

Project Approval

Section 75J of the *Environmental Planning & Assessment Act 1979*

I approve the project application 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;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.

Anthony (Tony) Kelly MLC
Minister for Planning

Sydney 2 February 2011

SCHEDULE 1

Application No.:	MP 10_0069
Proponent:	Sydney Ports Corporation
Approval Authority:	Minister for Planning
Land:	Lot 1 DP 875201, Lot 4 DP875201, Lot 10 DP1008507, Lot 3 DP 879549, Lot 1 DP 1063454, Lot 1 DP 1035872, Lot 1 DP 542648, Lot 12 DP 603148, Lot 8 DP 1001928, Lot 100 DP1017367, Lot 10 DP 1065973 and the RTA road corridor (The Crescent).
Project:	<p>White Bay Cruise Passenger Terminal, including the:</p> <ul style="list-style-type: none">• the use of the land for cruise ship activities;• construction of new purpose built terminal buildings and the demolition of various buildings and structures (including the existing main building at White Bay Wharf No.5);• berthing for two cruise ships;• the erection and removal of a temporary terminal facility at White Bay Wharf No. 4;• gangways and land side areas for customs and security;• an access road connecting James Craig Road, and car parking, set-down and pick up points;• the use of the Cruise Passenger Terminal at White Bay Wharf No.5 for functions, exhibitions and corporate events; and• excavation, earthworks and management of excavated material.

[14 September 2011 Modification 1 \(10_0069 Mod 1\)](#)

[28 August 2012 Modification 2 \(10_0069 Mod 2\)](#)

[12 March 2013 Modification 4 \(10_0069 Mod 4\)](#)

[27 March 2013 Modification 3 \(10_0069 Mod 3\)](#)

[22 April 2013 Modification 5 \(10_0069 Mod 5\)](#)

[27 August 2020 Modification 6 \(10_0069 Mod 6\)](#)

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DEFINITIONS

Act, the	<i>Environmental Planning and Assessment Act 1979</i>
CEMP	Construction Environmental Management Plan.
Conditions of Approval	The Minister's condition of approval for the project.
Construction	Includes all work (including demolition) in respect of the Project other than survey, acquisitions, fencing, investigative drilling or excavation, building/road condition surveys, establishing on site ancillary facilities/ construction work sites, enabling works, or other activities determined by the Environmental Representative to have minimal environmental impact (e.g. minor adjustments to services/utilities, etc.).
Council	<i>Inner West Council</i>
Cruise Ship Day	Any time when a cruise ship is docked or due to berth at either WB4 and or WB5.
Department, the	<i>NSW Department of Planning, Industry and Environment</i>
Director-General, the	<i>Director-General of the Department of Planning and Infrastructure</i>
Director-General's Approval	A written approval from the Director-General (or delegate). 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 require additional information if the approval request is considered incomplete. When further information is required the time taken for the Proponent to respond in writing will be added to the one month period.
EESG	<i>Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former NSW Office of Environment and Heritage (OEH)).</i>
EPL	Environmental Protection Licence
Functions	The use of the Cruise Passenger Terminal at White Bay Wharf No. 5 on non cruise ship days for functions such as exhibitions, community and/or corporate events, including the erection of temporary structures and signage.
OEH	Office of Environment and Heritage
Operation	Means the operation of the project, but does not include commissioning trials of equipment or temporary use of parts of the project during construction.
Planning Secretary, the	Secretary of the NSW Department of Planning, Industry and Environment, or nominee as delegated (formerly known as the Director-General)
Planning Secretary's Approval, the	A written approval from the Planning Secretary (or nominee). Where the Planning Secretary's Approval is required under a condition, the Planning Secretary will endeavour to provide a response within one month of receiving an approval request. The Planning Secretary may require additional information if the approval request is considered incomplete. When further information is required the time taken for the Proponent to respond in writing will be added to the one month period.
Project	The project the subject of Major Projects Application 10_0069
Proponent	<i>Port Authority of New South Wales (former Sydney Ports Corporation)</i>
Publicly Available	Available for inspection in hard copy and/or electronic format by a member of the general public (for example, available on the project website).
Reasonable and Feasible	Consideration of best practice taking into account the benefit of proposed measures and their technological and associated operational application in the NSW and Australian context. Feasible relates to engineering considerations and what is practical to build. Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided.
RTA	NSW Roads and Traffic Authority
Special Event	Means any event that requires special traffic management arrangements and multiple agency support. As defined by RTA's <i>Guide to Traffic and Transport Management for Special Events, 2006</i> .
Sensitive Receiver	Residence, education institution (e.g. school, TAFE, college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church), and children's day care facility.
Site	The land to which this approval applies.
Site Auditor	<i>Means a person accredited as a site auditor under the Contaminated Land Management Act 1997.</i>
Statement of Commitments	Consolidated list of procedures, safeguards and mitigation measures to be undertaken as part of the project.
TfNSW	Transport for New South Wales
Trial Period	A period of three years from a date notified by the Proponent to the Planning Secretary, or until such time as the minimum number of functions for each trial function category are held, or such other time as agreed by the Planning Secretary.

SCHEDULE 2

PART A - ADMINISTRATIVE CONDITIONS

Terms of Approval

- A1. The Proponent must carry out the project in accordance with the:
- (a) Major Project Application 10_0069;
 - (b) White Bay Cruise Passenger Terminal – Environmental Assessment, prepared by JBA Planning on behalf of Sydney Ports Corporation and dated September 2010;
 - (c) White Bay Cruise Passenger Terminal – Response to Submissions Report, prepared by JBA Planning on behalf of Sydney Ports Corporation and dated December 2010;
 - (d) modification application MP 10_0069 MOD 2, as modified by the Response to Submissions document dated 17 July 2012, prepared by JBA Urban Planning Consultants Pty Ltd;
 - (e) modification application MP 10_0069 MOD 4, as modified by the Response to Submissions document dated 25 January 2013, prepared by JBA Urban Planning Consultants Pty Ltd;
 - (f) modification application MP 10_0069 MOD 3, as modified by the Response to Submissions document dated 7 September 2012, prepared by JBA Urban Planning Consultants Pty Ltd;
 - (g) Statement of Commitments in Annexure 1 of this approval, as modified;
 - (h) modification application MP 10_0069 MOD 6, as modified by the Response to Submissions document dated March 2020; and
 - (i) conditions of this approval.
- A2. In the event of an inconsistency between:
- (a) the conditions of this consent and any document listed from condition A1(a) to (h) inclusive, the conditions of this approval will prevail to the extent of the inconsistency; and
 - (b) any document listed from condition A1(a) to (h) inclusive, the most recent document will prevail to the extent of the inconsistency.
- A3. The Proponent **must** comply with the reasonable requirements of the Director-General arising from the Department's assessment of:
- (a) any reports, plans or correspondence that are submitted in accordance with this approval; and
 - (b) the implementation of any actions or measures contained in these reports, plans or correspondence.
- A4. The Proponent may elect to construct the Project in stages provided that these are consistent with the conditions of approval. Where stages are proposed, the Proponent must submit a Staging Report to the Director-General at least four weeks before Construction commences, or as agreed by the Director-General.
- The Staging Report **must** clearly describe the proposed stage and scope of works, identify how conditions and commitments will be addressed, and provide justification on why conditions and commitments are not or are partially applicable.
- A4A. **Pre Construction:** The following conditions include actions and requirements that are to be undertaken or met prior to construction or incorporated into the design of the project. Without limiting such conditions, the Staging Report **must** include a table that states that such actions and requirements will be implemented or met for each stage of the works:
- B1, B2, B3, B6, B7, B10, B12, B13, B14, B15, B16, B17, B18, B19, B20, B20A, B20B, B21, B30, B31, B33, B34, B35, B36, B37, B38, C1, C10, C11, C12, D1, D3.
- A4B. **Construction:** The following conditions include actions and requirements that are to be undertaken or met during construction of the project. Without limiting such conditions, the Staging Report **must** include a table that states that such actions and requirements will be implemented or met for each stage of the works:
- B1, B3, B6, B9, B10, B12, B13, B14, B15, B16, B17, B18, B19, B20, B20B, B21, B22, B23, B26, B29, B31, B32, B33, B34, B35, B36, B37, B38, C1 – C12, D1, D3.
- A4C. **Pre Operation:** The following conditions include actions and requirements that are to be undertaken or met prior to operation of the project. Without limiting such conditions, the Staging Report **must** include a table that states that such actions and requirements will be implemented or met for each stage of the works:
- B1, B11, B16, B18, B20, B24, B25, B27, B37, B38, D15, D16.

A4D. **Operation:** The following conditions include actions and requirements that are to be undertaken or met during operation of the project. Without limiting such conditions, the Staging Report must include a table that states that such actions and requirements will be implemented or met for each stage of the works:

B3, B4, B5, B8, B9, B17, B24, B25, B26, B27, B28, B29, B35, B36, B37, B38, D1, D2, D4 – D16.

A4E. Any references to entities listed in column A are to be interpreted as entities in column B throughout the approval:

A	B
Director-General	Planning Secretary
Director-General's Approval	Planning Secretary's Approval
OEH	EESG
RTA	Transport for NSW
Sydney Ports Corporation	Port Authority of New South Wales
Transport NSW	Transport for NSW

Limits of Approval

- A5. This approval shall lapse five years after the date on which it is granted, unless the works the subject of this project approval are physically commenced on or before that date.
- A6. The overnight berthing of cruise ships at White Bay Berths No.4 and No.5 at the same time must be minimised to the greatest extent practicable.
- A7. The use of the project site for functions must not exceed a total of 500 patrons on the site at any one time, unless undertaken in accordance with Conditions A11 to A19.
- A8. deleted.
- A9. Functions are not permitted when a cruise ship is berthed at White Bay Wharf No.5, except in unforeseen circumstances, such as extreme weather or mechanical failure.

Statutory Requirements

- A10. The Proponent must ensure that all licences, permits and approvals are obtained as required by law and maintained as required with respect to the project. No condition of this approval removes the obligation.

Trial Period

- A11. The Proponent may hold functions between 501 and 2,500 patrons, for a trial period of three years from a date notified by the Proponent to the Planning Secretary, unless otherwise agreed by the Planning Secretary.
- A12. During the three-year trial period, the Proponent must hold a minimum of two functions within each of the following trial function categories:

Table 00

Trial function category	Number of patrons
Small trial function	501 to 1000 patrons
Medium trial function	1001 to 1500 patrons
Large trial function	1501 to 2500 patrons

- A13. For each trial function category identified in Condition A12, a minimum of two types of functions must be held, such as an indoor function, an outdoor function in the WB4 hardstand area and/or WB5 car park, or an indoor and outdoor function in the WB4 hardstand area and/or WB5 car park.
- A14. If the minimum number of trial functions identified in condition A12 are not held during the three-year trial period, the trial period for these types of trial functions continues until such time they are held.

Function Performance Report

- A15. The Proponent must prepare a **Function Performance Report** at the conclusion of each 12 month period (reporting period) of the trial period, or at such other times as directed by the Planning Secretary. The Function Performance Report must be submitted to the Planning Secretary no later than one month following each reporting period.
- A16. The **Function Performance Report** must address the following:
- (a) an assessment of the trial function's performance and compliance with the (relevant) terms of this approval, including any approved monitoring and management plans and any other licences, permits or approvals, and interpretation and discussion of these results;

- (b) the results of noise monitoring carried out for each trial function under condition A12 and as required by Condition D12. Notwithstanding, noise monitoring must be carried out for large trial functions with outdoor activities from 6:00 pm and up to 12:30 am in the area to the south of the cruise terminal building. Noise monitoring is to be undertaken in accordance with AS1055 for outdoor sound level measurements, or a commensurate method identified in the Operational Noise Management Plan for functions;
 - (c) a comparison of the environmental impacts and performance of the trial function against the environmental impacts and performance predicted in the documents listed in condition A1 and as modified by conditions of this approval;
 - (d) a list of occasions in any preceding reporting period where environmental performance requirements for the trial function have not been achieved indicating the reason for failure to meet the requirements and the action taken to prevent recurrence of that type of incident and/or non-compliance;
 - (e) identification of trends in monitoring data of trial functions over the duration of the reporting period;
 - (f) details of the complaints received and how these complaints were addressed and resolved including a description of any outstanding complaints and reasons why they have not been resolved;
 - (g) environmental management targets and strategies for the following reporting period, taking into account identified trends in monitoring results; and
 - (h) the Proponent's response to any requirements imposed by the Planning Secretary on the preceding Function Performance Report.
- A17. A copy of each **Function Performance Report** must be provided to the Council, EPA, TfNSW and the Community Liaison Group for their information within one month of the end of the reporting period and made publicly available on the Proponent's website.
- A18. Should the minimum trial function requirements identified in Condition A12 not occur during the trial period, then Function Performance Reports must continue to be prepared in accordance with conditions A15 and A16. The Function Performance Reports must be submitted to the Planning Secretary within one month following the holding of such trial functions.
- A19. Following the completion of the trial period incorporating a minimum of two types of functions in each trial function category, the Proponent may seek the Planning Secretary's approval to:
- (a) continue holding functions equivalent to the trial function categories that were held during the trial period;
 - (b) permit functions that are likely to generate audible noise at any sensitive receiver to the hours of 7:00 am to 12:00 midnight, 4 days in any week (Conditions D6); and
 - (c) permit an increase in the noise level of background music played in the area on the southern side of the terminal building to no more than 72 dBA (Condition D10).
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PART B – SPECIAL ENVIRONMENTAL CONDITIONS

TRANSPORT AND TRAFFIC IMPACTS

- B1. The Proponent **must** fund and upgrade the **The Crescent/James Craig Road** intersection. The final configuration and design of the intersection is to be prepared to the satisfaction of the RTA, prior to the commencement of construction of the intersection works.

All works **must** be designed in accordance with appropriate road standards including the RTA's Road Design Guide, RTA's Traffic Signal Design Manual, and other relevant Australian Codes of Practice; and endorsed by a suitably qualified engineer to be in compliance with these codes.

Certified copies of traffic signal design, civil design plans and swept path analyses for the intersection of The Crescent/James Craig Road **must** be submitted to the RTA for approval prior to the commencement of construction of the roadwork. The intersection and traffic signal upgrades **must** be constructed and operational prior to the operation of the project.

- B2. The Proponent **must** ensure that the works associated with the extension of James Craig Road and modifications to Roberts Street are designed in accordance with appropriate road standards including the RTA's Road Design Guide.

- B3. The Proponent **must** design, construct and maintain all internal road works, including servicing areas and car parks, pedestrian and cycle facilities to meet the following requirements:
- (a) compliance with the provisions of relevant Australian Standards, RTA standards and guidelines;
 - (b) the provision of delineated pedestrian and cycle access from Robert Street to the White Bay Wharf No.5 Cruise Passenger Terminal;
 - (c) installation of clear signage to demarcate all vehicle movements within the site;
 - (d) installation and maintenance of any landscaping on the Site so as not to affect driver sight distance for vehicles entering and exiting the Site; and
 - (e) clear demarcation of all visitor, disabled, ambulance and service vehicle parking areas.

Public Transport

- B4. The Proponent **must** work with cruise ship operators to facilitate shuttle bus services operating between the cruise passenger terminal and the Sydney CBD, on cruise ship days. The shuttle service **must** aim to provide passengers, crew and terminal workers with a viable transport option and **must** operate at a frequency commensurate with demand.
- B5. Public vehicular access to the site on cruise ship days and during functions **must** only be via James Craig Road, except for low impact activities identified in the Operation Environmental Management Plan required under condition D15, and all servicing of the site and car parking during all site operations **must** be undertaken on site.

Access

- B6. The Proponent **must** minimise the loss of parking resulting from changes to Robert Street, and **must** design and construct Robert Street, south and west of Buchanan Street so as to address the following requirements:
- (a) maintain existing pedestrian access and provide clearly delineated and accessible pedestrian access to the site;
 - (b) maintain existing two way vehicular access;
 - (c) facilitate Council's Strategic bike network and provide clearly delineated cycle connections to Buchanan Street and the White Bay Wharf No.5 Cruise Passenger Terminal; and
 - (d) provide parallel parking on the northern side of the road and perpendicular parking on the southern side of the road (including the provision of a paved area between the perpendicular parking area and the boundary fence of the port, where reasonable and feasible).

The changes **must** be designed in consultation with the RTA and Council and generally in accordance with appropriate road standards, including the RTA's Road Design Guide.

- B7. The Proponent **must**, prior to the construction of the access road, investigate the provision of an additional 25 car parking spaces within the vicinity of Robert Street and **must** report the outcomes of this investigation to the Director-General.

- B8. The Proponent **must** ensure that public access to:
- (a) the foreshore of White Bay Wharf No.5 via Robert Street is maintained during the daytime when it is not required for port operations;
 - (b) the foreshore of White Bay Wharf No.5 is maintained during functions to the greatest extent practicable; and

- (c) the public areas of the terminal building and short term car park, via Robert Street's pedestrian and cycle path, is maintained during the daytime whilst a cruise ship is berthed at White Bay Wharf No.5.
- B8A. The Proponent **must** participate in any strategic planning process, or investigations into potential opportunities and priorities for additional public access points to the site, that may result from the 'Bays Precinct Taskforce' work.
- B9. The Proponent **must** ensure that:
- (a) access to all adjoining properties is maintained during construction and operation, where reasonable and feasible, unless otherwise agreed by the relevant property owner or occupier; and
 - (b) any access physically affected by the Project is reinstated to at least an equivalent standard, unless agreed with the property owner.
- B10. The Proponent **must** ensure that the new access road between James Craig Road and the cruise passenger terminal is designed and constructed so as not to preclude the future provision of pedestrian and cycle facilities to link the existing Anzac Bridge and James Craig Road facilities to Buchanan Street and Robert Street.
- B11. The Proponent **must**, prior to operation and in consultation with the RTA and Council, develop a signage strategy to facilitate appropriate access to the site for patrons and servicing vehicles. The signage strategy **must** be implemented prior to the operation of the project.

HERITAGE IMPACTS

- B12. The Proponent **must** limit heritage impacts to the greatest extent practicable and **must** implement the recommendations in section 7 of the report titled *Cruise Passenger Terminal, White Bay Heritage Impact Statement (Final)*, September 2010, prepared by City Plan Heritage, and the recommendations in the letter from City Plan Heritage to Sydney Ports Corporation dated 14 November 2012 and titled *Heritage Statement for White Bay 5 Cruise Passenger Terminal – Removal of Rail Tracks/CH12-157*, subject to the conditions of this approval.
- B12A. The Proponent **must** prepare a Heritage Interpretation Strategy to facilitate the interpretation of heritage elements within the White Bay site area, including rail sidings. The strategy **must** be prepared generally in accordance with NSW Heritage Council guidelines, in consultation with Leichhardt Council and submitted to the Director-General for approval. The strategy **must** be implemented within six months of terminal operations commencing, or as otherwise agreed by the Director-General.
- B13. The Proponent **must** design and construct the project to prevent heritage impacts on the Old Glebe Island Bridge abutments and approach road and **must** ensure that the crossing of Stormwater Channel No.15 is designed to be fully independent of this heritage item. The final design for the access road **must** be undertaken in consultation with a suitably qualified heritage consultant.

URBAN DESIGN AND LANDSCAPING

- B14. The Proponent **must** implement the design components for the project generally in accordance with Section 5.0 of the report *Design Statement*, dated September 2010 and prepared by Johnson Pilton Walker.
- B15. The Proponent **must** design and construct the project in a manner that minimises the visual impact of infrastructure and hard landscaping elements, including lighting the car parking and coach and minibus parking areas, arrivals hall, baggage hall, gangway structure, storage and amenities area, and cargo loading area.
- B16. The Proponent **must** ensure that all external lighting installed as part of the project is mounted, screened, and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting **must** be the minimum level of illumination necessary, and be in general accordance with the latest version of AS 4282 – 1997 *Control of the Obtrusive Effects of Outdoor Lighting*.
- B17. The Proponent **must** prepare and implement a **Landscape Plan** for the project. The Plan **must** be prepared by appropriately qualified person(s) and **must** present a landscape design for the project. The Plan **must** generally be consistent with the *Glebe Island and White Bay Master Plan* (with the exception of the area to the south of Robert Street between the perpendicular parking and the external boundary fence to the port), and **must** include, but not necessarily be limited to:
- (a) identification of design principles and standards based on local environmental values, land use and urban design context, heritage values, sustainable design and maintenance, passenger and

- community safety, security, privacy, and information, and relevant design standards and guidelines;
- (b) location and identification of existing and proposed landscaping, including the use of flora species endemic to the locality, including the use of mature shade trees and the landscaping of car park areas and access routes;
- (c) the provision of landscaped bays integrated within car parking bays along the southern and northern side of Robert Street;
- (d) design details of the built landscape elements of the project, including the short term car park, coach and minibus parking areas;
- (e) graphics for key elements including sections, sketches, perspective views, etc; and
- (f) standards, procedures and methods to maintain landscaped areas.

In preparing the Plan, the Proponent **must** consult with the Sydney Harbour Foreshore Authority and Council. The Plan **must** be submitted for the approval of the Director General prior to the construction of the project, unless otherwise agreed by the Director General.

SOIL AND WATER QUALITY IMPACTS

Storm Water

B18. The Proponent **must**, prior to construction, prepare and implement an **Integrated Water Cycle Plan** for the project to facilitate Water Sensitive Urban Design measures and ensure that stormwater systems are designed and built to minimise pollutant discharges into receiving waterways. The Plan **must** be prepared in consultation with **OEH** and Council and **must** include, but not be limited to:

- (a) the identification of existing hydrology conditions;
- (b) objectives and performance standards for water cycle outcomes that are to be achieved during construction and operation of the project, including the identification and consideration of relevant design guidelines, standards and catchment management plans;
- (c) water management measures that are to be applied so as to meet the objectives and performance standards, including but not limited to:
 - i) on-site storage for rainwater reuse;
 - ii) stormwater treatment devices to remove gross pollutants, sediments, oils and greases from first flush stormwater run-off;
 - iii) bioremediation swales; and
- (d) ongoing operation maintenance, management and monitoring measures, for the achievement of the identified objectives and performance standards.

The Plan **must** be prepared by a qualified practicing Civil Engineer with relevant experience in stormwater and environmental engineering.

B19. The Proponent **must** ensure that the project is designed and constructed to:

- (a) not detrimentally affect existing stormwater facilities including capacity of drainage facilities running through the site;
- (b) not increase existing flooding characteristics of adjoining properties; and
- (c) minimise risks to personal safety of occupants and the risk of property damage to address the flood impacts on the site of the 100 year ARI and Probable Maximum Flood (PMF) storm, including consideration of climate change, storm wave action and tidal inundation.

SPOIL AND WASTE IMPACTS

B20. The Proponent **must**, prior to the commencement of excavation or construction:

- (a) submit to the Director-General, a **Soil and Groundwater Contamination Report (Report)** detailing the outcomes of contamination investigations on the site. The Report and scope of the assessment **must** be prepared in consultation with OEH and NoW, and **must** include but not be limited to:
 - i) intrusive contamination assessment of the site likely to be affected by earthworks and ground disturbance, such as for roads and associated drainage; and
 - ii) investigation of groundwater conditions in any areas of the site that may require dewatering.
- (b) Where the Report identifies that for the purposes of the Project:
 - i) contamination of soil and/or groundwater was not identified: or
 - ii) if it was identified it is in limited locations and can be managed as part of the earthworks of the project,
 measures to identify, handle and manage potential contaminated soils, materials and groundwater during excavation or construction **must** be incorporated into the Construction Soil and Waste Management Plan.
- (c) Where (b) does not apply and the Report identifies that remediation is required to make the site suitable for the proposed use, a general **Remediation Strategy** will be prepared to address the site contamination, and how the environmental and human health risks will be managed during the

disturbance, remediation and/or removal of contaminated soil or groundwater. The Remediation Strategy will be accompanied by a:

- i) **Site Audit Statement** prepared by a Site Auditor verifying that the site can be made suitable for the proposed land use if the site is managed or remediated in accordance with the Remediation Strategy,
- ii) final **Site Audit Statement** prepared by a Site Auditor prior to operations commencing certifying that the site is suitable for its intended land use.

- B20A The Report, Construction Soil and Waste Management Plan and Remediation Strategy **must** be prepared in accordance with the requirements of the *Contaminated Land Management Act 1997* and associated guidelines.
- B20B Should contaminated groundwater exist in the vicinity of the site, or significant groundwater in flows are expected, the design and construction of the project must preclude the need for permanent dewatering.
- B21. The Proponent **must** undertake a hazardous material survey prior to construction and **must** manage hazardous material, including asbestos or asbestos-contaminated materials that may be uncovered during the construction of the project strictly in accordance with the requirements of the *Protection of the Environment Operations (Waste) Regulation 2005* and any guidelines or requirements issued by the **OEH** in relation to those materials.
- B22. All waste and fill materials, whether imported or generated on site, **must** be assessed, classified, managed and disposed of in accordance with the *Waste Classification Guidelines* (DECCW 2009), or any future guideline that may supersede that document. All waste materials removed from the site **must** only be directed to a waste management facility lawfully permitted to accept the materials.
- B23. The Proponent **must** maximise the treatment, reuse and/or recycling on the site of any clean excavated soils associated with the project to minimise the need for treatment or disposal of those materials outside the site.

HAZARDS AND RISKS

Emergency Plan

- B24. The Proponent **must**, prior to operation, develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the project. The Plan **must** be consistent with the Department's Hazardous Industry Planning Advisory Paper No.1, 'Industry Emergency Planning Guidelines'. The Plan **must** include response procedures for any incident/fire scenarios in neighbouring facilities and site flooding.

Safety Management System

- B25. The Proponent **must**, prior to operation, develop and implement a comprehensive Safety Management System, covering all on-site operations, including bunkering. The safety Management System **must** be consistent with the Department's Hazardous Industry Planning Advisory Paper No.9, 'Safety Management'.
- B26. The Proponent **must** store and handle all chemicals, fuels and oils in appropriately roofed and bunded areas with impervious flooring and in accordance with:
- (a) all relevant Australian Standards;
 - (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
 - (c) the EPA's *Environment Protection Manual Technical Bulletin Bunding and Spill Management*, or any future guideline that may supersede that document.

In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirements shall prevail to the extent of the inconsistency.

- B27. The Proponent **must**, prior to operation, integrate its existing effluent discharge operational procedures into the Operational Environmental Management Plan required under condition D15.

AIR QUALITY IMPACTS

- B28. The Proponent **must** operate the project with the objective that emissions from cruise ships operating at White Bay Terminal 4 and 5 do not result in an exceedance of the ambient air quality impact assessment criteria specified in Table 3.1 of the report titled *White Bay Passenger Terminal Air Quality Assessment*, dated 30 July 2010, prepared by Sinclair Knight Mertz.

Odour

- B29. The Proponent **must** not permit any offensive odour, as defined under section 129 of the *Protection of the Environment Operations Act 1997*, to be emitted from the site which impacts on any sensitive receptors. Burning of any garbage, vegetation or other combustible material is not permitted.

Shore to Ship Power

- B30. The Proponent **must** design the project so as not to preclude the future provision of shore to ship power to enable the 'cold ironing' of berthed vessels so as to satisfy all 'hotelling' (including on board lighting, ventilation, and air conditioning) power requirements.

PROPERTY AND UTILITY IMPACTS

- B31. The Proponent **must** identify utilities and services potentially affected by construction to determine requirements for diversion, protection, support and augmentation. Alterations to services **must** be determined by negotiation and agreement with the service provider. The Proponent **must**, in consultation with service providers ensure that potential disruption to services resulting from the activity are minimised and advised to customers.
- B32. The Proponent **must** construct the project in a manner that mitigates indirect and direct impacts to properties and property infrastructure, including landscaping, fencing, walls and the like. The Proponent, in consultation with the property owner, **must** arrange and fund the repair of damage to a standard comparable to that in existence prior to the damage. Should reinstatement of property not be achievable, the Proponent **must** compensate the property owner for the value of the infrastructure and associated costs and losses.

COMMUNITY INFORMATION, CONSULTATION AND INVOLVMENT

Community Communication Strategy

- B33. The Proponent **must** prepare and implement a **Community Communication Strategy** to provide mechanisms to facilitate communication between the Proponent (and its contractors), the Environmental Representative and community stakeholders (particularly adjoining landowners) on construction progress and management. The Strategy **must** include, but not be limited to:
- (a) identification of stakeholders to be consulted as part of the Strategy;
 - (b) procedures and mechanisms for the regular dissemination of information to community stakeholders and users of the local and regional road network on construction progress and matters associated with environmental management;
 - (c) integrating the Community Communication Strategy into existing community liaison forums operated by Sydney Ports Corporation;
 - (d) procedures and mechanisms through which the community stakeholders can discuss or provide feedback to the Proponent and/or Environmental Representative in relation to the environmental management and delivery of the project;
 - (e) procedures and mechanisms through which the Proponent can respond to any enquires or feedback from the community stakeholders in relation to the environmental management and delivery of the projects; and
 - (f) procedures and mechanisms to be implemented to resolve any issues/disputes that arise between parties on the matters relating to environmental management and the project delivery.

Issues that **must** be addressed through the Community Communication Strategy include (but are not necessarily limited to); traffic management (including access and construction vehicle management), hazardous material removal, landscaping/urban design matters, and noise and vibration mitigation and management, including construction hours.

The Proponent **must** maintain and implement the Strategy throughout construction. The Strategy **must** be approved by the Director-General prior to the commencement of construction.

Complaints and Enquiries

- B34. Prior to the commencement of construction, or as otherwise agreed by the Director-General, the Proponent **must** ensure that the following are available for community enquiries and complaints for the duration of construction:
- (a) a 24 hour 1800 telephone number(s) on which complaints and enquiries about the project may be registered;
 - (b) a postal address to which written complaints and enquires may be sent;
 - (c) an email address to which electronic complaints and enquiries may be transmitted; and
 - (d) a mediation system for complaints unable to be resolved.

The telephone number, the postal address and the email address must be published in newspaper(s) circulating in the local area prior to the commencement of construction and prior to the commencement of operation. This information must also be provided on the Proponent's website.

- B35. Prior to the commencement of construction, or as otherwise agreed by the Director-General, the Proponent must prepare and implement a Construction Complaints Management System consistent with AS 4269: Complaints Handling and maintain the System for the duration of construction and up to 12 months following completion of construction. Information on all complaints received, including the means by which they were addressed and whether resolution was reached with or without mediation, must be included in the construction compliance reports referred to under condition B38 and made available to the Director-General on request.

Provision of Electronic Information

- B36. Prior to the commencement of construction, or as otherwise agreed by the Director-General, the Proponent **must** establish and maintain a website for the provision of electronic information associated with the project. The website may be a new website or be dedicated pages within an existing website and is to be maintained for the duration of construction and for 12 months following completion of the project. The Proponent must publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:
- (a) a copy of the documents referred to under condition A1 of this approval, and any documentation supporting modifications to this approval that may be granted;
 - (b) a copy of this approval and each relevant environmental approval, licence or permit required and obtained in relation to the project;
 - (c) subject to confidentiality requirements, a copy of each strategy, plan and program required under this approval;
 - (d) the outcomes of independent environmental audits in accordance with condition B38(d) of this approval; and
 - (e) details of contact point(s) to which community complaints and inquiries may be directed, including a telephone number, a postal address and an email address.
- B37. The Proponent **must**, subject to confidentiality, make all documents required under this approval publicly available.

COMPLIANCE MONITORING AND TRACKING

Compliance Tracking Program

- B38. The Proponent **must** develop and implement a **Compliance Tracking Program** to track compliance with the requirements of this approval. The Program must be submitted to the Director-General for approval prior to the commencement of construction and operate for a minimum of five years following commencement of operation. The Program must include:
- (a) provisions for periodic review of the compliance status of the project against the requirements of this approval and the Statement of Commitments detailed in the document referred to in condition A1 of this approval;
 - (b) provisions for the notification of the Director-General prior to the commencement of construction and prior to the commencement of operation of the project;
 - (c) provisions for periodic reporting of compliance status to the Director-General during construction and operation;
 - (d) a program for independent environmental auditing in accordance with ISO 19011:2003 - Guidelines for Quality and/ or Environmental Management Systems Auditing;
 - (e) procedures for rectifying any non-compliance identified during environmental auditing or review of compliance;
 - (f) mechanisms for recording environmental incidents during construction and operation and actions taken in response to those incidents;
 - (g) provisions for reporting environmental incidents to the Director-General during construction; and
 - (h) provisions for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.
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PART C – CONSTRUCTION

TRANSPORT AND TRAFFIC IMPACTS

Road Condition Reports

- C1. Road condition reports **must** be prepared prior to commencement of construction for all roads identified in the Construction Traffic Management Plan, which are likely to be used by construction traffic or as otherwise agreed by the relevant roads authority. A copy of the relevant report **must** be provided to the relevant roads authority. Any damage directly attributable to construction of the project, aside from that resulting from normal wear and tear, **must** be repaired at the cost of the Proponent.

Car parking

- C2. All vehicles to be used during construction must be parked within the project site area. No parking is to occur outside the project site, on local streets.

NOISE AND VIBRATION IMPACTS

Construction hours

- C3. Construction that would generate audible noise at any residential premises **must** only be permitted during the following hours:
- (a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive;
 - (b) 8:00 am to 1:00 pm on Saturdays; and
 - (c) at no time on Sundays or public holidays.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent risk to life or environmental harm.

Activities resulting in impulsive or tonal noise emission (such as rock breaking, rock hammering, sheet piling, pile driving) which generate audible noise at residential premises **must** be limited to 8:00 am to 12:00 pm, Monday to Saturday and 2:00 pm to 5:00 pm Monday to Friday. The Proponent **must** not undertake such activities for more than three continuous hours and **must** provide a minimum one-hour respite period between any two periods of such works.

'Continuous' means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.

- C4. Construction outside of the hours specified in condition C3 may be varied with the prior written approval of the Director-General. Any request to alter the hours of construction **must**:
- (a) be considered on a case-by-case basis;
 - (b) be accompanied by details of the nature and need for activities to be conducted during the varied construction hours and any other information necessary to reasonably determine that activities undertaken during the varied construction hours will not adversely impact on the acoustic amenity of receptors in the vicinity of the site;
 - (c) require that council and affected residential receivers are informed of the timing and duration of any construction activities approved under this condition at least 48 hours before that work commences.

Construction Noise and Vibration

- C5. The Proponent **must** implement all reasonable and feasible noise mitigation measures to achieve the construction noise management levels as described in the *Interim Construction Noise Guideline* (DECC, 2009).
- C6. Wherever practical, piling activities **must** be completed using quieter alternatives than impact or percussive piling, such as bored or vibrated piles.
- C7. The Proponent **must** implement all reasonable and feasible mitigation measures to achieve the following construction vibration goals:
- (a) for structural damage vibration, the vibration limits set out in the German Standard DIN 4150 Part 3-1999 Structural Vibration in Buildings - Effects on Structures; or
 - (b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: A Technical Guideline* (DEC 2006).

AIR QUALITY IMPACTS

- C8. For all excavation and construction work, the Proponent **must** minimise dust emissions from the site, including wind-blown and traffic-generated dust, on the receiving environment, including adjacent receivers and road users. All activities on the site **must** be undertaken with the objective of preventing visible

emissions of dust from the site. Should such visible dust emissions occur at any time, the Proponent **must** identify and implement all practicable dust mitigation measures, such that emissions of visible dust cease.

C9. The Proponent **must** ensure that:

- (a) all trucks, plant and equipment entering and leaving the construction site with potentially dust generating loads have their loads securely covered;
- (b) trucks, plant and equipment associated with the project do not track dirt onto any roads within the public road network; and
- (c) public roads are kept clean from construction activities associated with the project.

ENVIRONMENTAL MANAGEMENT

Environmental Representative

- C10. Prior to the commencement of construction, or as otherwise agreed by the Director-General, the Proponent **must** nominate for the approval of the Director-General a suitably qualified and experienced Environment Representative(s) that is independent of the design and construction personnel. The Proponent **must** employ the Environment Representative(s) for the duration of construction, or as otherwise agreed by the Director-General. The Environment Representative(s) **must**:
- (a) be the principal point of advice in relation to the environmental performance of the project;
 - (b) oversee the implementation of all environmental management plans and monitoring programs required under this approval, and advise the Proponent upon the achievement of these plans/programs;
 - (c) consider and advise the Proponent on its compliance obligations against all matters specified in the conditions of this approval and the Statement of Commitments as referred to under condition A.1c) of this approval and all other licences and approvals related to the environmental performance and impacts of the project;
 - (d) ensure that environmental auditing is undertaken in accordance with all relevant project Environmental Management Systems; and
 - (e) be given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.

Construction Environmental Management Plan

- C11. The Proponent **must**, prior to the commencement of construction, prepare and implement a Construction Environmental Management Plan. The Plan **must** outline the environmental management practices and procedures that are to be followed during construction, and **must** be prepared in accordance with *Guideline for the Preparation of Environmental Management Plans* (DIPNR, 2004). The CEMP **must** include, but not necessarily be limited to:
- (a) a description of all relevant activities to be undertaken during construction of the project;
 - (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) a description of the roles and responsibilities for all relevant employees involved in the construction of the project; and
 - (d) details of how the environmental performance of the construction works will be managed and monitored, and what actions will be taken to address identified adverse environmental impacts. In particular the following environmental matters **must** be addressed in the plan:
 - i) traffic management and site access;
 - ii) noise and vibration management;
 - iii) soil and waste management;
 - iv) air quality and dust management;
 - v) water quality management; and
 - vi) heritage management.

The Plan **must** be submitted for the approval of the Director-General no later than one month prior to the commencement of construction, or within such period otherwise agreed by the Director-General. The Plan may be prepared in stages, however, construction works for each stage **must** not commence until written approval has been received from the Director-General.

C12. As part of the Construction Environmental Management Plan for the project required under condition C11 of this approval, the Proponent **must** prepare and implement:

- (a) a **Construction Traffic and Site Access Management Plan** to detail how the construction traffic impacts of the project will be managed. The Plan **must** be prepared in consultation with the RTA, Council and emergency services and **must** include, but not be limited to:

- i) the identification of haulage routes and access points from the construction site, and measures to minimise potential access conflicts;
 - ii) the identification of construction vehicle volumes and detailing measures to minimise peak time congestion;
 - iii) the identification of construction activities that would require disruption of traffic and the arrangements for traffic management; and
 - iv) the maintenance of public and private access for all transport modes.
 - (b) a **Construction Noise and Vibration Management Plan** to detail how construction noise and vibration impacts would be minimised and managed. The Plan **must** include, but not be limited to:
 - i) identification of construction noise and vibration objectives to manage noise from construction activities;
 - ii) details of construction activities and an indicative schedule for construction works;
 - iii) identification of construction activities that have the potential to generate noise and vibration impacts on surrounding infrastructure and land uses;
 - iv) detail what reasonable and feasible actions and measures would be implemented to minimise impacts;
 - v) procedures for notifying receivers of construction activities that are likely to affect their amenity, as well as procedures for dealing with and responding to complaints; and
 - vi) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be conducted, the locations where monitoring would take place, how the results of this monitoring would be recorded and reported; and, if any exceedance is detected how any non-compliance would be rectified.
 - (c) a **Construction Soil and Waste Management Plan** to detail how excavated, demolished and imported materials will be managed throughout construction. The Plan **must** include, but not necessarily be limited to:
 - i) how spoil and fill material generated by the project will be sought, handled, stockpiled, reused and disposed;
 - ii) management of spoil and stockpile locations, including consideration of flood events;
 - iii) details of disposal sites and the volumes of spoil to be transported to each site;
 - iv) an Acid Sulfate Soils Management Plan prepared with regard to the *Acid Sulfate Soils Manual* (Acid Sulfate Soil Management Advisory Committee, 1998) or update, including a contingency plan to deal with the unexpected discovery of actual or potential acid sulfate soils and water quality monitoring procedures;
 - v) details of contaminated soil and appropriate management, disposal and monitoring measures;
 - vi) details of hazardous materials, including asbestos and asbestos-contaminated materials and appropriate management, disposal and monitoring measures; and
 - vii) a contingency plan to be implemented in the case of unanticipated discovery of contaminated material during construction.
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PART D – OPERATIONS

NOISE AND VIBRATION IMPACTS

Operation Noise Limits – Cruise Ship Days

- D1. The Proponent **must** design, construct, operate and maintain the project using all reasonable and feasible precautions and measures to achieve the objective that noise contributions from activities on Cruise Ship Days associated with the project do not contribute to an exceedance of the noise criteria specified in Table 1, at those locations and during those periods indicated. The criteria apply under:
- (a) wind speeds up to 3 ms^{-1} (measured at 10 metres above ground level); or
 - (b) temperature inversion conditions up to 3°C per 100 metres and wind speeds up to 2 ms^{-1} (measured at 10 metres above ground level).

Table 1 – Noise Criteria (dBA)

Location	Day 7:00am to 6:00pm on any day		Evening 6:00pm to 10:00pm on any day		Night 10:00pm to 7:00am on any day		
	L_{Aeq} (15-minute)	L_{Aeq} (period)	L_{Aeq} (15-minute)	L_{Aeq} (period)	L_{Aeq} (15-minute)	L_{Aeq} (period)	L_{A1} (1-minute)
Grafton Street, Balmain	56	N/A	54	N/A	49	N/A	55
Donnelly Street, Balmain	54	N/A	52	N/A	49	N/A	59
Dockside Apartments	60	N/A	57	55	53	46	63
Refinery Drive, Pyrmont	55	N/A	53	47	51	42	61
Oxley Street, Glebe	58	N/A	47	N/A	47	43	57
Cameron's Cove, Balmain	50	N/A	48	N/A	45	42	55

Where these criteria can not be met, the Proponent **must** take appropriate measures to limit any impacts and **must** submit a report to the Director General upon the implementation of those measures. These measures may include operational changes, further on-site mitigation to infrastructure or off-site mitigation measures. The Proponent **must** notify Leichhardt Council and properties at which the noise criteria was exceeded as to the circumstances that led to the exceedance and measures to be implemented to address potential future exceedances.

- D2. For the purpose of assessment of noise contributions specified under condition D1 of this approval, noise from the project **must** be:
- (a) measured at the most affected point on or within the site boundary at the most sensitive locations to determine compliance with $L_{Aeq(15\text{-minute})}$ and $L_{Aeq(\text{period})}$ noise limits;
 - (b) measured in the free field at least 3.5 metres from any vertical reflecting surface in line with the worst-affected dwelling façade to determine compliance with $L_{A1(1\text{-minute})}$ noise limits; and
 - (c) subject to the modification factors provided in Section 4 of the *New South Wales Industrial Noise Policy* (EPA, 2000), where applicable.

Notwithstanding, should direct measurement of noise from the project be impractical, the Proponent may employ an alternative noise assessment method deemed acceptable by **OEH** (refer to Section 11 of the *New South Wales Industrial Noise Policy* (EPA, 2000)). Details of such an alternative noise assessment method accepted by **OEH** **must** be submitted to the Director-General prior to the implementation of the assessment method.

- D3. Notwithstanding conditions D1 and D2, the terminal buildings are to be designed and constructed to incorporate the noise mitigation measures committed to in the documents listed in condition A1 and noise emissions from mechanical plant associated with the building **must** be limited to a maximum sound power level of 92dBA.

Operation Noise Limits – Functions

- D4. The Proponent **must** design, construct, operate and maintain the project to ensure that the LA_{10} noise emitted from Functions **must** not exceed the background noise level in an Octave Band Centre Frequency

(31.5Hz – 8kHz inclusive) by more than 5db between 7.00am and 12:00 midnight at the boundary of any affected sensitive receiver.

The Proponent **must** ensure that the LA10 noise emitted from Functions **must** not exceed the background noise level in an Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) between 12:00 midnight and 7.00 am at the boundary of any affected sensitive receiver.

For the purpose of this condition, the LA10 can be taken as the average maximum deflection of the noise emission from the site.

- D4A. The Proponent **must** ensure that a noise limiter capable of limiting and controlling amplified music is used on all audio equipment for functions and will result in compliance with the LA10 noise limits in Condition D4.

Operating Hours – Cruise Ship Days and Functions

- D5. The Proponent **must** only undertake setup, dismantling, delivery or removal of temporary structures, and amusement rides associated with the project that would generate an audible noise at any residential premises during the following hours:

- (a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive;
- (b) 8:00 am to 1:00 pm on Saturdays; and
- (c) at no time on Sundays or public holidays.

- D6. Functions that are likely to generate an audible noise at any sensitive receiver must be limited to 7:00am to 11:30 pm, 4 days in any week, unless otherwise agreed by the Planning Secretary. All patrons are to vacate the site by 12:00 midnight. The Proponent is to provide appropriate venue management staff to supervise patrons vacating the site to ensure that noise and disturbance is minimised.

Notwithstanding the above, functions that are likely to generate audible noise at any sensitive receiver must be limited to 7:00 am to 12:00 midnight, 4 days in any week, for all functions during the trial period in accordance with condition A11, and following the completion of the trial period, in accordance with condition A18. All patrons are to vacate the site by 12:30 am.

- D7. The operation of amusement rides **must** only occur 5 times a year. The operation of amusement rides and similar outdoor activities **must** only be undertaken between 7:00am and 10:00pm Monday to Saturday and between 9:00am and 6:00pm Sundays or public holidays, unless otherwise agreed by the Director-General.

Operating Activities – Functions

- D8. Amusement rides and similar activities, **must** only be erected in front of the terminal building so as to provide effective noise shielding to surrounding residences in Balmain and Rozelle and other noise sensitive receivers.
- D9. Amusement Rides and other equipment to be used outside for functions **must** have a maximum sound power level of 106dBA.
- D10. Amplified music other than background music must be confined to inside the terminal building with all doors and windows closed and the roof sealed. For the purpose of this condition, 'background music' is music that is less than 67 dBA at 10 metres from speakers in any direction.

Notwithstanding the above, 'background music' may be played outside the terminal building with the location of the speakers restricted to the southern side of the terminal building, at a height of no greater than 4 m above the ground, and at a sound level no greater than 72 dBA at 10 metres from the speakers in any direction, for all functions during the trial period in accordance with condition A11, and following the completion of the trial period, in accordance with condition A18.

NOISE MONITORING AND REPORTING

Noise Monitoring – Cruise Ship Days

- D11. The proponent **must** within 12 months of operation undertake monitoring of noise levels from a representative sample of cruise ships, as defined in the Operational Noise Management Plan. The monitoring **must** confirm that the project is meeting the noise criteria listed in Condition D1. If the noise monitoring indicates an exceedance of the noise levels identified in Condition D1, the Proponent **must** implement further reasonable and feasible measures (where required) in accordance with the procedures outlined in the Operational Noise Management Plan.

The proponent **must** submit a copy of the outcome of the monitoring results to the Director-General within one month of monitoring being undertaken.

Noise Monitoring – Functions

- D12. Noise monitoring must be carried out for functions incorporating amusement rides or similar activities, and outdoor activities in the WB4 hardstand area and/or WB5 car park from 6:00 pm and up to 12:30 am.

The results of the monitoring must be provided to the Department on a quarterly basis (with the report required by condition D13) and made available to the EPA, Police and Council upon request. Noise monitoring is to be undertaken in accordance with AS1055 for outdoor sound level measurements, or a commensurate method identified in the Operational Noise Management Plan (Functions).

- D13. At the end of each quarter the Proponent must prepare a Compliance Summary Report. The report must provide a summary of:

- (a) each function held and the number of patrons permitted in each hall;
- (b) any event compliance issues for that quarter, particularly in relation to:
 - i) noise impacts and monitoring results, including complaints received; and
 - ii) traffic impacts.

The report must be integrated into the **Compliance Tracking Program** required under condition B38 and made available to the Director-General on request.

COMMUNITY INFORMATION

- D14. The Proponent must notify surrounding residents, Council and the Police seven days prior to functions incorporating amusement rides or similar activities, and outdoor activities in the WB4 hardstand area and/or WB5 car park from 6:00 pm and up to 12:30 am. The notice must include the following:

- (a) date and nature of the function;
- (b) the hours of operation for the function and expected patron numbers;
- (c) details of bump-in and bump-out activities;
- (d) proposed outdoor activities; and
- (e) the name and contact number for an appropriate venue representative. The representative must be on site for the entire function.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- D15. The Proponent must prepare and implement an Operational Environmental Management Plan that details the environmental management framework, practices and procedures to be followed during the operation of the project. The Plan must be consistent with the *Guideline for Preparation of Environmental Management Plans* (DIPNR, 2004). The Plan must be prepared in consultation with relevant Government agencies, including but not limited to TfNSW, EESG, Emergency Services and Council, and must include, but not necessarily be limited to:

- (a) a description of all relevant activities to be undertaken during the operation of the project including for cruise ship days and functions;
- (b) statutory and other obligations that the Proponent is required to fulfil during operation, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
- (c) a description of the roles and responsibilities for all relevant employees involved in the operation of the project; and
- (d) details of how the environmental performance of the project will be managed and monitored, and what actions will be undertaken to address identified adverse environmental impacts. In particular, the following environmental matters must be addressed in the plan:
 - i) transport and traffic management and site access;
 - ii) noise management;
 - iii) air quality and odour management;
 - iv) stormwater and water quality management;
 - v) landscaping maintenance;
 - vi) hazards and risks and emergency responses;
 - vii) energy and water consumption;
 - viii) waste management; and
 - ix) community consultation, enquiries and complaints system.

The Plan must be submitted to the Department at least a month prior to operation and approved by the Planning Secretary prior to the commencement of operations. Nothing in this approval restricts the Proponent from incorporating the Plan into existing environmental management systems administered by the Proponent.

One month prior to holding any function with more than 500 patrons, the Proponent must provide a copy of the updated OEMP for functions, and have the plan approved by the Planning Secretary prior to the function occurring.

D16. As part of the Operational Environmental Management Plan for the project required under condition D15 of this approval, the Proponent must prepare and implement:

- (a) an **Operational Transport, Traffic and Access Management Plan**. The plan is to be prepared in consultation with the TfNSW, Council and Emergency Services. The plan is to detail measures to manage the operational traffic impacts for the project, and must have consideration of the *Guide to Traffic and Transport Management for Special Events*. The Plan must include but not limited to:
 - i) standard operational traffic management measures and procedures used during cruise ship and function operations for a range of expected operational scenarios, including measures to reduce peak AM and PM vehicle movements;
 - ii) special events procedures to manage traffic and car parking impacts during non-standard events (such as arrival of large cruise ships, early arrival or late departure of cruise ships) that are likely to cause extensive queuing and traffic delays;
 - iii) parking arrangements for long term stays;
 - iv) priority infrastructure for taxis and hire cars to enter and exit the site during cruise ship visits;
 - v) predicted traffic volumes, types and routes;
 - vi) a Workplace Travel Plan to promote the use of the shuttle bus service and public transport, walking and cycling by employees;
 - vii) a Transport Access Guide to inform passengers patrons of transport options to the site, including the shuttle bus service;
 - viii) the maintenance of safe pedestrian and cycle access from Robert Street to White Bay Wharf No.5;
 - ix) the provision of safe public access to the foreshore; and
 - x) a procedure for handling traffic and access complaints that includes recording, investigating, reporting and follow-up action.
- (b) an **Operational Noise Management Plan** is to be prepared in consultation with Council. The plan is to detail measures to manage the operational noise impacts for the project, including but not limited to:
 - i) identification of noise sources and scenarios associated with the operation of the project, including for cruise ship days and functions;
 - ii) noise mitigation measures to be applied during the use of the project during cruise ship days and functions;
 - iii) selection of quiet equipment and plant consistent with the noise limit requirements of this approval;
 - iv) maintenance regimes of all equipment to ensure correct working order;
 - v) a monitoring and recording regime for cruise ship operations and functions; and
 - vi) a procedure for handling noise complaints that includes recording, investigating, reporting and follow-up action.
- (c) an **Operational Odour Management Plan** to outline measures to minimise odour impacts associated with the operation of the project. The Plan must include, but not necessarily be limited to:
 - i) identification of all point and diffuse sources of odour associated with the operation;
 - ii) a detailed description of the odour mitigation methods and management practices that will be used to ensure offensive odour impacts do not occur off site;
 - iii) a detailed description of the methods used for monitoring the effectiveness of the odour mitigation methods and management practices for all point and diffuse sources of odour;
 - iv) details of proposed contingency measures should odour impacts occur; and
 - v) a procedure for handling potential odour complaints that includes recording, investigating, reporting and follow-up action.

- (d) an **Operational Air Quality Management Plan** to detail measures to manage the air quality impacts of the project and to ensure the operation of the project addresses the air quality criteria identified in Condition B28. The Plan must include, but not necessarily be limited to:
- i) identification of all sources of sulfur dioxide (SO₂) and solid particles associated with the operation of the project;
 - ii) identification of potential air quality impacts from the operation of the project;
 - iii) an air quality monitoring programme to confirm the air quality performance of the project during cruise ship days;
 - iv) a description of SO₂ and solid particle mitigation measures and management practices that could be implemented should exceedances of the air quality criteria in Condition B28 occur as a result of the project;
 - v) demonstration how the requirements of condition B30 (Shore to Ship Power) have been considered;
 - vi) an outline of all responsibilities regarding air quality management for all employees; and
 - vii) a periodic review of the air quality management plan, which includes a review of the extent to which the air quality criteria have been met, complaints from external stakeholders, effectiveness of mitigation measures and any other changing circumstances.

One month prior to holding any function with more than 500 patrons, the Proponent must provide a copy of the updated Operational Transport, Traffic and Access Management Plan and the Operational Noise Management Plan for functions, and have the plans approved by the Planning Secretary prior to the function occurring.

ANNEXURE 1

Construction Environmental Management Plan

Sydney Ports Corporation commits to preparing and implementing a Construction Environmental Management Plan addressing proposed management and mitigation measures to be employed for the Cruise Passenger Terminal at White Bay and associated works. The environmental management commitments proposed during the construction phase are detailed below.

Objective	Action
Environmental Management	
	<p>Where construction activities are to be staged, then the CEMP will be also be staged so that it addresses the environmental management issues relevant for the specific construction activities to be undertaken as part of a specified stage of works. Different stages of construction works may include:</p>

ANNEXURE 1
Statement of Commitments

Objective	Action

Traffic & Pedestrian Management	
Air Quality	
Soils and Contamination	
Water Quality	
Noise and Vibration	

ANNEXURE 1

Statement of Commitments

Heritage	
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ANNEXURE 1

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Energy & Water	
Consultation	

Operational Environmental Management Plan

Sydney Ports Corporation will prepare and implement an Operational Environmental Management Plan (OEMP) addressing the on-going management and mitigation measures to be employed during the operation of the White Bay CPT. OEMP's will be prepared to address the management and mitigation measures to be employed during the operation of the CPT at WB5 as a function facility and for the erection, operation and removal of the temporary CPT. The environmental management commitments proposed during the operational phase are detailed below.

Separate OEMP's may be prepared for the CPT at WB5, the temporary CPT's at WB4 and the function and event operations.

Objective	Action
Environmental Management	

ANNEXURE 1

Statement of Commitments

[illegible]

Statement of Commitments

Objective	Action
	<p>A Travel Plan will be prepared prior to the first function with more than 500 patrons at any time, and incorporated into an updated version of the Operational Transport, Traffic and Access Management Plan (OTTAMP) and that the updated OTTAMP be provided to DPIE, as committed to in the approved OEMP for Functions and Event Operations</p> <p>Any proposed event or function which will involve more than 500 persons will require a Transport Management Plan (TMP) to be prepared and submitted to, and approved by, Port Authority with the required content included as outlined in the Modification Report.</p> <p>Any event for more than 1,000 persons will be required to:</p> <ul style="list-style-type: none"> • control access to the parking area by the issue of tickets or other acceptable mechanism, unless it can be clearly demonstrated that guaranteed adequate and organised provision of charter coaches and ferries will be available. • have a TMP which stipulates a Mode Share Goal for the circumstance of arrivals and departures during the weekday road network morning and afternoon peak periods. <p>For the TMPs required for larger events (i.e. between 1,000 to 2,500 persons) and that start or finish at network peak periods, Port Authority will consult with Transport for NSW with a lead time of no later than 30 days before commencement of the event by providing a copy of the TMP for review and comment.</p> <p>Port Authority will include a notification in its Venue Hire Contract to advise the hirer that construction activities associated with transport infrastructure projects are occurring in the Bays Precinct and on Port Authority owned lands and there may be delays on roads when accessing the WBCT. The intent of this notification is to ensure that hirers understand the existing environment and factor that information into their function planning process.</p>
Water Quality	

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Objective	Action
Noise and Vibration	<ul style="list-style-type: none">• To suitably control internal amplified music levels, a noise limiter will be installed inside the venue, to be set in accordance with the 92 dB(A) level shown to not cause exceedances to the noise limits for functions (condition D4). Where music is provided by a DJ operator bringing their own PA equipment (not using the in house PA), then the appropriate limiter would need to be integrated into their equipment (e.g. a software-based noise limiter).• Port Authority will include a clause in the Venue Hire Contract requiring that any music or PA sound system provided by a Hirer includes an appropriate noise limiter (e.g. a software based limiter) to ensure that sound levels from the system do not exceed 92 dB(A). Port Authority will require confirmation of this from the Hirer in writing as part of the contract between the Hirer and Port Authority. This equipment will also be checked on-site during and post bump-in to ensure compliance with this contract condition.

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Objective	Action
	<ul style="list-style-type: none"> • Functions having 1,500 patrons or more and finishing after 10:00pm shall have a minimum of six (6) staff located in the carpark to supervise patrons vacating the site to ensure that noise and disturbance is minimised. Where the overflow parking on WB4 is to be used, staff shall be located in both the main car park, and the overflow car park. • Loading of coaches and or ferries at the conclusion of an event shall occur on the south side of the terminal building to maximise the acoustic shielding available from the WBCT building. Sufficient staff will be provided to supervise patrons to ensure that noise and disturbance is minimised. • Noise impacts from night time traffic movements for events greater than 500 people will be addressed as part of the Operational Environmental Management Plan.
Air Quality	
Heritage	
Landscape and Visual	
	Where the new access road runs parallel close to Robert Street landscaping and a footpath along Robert St will be provided consistent with the Glebe Island and White Bay Master Plan and Ports Improvement Program.
Waste Management	

ANNEXURE 1

Statement of Commitments

Objective	Action
Energy & Water Consumption, and Greenhouse	
Emergency Response	
Security and access control	
Consultation	