

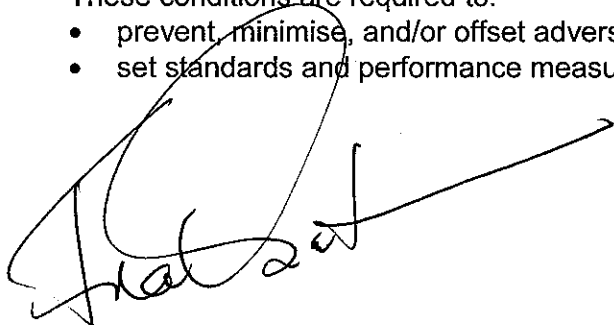
Project Approval

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.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts; and
- set standards and performance measures for acceptable environmental performance.



Frank Sartor MP
Minister for Planning

Sydney

7th April

2007

File No: S06/01021

SCHEDULE 1

Application No: 06_0317

Proponent: P&O Ports Limited

Approval Authority: Minister for Planning

Land: Lots 1-13 DP 260692.

Project: Installation and operation of an in-ground stormwater treatment unit to remove contaminants from stormwater runoff from the pavement of the shipping terminal.

Major Project: The proposal is declared a Major Project under section 75B(1)(a) of the *Environmental Planning and Assessment Act 1979*, because it is a development of a kind that is described in clause 7(1)(a) of Schedule 2 to *State Environmental Planning Policy (Major Projects) 2005*.

KEY TO CONDITIONS

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SCHEDULE 2

Act, the	<i>Environmental Planning and Assessment Act, 1979</i>
Conditions of Approval	The Minister's conditions of approval for the project.
Department, the	Department of Planning.
Director-General, the	Director-General of the Department of Planning (or delegate).
Director-General's Approval	<p>A written approval from the Director-General (or delegate).</p> <p>Where the Director-General's Approval is required under a condition the Director-General will endeavour to provide a response within one month of receiving an approval request. The Director-General may ask for additional information if the approval request is considered incomplete. When further information is requested the time taken for the Proponent to respond in writing will be added to the one month period.</p>
Director-General's Report	The report provided to the Minister by the Director-General of the Department under section 75I of the EP&A Act.
EA	<i>Environmental Assessment: Installation of In-Ground Stormwater Treatment Unit</i> (prepared by James Rose Consulting on behalf of P&O Ports Limited and dated December 2006).
Minister, the	Minister for Planning.
Proponent	P&O Ports Limited.
Site	Land to which Major Projects Application 06_0317 applies.

1. ADMINISTRATIVE CONDITIONS

Terms of Approval

- 1.1 The Proponent shall carry out the project generally in accordance with the:
 - a) Major Projects Application 06_0317;
 - b) *Environmental Assessment: Installation of In-Ground Stormwater Treatment Unit*, prepared by James Rose Consulting and dated December 2006;
 - c) *Revised Statement of Commitments* prepared by James Rose Consulting and dated 2 March 2007; and
 - d) the conditions of this approval.
- 1.2 This approval shall lapse five years after the date on which it is granted, unless the works the subject of this approval are physically commenced on or before that time.

2. SPECIFIC ENVIRONMENTAL CONDITIONS

Air Quality Impacts

- 2.1 The Proponent shall undertake the project in a manner that minimises or prevents the emission of dust from the site including wind blown and traffic generated dust.
- 2.2 The Proponent shall take all practicable measures to ensure that all vehicles entering or leaving the site, carrying a load that may generate dust, are covered at all times, except during loading and unloading. Any such vehicles shall be covered or enclosed in a manner that will prevent emissions of dust from the vehicle at all times.

Noise Impacts

- 2.3 All construction works that may generate an audible noise at any residential receptor shall only be undertaken between 7:00 am and 6:00 pm Monday to Friday and 8.00 am to 1.00 pm on Saturdays. No construction works shall be undertaken on Sundays or public holidays. This condition does not apply in the event of a direction from police or other relevant authority for safety or emergency reasons.
- 2.4 The Proponent may seek the Director-General's approval to conduct construction works outside the hours specified under condition 2.3 on a case-by-case basis. In seeking the Director-General's approval, the Proponent shall demonstrate a need for activities to be conducted during varied hours and how local acoustic amenity will be protected.

Soil and Water Quality Impacts

- 2.5 The Proponent shall comply with section 120 of the *Protection of the Environment Operations Act 1997* which prohibits the pollution of waters.
- 2.6 The Applicant shall ensure that spoil likely to contain potentially acid sulfate soils is tested to determine whether actual acid sulfate soils are present. Should actual acid sulfate soils be identified, then the Applicant shall ensure that appropriate measures are employed to mitigate the potential off-site impacts. Measures to be employed shall generally comply with the principles and objectives of the *Acid Sulfate Soil Manual* (Acid Sulfate Soil Management Advisory Committee, 1998).
- 2.7 The Proponent shall install sediment and pollution controls as may be appropriate prior to the commencement of construction of the project. The Proponent shall maintain all erosion, sediment and pollution control infrastructure at or above design capacity for the duration of construction of the project and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.
- 2.8 All stockpiled materials shall be stabilised and covered to prevent erosion or dispersal of the materials.

Waste Generation and Management

2.9 All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.

3. ENVIRONMENTAL MANAGEMENT

Construction Environmental Management Plan

- 3.1 Prior to the commencement of construction of the project, the Proponent shall prepare and implement a **Construction Environmental Management Plan** to outline environmental management practices and procedures to be followed during construction of the project. The Plan shall be prepared in accordance with *Guideline for the Preparation of Environmental Management Plans* (DIPNR 2004) and shall include, but not necessarily be limited to:
- a) a description of all activities to be undertaken on the site during construction 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, and key legislation and policies;
 - c) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan:
 - i) measures to monitor and manage dust emissions;
 - ii) measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/ or waters during construction activities;
 - iii) measures to monitor and control noise emissions during construction works;
 - d) a description of the roles and responsibilities for all relevant employees involved in the construction of the project; and
 - e) complaints handling procedures during construction.

The Plan shall be submitted for the approval of the Director-General prior to the commencement of any construction works associated with the project, or within such period otherwise agreed by the Director-General. Construction works shall not commence until written approval has been received from the Director-General.
