11 *Water Quality*

- (1) The Proponent must comply with section 120 of the *Protection of the Environment Operations Act 1997* which prohibits the pollution of waters.
- (2) The Proponent must ensure that all areas involving the handling, treatment or storage of waste and outputs must be sealed, and with all runoff directed to a first flush system.
- (3) All wash down areas must have appropriate controls which prevent polluted water from entering the Bay or stormwater system.

F12 *Bunding*

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

- (1) All relevant Australian Standards, particularly AS1940 and AS1596.
- (2) A minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund.
- (3) The Dangerous Goods Code, and
- (4) DECC's *Environmental Protection Manual Technical Bulletin Bunding and Spill Management*.

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

F13 *Spillage Control Equipment*

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

F14 Waste

- (1) No waste will be disposed of on site, with all waste disposed of at an appropriately licensed waste management facility.
- (2) The Proponent must ensure that all liquid and/or non-liquid waste generated and/or stored on 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)*.

F15 Waste Disposal Hours

The disposal and collection of garbage, including bottles and cans from commercial and recreational vessels is restricted to 7.00am to 6.00pm Monday to Saturday and 8.00am to 6.00pm Sunday.

F16 Vessel Register

All vessels visiting the facility whether or not for the purposes of refuelling must be registered prior to using the services offered by the facility. The Proponent must maintain a register of all vessels that use the facility. The register must be made available to Sydney Ports Corporation, NSW Maritime Authority or the Director General upon request. The register of users must also be included in any reports to the Director General required under by the Conditions of this Approval.

F17 On-Site Supervision

Facility staff must be on-site at all times of operation and are responsible for safety and noise management

F18 Temporary Moorings

The temporary moorings as identified on the approved plans may only be used as follows:

- (1) the area is only to be used by vessels that require the services offered by the facility, and
- (2) no vessel is to remain within the temporary moorings for more than 7 days.

F19 Antifouling and Spray Painting

No antifouling or spray painting activities are to be undertaken on any part of the site at any time unless separate approval is obtained for this activity.

F20 Statutory Requirements

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 facility. None of the Conditions of Approval remove the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals.

F21 Travel lifts

The proposed travel lifts and all their components must 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*".

F22 Annual Fire Safety Statement

For any essential fire safety equipment, an Annual Fire Safety Statement must be provided to Council and the NSW Fire Brigade commencing within 12 months after the date on which the relevant authority initial Fire Safety Certificate is received.

ADVISORY NOTES**AN1 Requirements of Public Authorities for Connection to Services**

The Proponent shall comply with the requirements of any public authorities (e.g. Energy Australia, Hunter Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the Proponent. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

AN2 Use of Mobile Cranes

The Proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied with to the satisfaction of the Certifying Authority:

1. For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council:
 - (a) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - (b) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
2. The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

AN3 Disability Discrimination Act

This application is to comply with the Disability Discrimination Act 1992. The Proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

AN4 Department of Environment and Climate Change Licence

The proponent is required to obtain a licence under the Protection of the Operations Act 1997 from the NSW Department of Environment and Climate Change prior to commencing operation of the marine refuelling and supply facility.

SCHEDULE 3

MP 06_0037

**CONSTRUCTION OF A MARINE REFUELLING AND SUPPLY FACILITY
LOTS 1 & 3, BERTH 6, WHITE BAY, BALMAIN
PROPONENT'S STATEMENT OF COMMITMENTS**

Table 4.1 Final Statement of Commitments for the proposed Marine Supply Facility at White Bay 6

Item	Commitment	Timing
Scope of Development	BMFA (the proponent) would carry out construction and operation of the proposed facility in accordance with the description outlined within the EA and this PPR.	For the duration of the development.
Statutory requirements	BMFA would obtain all licences, permits and approvals as required.	For the duration of the development.
Sydney Ports Corporation Greenport Guidelines	BMFA has completed the SPC Green Port Guidelines: Checklist (final draft) and will comply with the agreed measures.	For the duration of the development.
Construction and Operation Environment Management Plan (CEMP and OEMP)	BMFA would develop an Environmental Management Plan for Construction and Operation (CEMP and OEMP) to be approved by SPC and the Director-General prior to the commencement of any works.	CEMP - Prior to commencement of any site activity and for the duration of construction. OEMP - Prior to commencement of operation.
Code of Practice	<p>All new customers will be required to adhere to a Code of Practice. All new customers and users will be inducted, trained on correct refuelling procedures and will adhere to a user Code of Practice that outlines best practice on refuelling services. The Code of Practice will set out procedures for:</p> <ul style="list-style-type: none"> • activities such as minimising noise on site (during mooring, refuelling, cast off activities, etc) • mitigating environmental impacts by reducing spills and ensuring effective spill containment measures. <p>The following measures will also be included under the Code of Practice:</p> <ul style="list-style-type: none"> • security cameras will be installed on site to provide after hours surveillance • a 24-hour complaints contact number will also be in place to receive calls from the community • any reported breaches of the Code of Practice will be investigated and action taken to manage the situation. Failure to comply with the Code of Practice will result in loss of access to the site. 	Prior to the commencement of works and during operation
Soil	<p>A Stage 2 investigation will be required however it may be completed before the development commences as stated in the SEPP53 - Remediation of Land Planning Guidelines. No excavation works will commence on the site until the site has been deemed suitable for the development use in accordance with SEPP 55.</p> <p>A detailed geotechnical investigation would be conducted at the detailed design stage of the project.</p> <p>An Erosion and Sediment Control Plan would be prepared as part of the CEMP and would include the following measures:</p>	Prior to the commencement of works and for the duration of construction.

Item	Commitment	Timing
Hydrology and water quality	<ul style="list-style-type: none"> • Installation of erosion and sedimentation control devices prior to excavation of the site, according to the standards set out by Landcom (2004) in <i>Managing Urban Stormwater: Soils and Construction</i>. Erosion controls would be left in situ until the bare soils and surfaces are stabilised (by revegetation or other means). • Daily visual inspections of erosion and sediment control devices to determine the condition and effectiveness of control measures. Action would be taken immediately to rectify any problems. • Where the ground surface is disturbed and soil is exposed, the ground surface would be restored to its original condition upon the completion of the works in that area. • Earthworks would be avoided or minimised during wet weather, in order to minimise water-induced soil erosion. • Minimise disturbance of potential acid sulfate soils (PASS) during construction. PASS materials would not be stockpiled for long periods on site. Any excavated PASS should be stockpiled away from drainage lines on flat ground, on a layer geotextile fabric and covered. Testing of field pH may be required, pending the outcome of geotechnical investigations. <p>BMFA will ensure the stormwater system removes gross pollutants, sediment load and nutrients to meet or exceed requirements set by the DECC.</p> <p>BMFA shall provide water modelling of the final design to demonstrate compliance of the stormwater system with water quality objectives.</p> <p>BMFA will ensure the following measures are implemented:</p> <ul style="list-style-type: none"> • BMFA shall ensure the site conforms to the Best Management Practice for Marinas and Boat Repair Facilities, produced as Environmental Guidelines by the NSW DECC (DEC. 1999). • BMFA shall develop a SWMP in accordance with Section 3.2.3 of the Landcom (2004) guideline, <i>Managing Urban Stormwater: Soils and Construction</i>. The SWMP would include details of erosion control measures to be used during temporary earthworks, sequencing of construction, pollution control measures, details of treatment measures such as flocculation, and management of pollution control works. The SWMP shall also provide details of wheel washing facilities at the exit site, and dust suppression measures to be employed during dry weather. • The site drainage plan and water management strategy will be confirmed during the detailed design phase, following consultation with DECC, SWC and Leichhardt Council. • BMFA shall install usage metering, monitoring and reporting devices for managing water consumption. • BMFA shall ensure appropriate spill kits are available on site to contain and collect spillage on site. If chemicals enter any drainage point, BMFA shall remove the substances by suction for disposal to a licensed waste facility. 	<p>During detailed design</p> <p>Prior to commencement of the works</p> <p>Prior to commencement of works, during construction and during operation</p> <p>Prior to the commencement of works and for the duration of construction and during operation</p> <p>Prior to the commencement of works</p> <p>Prior to operation commencement and during operation</p> <p>During construction and operation</p>

Item	Commitment	Timing
	<ul style="list-style-type: none"> • The stormwater collection system would be maintained at least once a year or before gross pollutant and sediment levels exceed the design capacity, whichever ever one occurs first. • BMFA shall install rainwater tanks to capture rainwater in zones 1 and 2 from the roofs of the proposed buildings. • The rainwater will be reused for irrigation of landscaped areas, dust suppression and potentially other non-potable water uses on site. • BMFA shall ensure high pressure liquid cleaners are not used where untreated wastes can enter waterways. • BMFA shall ensure that no surface preparation shall be undertaken (sanding, grinding, scrubbing and washing down) where it may contaminate stormwater, the foreshore of the water. • Detailed design of the site will ensure that water is managed according to the zones and treatments outlined in Table 3.2 of the PPR. • Effluent and siltage from vessels will be removed through a single action diaphragm pump, discharging effluent to the closest sewer main through a sealed line. • Gross pollutant traps will be installed for zones 3, 5, 6, 7 and 8 ensuring large objects will not be discharged into White Bay. • The underground fuel storage area (zone 4) will be bunded and graded to ensure any pollution is contained and collected. • Minor oil changes will be conducted within boat engine rooms (which will be fully contained) and transported to and from the engine room in sealed containers. All waste oil will be pumped into the drum which will then be sealed and disposed of appropriately. 	<p>During operation</p> <p>During operation</p> <p>During operation</p> <p>During operation</p> <p>During operation</p> <p>Prior to the commencement of works</p> <p>During operation</p> <p>Prior to the commencement of works</p> <p>During construction</p> <p>During operation</p>
Aquatic ecology	<p>BMFA would ensure that there is no sedimentation of marine waters through the development of a Soil and Water Management Plan (refer above).</p>	<p>For the duration of construction works.</p>
Terrestrial ecology	<p>BMFA would ensure that any trees or shrubs that are to be cleared from the site are checked for the presence of birds or arboreal mammals. The DECC or a qualified ecologist would be notified in order to determine the conservation status and impacts to the animal.</p> <p>BMFA would ensure that the landscaping along the northern breakwater is rehabilitated/improved by planting native species that are indigenous to the area and by providing natural mulch.</p>	<p>For the duration of construction works.</p> <p>For the duration of the operation of the development.</p>
Air quality	<p>BMFA would ensure that any dust, odour or emission impacts experienced by the nearest receptors are minimised as much as possible, through appropriate measures including covering any stockpiles, installing vapour recovery and odour abatement technologies, and maintaining and operating all plant equipment in an efficient condition. An Air Quality Management Plan (AQMP) would be prepared as part of the CEMP.</p>	<p>For the duration of construction works.</p>

Item	Commitment	Timing
Waste	<p>BMFA would develop a Construction Waste Management Plan (CWMP) for the construction period and a Waste Management Plan (WMP) for the operation of the project.</p>	<p>CWMP - Prior to commencement of any site activity and for the duration of construction. WMP - Prior to commencement of operation.</p>
Noise	<p>BMFA would ensure that noise associated with the construction and operation of the development is minimised through the preparation of a noise management plan as part of the CEMP and OEMP. The plans would include the following measures:</p> <p>During construction</p> <ul style="list-style-type: none"> • Construction work on the site would occur during normal construction hours of 7 am to 6 pm Monday to Friday and 8 am to 1 pm on Saturday. No construction work is recommended outside these hours, unless the work would comply with the evening or night operational noise criteria or would be inaudible at residences. • Construction equipment such as earthmoving machines should be maintained in good condition, with particular regard to exhaust silencers, engine covers and similar noise control components. • Construction equipment should be carefully chosen to suit each task to increase efficiency, reduce the number of machines operating simultaneously and minimise the construction period. • Reverse alarms should be controlled to the lowest possible noise level consistent with safe working practice. Truck paths around the site should be designed to avoid or minimise the need to reverse. • Machines should be switched off when not required, rather than be left idling for extended periods. • Storage areas for construction materials should be allocated as far from residences as possible. • Where possible, forklifts and other noisy plant with optional quiet packages will be utilised on site. • Components should be fabricated offsite then simply assembled and installed, to minimise the amount of work required on the site. <p>During operation</p> <p>The assessment recommends that the following mitigation measures be adopted to manage any impacts associated with operational noise:</p> <ul style="list-style-type: none"> • Truck paths should be designed to minimise the need for trucks to reverse, in order to avoid audible reverse alarms. • During the night-time period, the amount of time trucks spend on the site will be minimised to reduce noise impacts (such as idling). 	<p>For the duration of construction works and during the operation of the development.</p>

Item	Commitment	Timing
	<ul style="list-style-type: none"> • Trucks, other heavy vehicles and boats should have their engines switched off when not required, rather than be left idling unnecessarily. • Effective shielding for air conditioning and refrigeration equipment will be implemented. • Where possible, forklifts and other noisy plant with optional quiet packages will be utilised on site. • The travel lift will have a noise suppression unit fitted. • Staff and patrons will be encouraged to minimise raised voices on the site at any time, but particularly during the evening and night. Boats should be encouraged to visit the site to refuel during the day where possible, rather than during the evening or night. • The proponent has also confirmed that the pre-commissioning activities (to include minor boat maintenance and repairs) will be predominately carried out on fibreglass vessels rather than steel, aluminium or concrete vessels and will not operate as a traditional boat yard. • Boat operators will be educated during safety and environmental procedure inductions on how to minimise noise during mooring, refuelling and cast off activities. • A 24-hour contact number for complaints handling as a condition of the environmental protection licence will be established. • Any noise conditions applicable to the proponent will be included in subleases to ensure tenants are meeting the required noise limits and conditions. 	
Indigenous heritage	BMFA would notify the DECC if any indigenous artefacts are found.	For the duration of construction works.
Non-indigenous heritage	BMFA would notify the NSW Heritage Office if any non-indigenous heritage items are found.	For the duration of construction works.
Visual	<p>BMFA would ensure that visual impact of the construction phase is minimised by implementation of the CEMP.</p> <p>The measures that will be incorporated into the design to increase amenity and mitigate the minimal impacts associated with the project are:</p> <ul style="list-style-type: none"> • minimising the stockpiling of construction materials and the parking of construction plant onsite • minimising the construction program • adhering to DECC guidelines for construction hours • maintaining covers on stockpiled materials • keeping the construction area tidy 	For the duration of construction works and during the operation of the development.

Item	Commitment	Timing
Light spill	<ul style="list-style-type: none"> • utilising the existing hardstand areas, thereby minimising the need for earthworks and construction of new paved surfaces • use of compatible exterior materials, particularly light coloured metal sheeting, which resembles the existing cladding of the storage building • restricting the height and scale of the structures • locating and orientation of the buildings and storage sheds within the gantry structure envelope • weed removal and complementary planting within the existing landscaped areas along the northern and eastern margins of the site to increase the thickness of the vegetation barrier • consultation with stakeholders and a management regime responsive to neighbour concerns. <p>The light spill from the proposed development would be less than the existing lighting arrangement.</p> <p>BMFA would also ensure that the following measures are implemented:</p> <ul style="list-style-type: none"> • New lighting would be fitted to limit impact on the surrounding environment and residents. • Floodlights fixed to gantry structures that are positioned over the proposed storage buildings will be removed. These lights would create reflective light for local residents and would not provide additional lighting on the site. • The proposed buildings will be lit via a combination of 60 degree asymmetric distribution floodlights and by weatherproof, downward directed lighting • Floodlights positioned over the proposed office building will be circuited so that they are only used during emergency. This will reduce light reflection and the creation of shadows on the hard stand area. • Floodlights facing northward to Grafton Street will be removed, as they produce brightness and reflective light to residents on Grafton Street. • Four of the eight floodlights mounted on the 30 m light tower will be switched off or removed. Three of the remaining lights will be retained and directed away from Cameron's Cove. The other retained light will be orientated to the west, not directly towards Grafton Street, and will be fitted with a hood to screen light away from the view of Grafton Street. 	For the operational period of the development.
Traffic	<p>A Construction Traffic Management Plan (CTMP) and an Operational Traffic Management Plan (TMP) would be developed by BMFA to manage traffic and will be approved by SPC. BMFA would ensure that the following measures are implemented:</p> <ul style="list-style-type: none"> • Any heavy vehicle trips to and from the site are scheduled outside peak hours where feasible. 	CTMP and TMP prior to construction - for the duration of construction works and during the operation of the development.

Item	Commitment	Timing
Hazard and risk	<ul style="list-style-type: none"> • Fuel tankers will only use Robert Street to travel to and from the site to Victoria Road. Fuel tankers should not be permitted to use other alternative routes through the Ballmain Peninsula to reach Victoria Road. • Car parking arrangements will be amended to provide 8 spaces for visitors and 22 for site employees. <p>BMFA would ensure that a final hazard analysis (FHA) is prepared on completion of detailed design for the project. The FHA will include a Fire Safety Study (FSS) in consultation with the local NSW Fire Brigade will be completed according to the Hazardous Industry Planning Advisory Paper (HIPAP) No.2.</p> <p>BMFA would also ensure that the following measures are implemented:</p> <ul style="list-style-type: none"> • proposed procedures for management and control of potential ignition sources • provision of sufficient access and egress • spill containment measures • several safety design options such as quick release coupling and automatic shut-off valves and dry break couplings on loading and unloading lines to control spillage • installation of a leak detection monitoring and vapour recovery hoses attached to road tankers from the storage vessels when fuel is being unloaded. Overfill protection valves are to be provided for the underground tanks and level indication and alarms are also to be provided • double skinned tanks with vacuum monitoring will also be implemented to reduce the chance of spillage • bunds and oil separators at the drainage points will reduce the likelihood of ground water contamination • a regular maintenance schedule will be applied and all personnel using the facility will undergo safety and environmental induction and training. This will include customers wishing to use the refuelling facilities via an access card account system that will only be granted once the appropriate training has occurred • fuel pipe lines travelling from the wharf edge out along the pontoon to the bowlers located on the dolphin will be protected using double contained flexible piping with mechanical protection and will be fitted with quick release coupling to limit the volume of any spillage in the case of connection breakaway. 	Prior to the commencement of works.