

Bulk Liquids Berth No. 2 at Port Botany

Compliance Tracking Report 2

May 2012

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Table of Contents

1	Introduction	1
1.1	Purpose of this Document.....	1
1.2	Background.....	2
1.3	Project Description.....	2
1.4	Location	3
1.5	Project Update	4
2	Compliance Tracking Program	5
3	Appendix A	7

Figures

Figure 1:	BLB2 Port Botany Site in Regional Context.....	3
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1 Introduction

1.1 Purpose of this Document

This is the second Compliance Tracking Report for the Bulk Liquids Berth No. 2 (BLB2) and covers the period from 18 November 2011 to 29 May 2012. This report has been prepared by Sydney Ports Corporation (Sydney Ports) in accordance with the Minister's Condition of Approval ([CoA](#) 4.1b) as stated below:

*The Proponent shall develop and implement a **Compliance Tracking Program** to track compliance with the requirements of this approval. The Program shall be submitted to the Director-General for approval prior to the commencement of construction. The Program shall relate to both construction and operational stages of the project and shall include, but not necessarily be limited to:*

- a) provisions for periodic review of the compliance status of the project against the requirements of this approval;*
- b) provisions for periodic reporting of compliance status to the Director-General;*
- c) provisions for specific reporting requirements as required by conditions 4.2 and 4.3;*
- d) a program for independent environmental auditing at least annually, or as otherwise agreed by the Director-General, in accordance with ISO 19011:2002 - Guidelines for Quality and/ or Environmental Management Systems Auditing; and*
- e) mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance.*

Details of Sydney Ports' Compliance Tracking Program (CTP) and information on how Sydney Ports complies with [CoA 4.1](#) are contained in [Section 2](#).

[Appendix A](#) of this report lists each of the Minister's Conditions of Approval. For each CoA the following information is provided:

- the project phase to which the condition is applicable (construction, operation, etc.)
- the status of the Condition (open; in progress; in progress non-compliant; completed compliant; completed non-compliant; reviewed closed or reviewed closed non-compliant);
- the Condition's requirements from the Project Approval;
- the responsibility for carrying out the requirements of the Condition (Sydney Ports, Contractor, User); and
- the evidence of compliance including a record of all Approvals issued to date by the Director-General of the Department of Planning (DoP), now the Department of Planning and Infrastructure (DP&I).

The evidence of compliance contains a summary of how and when each condition is being, or has been, complied with.

1.2 Background

Sydney Ports is a “statutory State Owned Corporation” under the *State Owned Corporations Act 1989* (NSW). Sydney Ports owns and manages the commercial port facilities in Sydney Harbour and Botany Bay and provides facilities to support trade growth for the benefit of the NSW economy.

The development of the BLB2 will ensure New South Wales has adequate berth capacity to satisfy existing and future forecast demands for the import and export of bulk liquids including chemical, petroleum and gas products. The construction of the BLB2 will also reduce demurrage costs for ships delivering or receiving the products.

Project Approval of BLB2 was determined by the NSW Minister for Planning on 20 March 2008 (Major Projects Application 07_0061). The Conditions of Approval have been modified and amended as follows:

- a) By letter from the Director-General, dated 22/12/10 (your reference: S07/00205);
- b) By letter from the Director-General, dated 24/12/10 (your reference: S07/00205);
- c) By letter from the Director-General, dated 14/4/11 (your reference: 11/03374-1);
- d) under section 75W of the Environmental Planning and Assessment Act 1979 (EP&A Act) on 28 April 2011 (07_0061 MOD 1);

Details of the modifications and amendments are either included within the condition requirements of the relevant CoAs or included as new compliance issues that clearly reference the source of the additional compliance requirements ([Appendix A](#) of this report).

1.3 Project Description

The construction and operation of the BLB2 consists of the following key relevant components:

- A central working platform and working area, with berthing face (including bollards and fenders) and pipe manifold / marine loading arm arrangements;
- Adjacent berthing dolphins on each side of the working platform designed to accommodate the maximum design length vessel;
- Two mooring dolphins on each side of the working platform (four in total);
- Walkways (catwalks) connecting the dolphins and working platform;
- An access bridge structure connecting the working platform with the shore, providing vehicle access and pipeline support structures;
- Support infrastructure including fire control facilities (pumps, foam/water monitors and associated tanks), amenities buildings and services such as water, sewer, electrical and communications;
- Berth fit out, including fire fighting monitors and operator shelter; and
- Pipelines to user facilities including support and access structures such as pipe racks and culverts.

1.4 Location

The BLB2 will be located adjacent to the existing Bulk Liquids Berth 1, at the south western end of Brotherson Dock and to the west of Fishburn Road, adjacent to Vopak and the Elgas Cavern.

The site's location is shown in Figure 1.

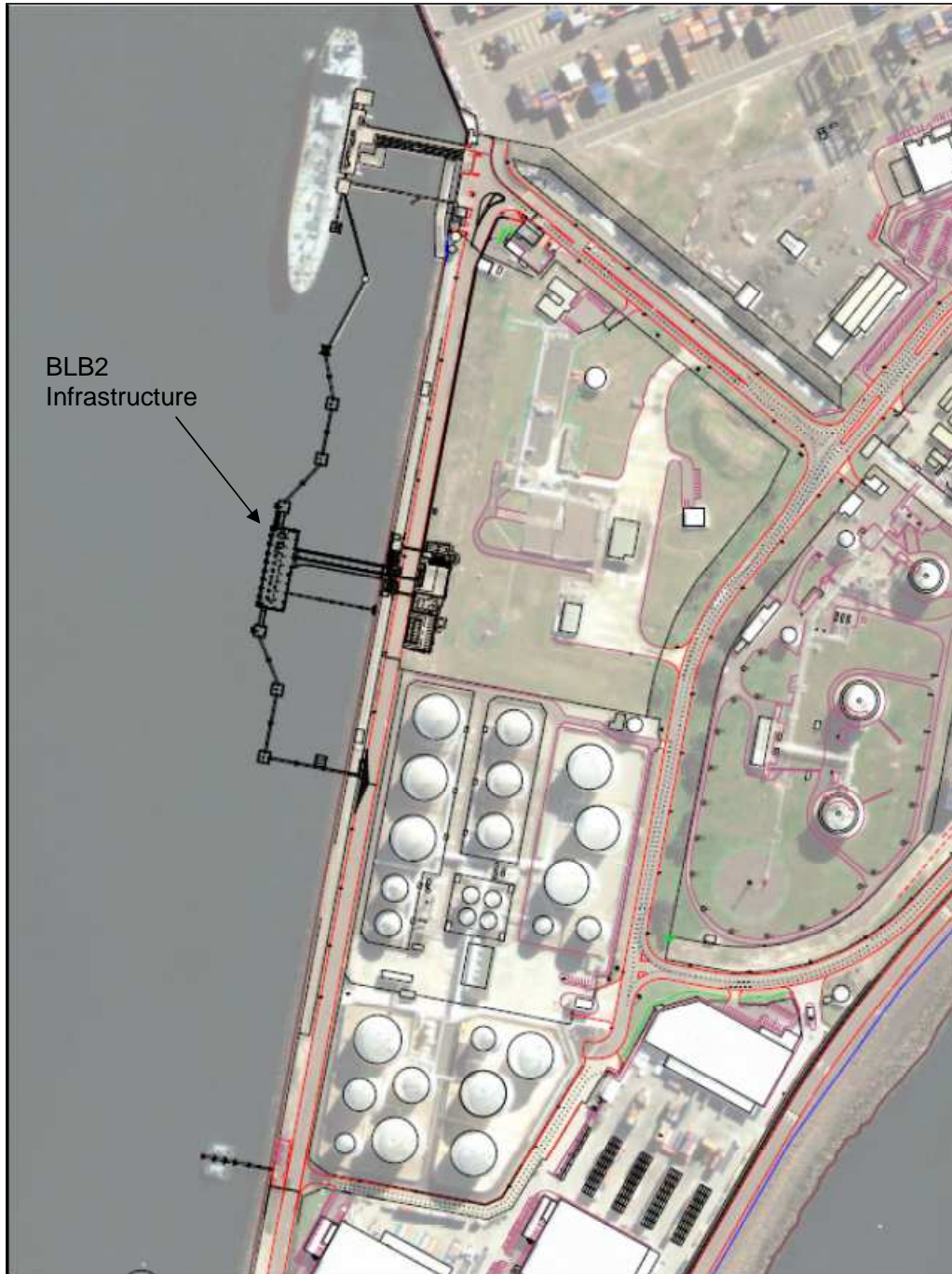


Figure 1: BLB2 Port Botany Site in Regional Context

The proposed development will be undertaken on land owned by Sydney Ports Corporation and Roads and Maritime Services. The land owned by Sydney Ports which forms part of the development site is located on:

- Lot 7 DP 1126332.

The waterside component of the development will be undertaken on land owned by Roads and Maritime Services:

- Part Lot 456 DP1137279.

1.5 Project Update

1.5.1 Consultants and Advisers

During the reporting period (November 2011 to May 2012), Sydney Ports retained the following advisers, consultants and contractors to provide services for the project:

- Main Construction Contractor – John Holland Pty Ltd;
- Contract Management – SMEC Australia Pty Ltd;
- Vibration Monitoring Consultant – GHD Pty Ltd;
- Vopak Tanks Survey Consultant – Hard & Forester Pty Ltd;
- Fire Watcher for Vopak Tanks Survey – Trinor Pty Ltd;
- Designer and Technical Advisory Consultant – WorleyParsons Services Pty Ltd;
- Gangway Tower Technical Advisor – Haskoning Australia Pty Ltd;
- BCA Compliance Consultant – BCA Logic Pty Ltd;
- Diversion of Fire Services Contractor – Prime Pumps Pty Ltd; and
- Environmental Audit - Dickson Environmental Consulting and Audit Pty Ltd.

1.5.2 Vibration Monitoring

The Pile Vibration Monitoring System has been installed in accordance with the approved Pile Vibration Management Plan (PVMP). Vibration monitoring commenced in June 2011 and will continue throughout the construction period. To date there have been no exceedances of the prescribed set vibration levels. Pile installation was completed 26 April 2012.

1.5.3 Noise Monitoring

A Construction Noise Environmental Control Plan (Noise ECP) was prepared and submitted to DP&I on 19 August 2011. The Noise ECP fulfils the requirements of CoA 6.2(d) as well as the requirements of the letter from DP&I to Sydney Ports (24/12/10). The Contractor commenced noise surveys on 24 October 2011 in accordance with the Noise ECP with piling commencing on 2 December 2011. Sound level monitoring carried out in accordance with the ECP indicates piling works were inaudible at all four monitoring receptors.

1.5.4 Compliance Reporting and Environmental Auditing

In accordance with the approved Compliance Tracking Program (CTP) and CoA 4.1(b), the first Compliance Tracking Report was submitted to DP&I on 21 November 2011. Notification was subsequently provided by DP&I that the Report was considered to satisfy the requirements of the condition.

In accordance with the approved CTP and CoA 4.1(d), the first independent environmental audit is scheduled to commence in June 2012.

1.5.5 Main Construction Update

Vopak completed the relocation of their existing product pipelines into the new eastern BLB2 product pipeline culvert in December 2011. The western culvert works were completed in February 2012 and the alteration and extension works for the existing BLB1 culvert were completed in March 2012.

Installation of stormwater drainage lines commenced in December 2011.

The HV installation was completed in February 2012 and the HV switchover for BLB2 connection at the new kiosk substation is currently scheduled for September 2012 following completion of the LV installation.

Piling commenced on 2 December 2011 and was completed on 26 April 2012.

Production of precast concrete marine structures is nearing completion and the installation of these structures continues. Placement of in situ concrete on the marine structures commenced in March 2012.

2 Compliance Tracking Program

Sydney Ports developed a Compliance Tracking Program (CTP) to track compliance with the conditions of the Project Approval, in accordance with [CoA 4.1](#). The CTP was submitted to the Department of Planning and Infrastructure (DP&I) on 23 May 2011 with Sydney Ports being notified of its approval in a letter from DP&I, dated 14 June 2011. The CTP includes:

- **Provisions for periodic review of the compliance status** of the project against the conditions of the Project Approval. Construction contractors working on the project are required to report to Sydney Ports on compliance with the Conditions of the Project Approval applicable to their works on a not less than three monthly basis. Sydney Ports' staff will also be tracking compliance with Conditions of the Project Approval that are not the specific responsibility of the construction contractor on a monthly basis. Based on this information as well as other information gathered by Sydney Ports, such as regular inspections, monitoring results, independent environmental audits and consultants' reports, Sydney Ports will review the compliance status of the project on a minimum three monthly basis during construction periods.
- **Provisions for periodic reporting of compliance status to the Director-General.** Compliance reporting includes compliance tracking reports, independent environmental audits, a noise audit and hazard audits. A compliance tracking report is to be submitted within three months of the commencement of construction and then every six months during construction. Independent environmental audits are to be submitted annually with the initial report submitted after the first six months of construction. During operations, a compliance tracking report and an independent






environmental audit will be submitted in the first year of operations, following which a review of the requirements for ongoing reporting of the compliance status will be undertaken with DP&I.





A noise audit of the facility will be undertaken within 90 days of commencement of operations whilst a comprehensive hazard audit of the project will be undertaken 12 months after the commencement of operations (or within such period otherwise agreed by the Director-General), with subsequent hazard audits conducted every three years or as determined by the Director-General.




- **Provisions for specific reporting requirements.** Specific reporting requirements include the submission of a Pre-Startup Compliance Report and a Post-Startup Compliance Report. The Pre-Startup Compliance Report is to be submitted one month prior to the commencement of project operations, detailing compliance with [CoA2.1](#) and [CoA2.2](#). The Post-Startup Compliance Report is to be submitted three months after the commencement of project operations, verifying that the Emergency Plan ([CoA2.2a](#)) is in place and effective and that at least one emergency exercise has been conducted, and that the Safety Management System ([CoA2.2b](#)) has been fully implemented and that records required by that system are being kept on site.
- **A program for independent environmental auditing** at least annually in accordance with ISO 19011:2002 with the initial report to be submitted after the first six months of construction.
- **Mechanisms for rectifying any non-compliance** identified during environmental auditing or reviews of compliance. Sydney Ports may direct the contractor or the user to modify or cease any or all work until the contractor or user can satisfy Sydney Ports that the failure has been corrected and will not reoccur. In addition, recommendations provided in independent environmental audits for correcting compliance issues will be considered by Sydney Ports and implemented as necessary and construction contractors will be required to prepare procedures for dealing with non-compliances. During operation, Sydney Ports will prepare procedures for dealing with non-compliances.

3 Appendix A






The Minister's Conditions of Approval are included below, including a summary of how and when each condition is being complied with.






ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
6800	1.1 - Terms of Approval	The Proponent shall carry out the project generally in accordance with the: a) Major Projects Application 07_0061; b) Bulk Liquids Berth No. 2 – Port Botany: Environmental Assessment dated November 2007 and prepared by Sinclair Knight Merz Pty Ltd; c) additional information provided by Sinclair Knight Merz Pty Ltd to the Department titled Failure Frequency of the Port Botany Bulk Liquids Berth 2 Marine Loading Arms (letter dated 18 December 2007); d) Response to Submissions Report prepared by Sinclair Knight Merz Pty Ltd and dated 26 February 2008; and e) the conditions of this approval	The project is progressing towards the start of commission in accordance with the required documents.	5 - General	 2. In Progress	Sydney Ports / Contractor
6801	1.2 - Terms of Approval	In the event of an inconsistency between: a) the conditions of this approval and any document listed from condition 1.1a) to 1.1d) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and b) any document listed from condition 1.1a) to 1.1d) inclusive, and any other document listed from condition 1.1a) to 1.1d) inclusive, the most recent document shall prevail to the extent of the inconsistency.	This is noted.	5 - General	 2. In Progress	Contractor
6802	1.3 - Terms of Approval	The Proponent shall comply with any reasonable requirement(s) 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	This is noted. Requirements of the Director-General provided in the following documents have been added into the Compliance Tracking System to ensure they are complied with. - Letter to Marika Calfas from NSW Planning, dated 22/12/10 (ref: S07/00205) - Letter to Marika Calfas from NSW Planning, dated 24/12/10 (ref: S07/00205) - Letter to Ryan Bennett from NSW Planning & Infrastructure, dated 14/4/11 (ref: 11/03374-1) - Letter to Ryan Bennett from DP&I, dated 30/05/11 (ref: 11/03374-1) In accordance with the request from DP&I (letter dated 7/12/11), Sydney Ports has placed the CEMP and the associated Environmental Control Plans on the Sydney Ports Corporation website.	5 - General	 2. In Progress	Sydney Ports / Contractor
6807	1.4 - Limits of Approval - approval time period	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.	The works were commenced in September 2011.	5 - General	 5. Completed - compliant	Sydney Ports
6808	1.5 - Limits of Approval - LPG	The export of Liquefied Petroleum Gas (LPG) is permitted, provided that a report detailing the reverse flow prevention arrangements for LPG export is firstly submitted to the satisfaction of the Director-General.		5 - General	 1. Open	Sydney Ports







ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
6809	1.6 - Statutory Requirements	The Proponent shall ensure that all licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the development. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent shall ensure that a copy of this approval and all relevant environmental approvals are available on the site at all times during the project.	DECCW confirmed in an email to Christa Sams of Sydney Ports that they will licence the BLB2 operators and NOT Sydney Ports (Scheduled Development Work and Shipping in Bulk EPLs) - 3 June 2010. Harbour Master approval in accordance with clause 67 of the 'Management of Waters and Waterside Lands Regulations' was obtained on 6 May 2011. Approval is valid May 2011 - June 2013. The Contractor has applied to Sydney Airport Corporation for approval of the crane heights during BLB2 construction. Permit dated 18/08/2011 received from SACL detailing the conditions imposed while operating a crane in the vicinity of the airfield. The NSW Office of Water confirmed in an email to John Holland (1/09/2011) that a dewatering licence is not required for dewatering associated with culvert works and a product pipeline.	5 - General	 2. In Progress	Sydney Ports / Contractor
6803	1.7 - Compliance	The Proponent shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.	Compliance requirements that implicate or will be the responsibility of the construction contractor have been detailed and provided in the tender documentation. A compliance tracking system has been set up and is being actively managed by Sydney Ports' staff to help ensure compliance with conditions of approval. The construction contractor is aware of and required to satisfy relevant conditions of approval and commitments. A Compliance Tracking Program has been prepared and approved by the D-G, which outlines how compliance issues will be managed and by whom. Compliance matters are routinely reviewed by Sydney Ports with Compliance Tracking Reports generated for submission to DP&I in accordance with CoA 4.1(b).	5 - General	 2. In Progress	Sydney Ports / Contractor
6804	1.8 - Compliance	The Proponent shall be responsible for environmental impacts resulting from the actions of all persons on site, including contractors, sub-contractors and visitors.	This is noted.	5 - General	 2. In Progress	Sydney Ports / Contractor
6810	1.9 - Utilities and Services	Prior to the commencement of construction, the Proponent shall identify (including, but not limited to the position and level of service) all public utility services on the site, roadway, footpath, public reserve or any public areas that are associated with, and/or adjacent to the site, and/or likely to be affected by the construction and operation of the project.	The following utility and service providers were contacted to determine the location of services and utilities prior to construction commencing: - Energy Australia (Ausgrid); - Jemena; - Optus; - Savcor; - Sydney Water; and	4 - Pre-construction	 5. Completed - compliant	Contractor




ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
			- Telstra.			
6805	1.10 - Utilities and Services	The Proponent shall consult with the relevant utility provider(s) for those services identified under condition 1.9 and make arrangements to adjust and/or relocate services as required. The Proponent shall bear the full cost associated with providing utilities and services to the site, and restoring any public utilities that may be damaged during the proposed works.	<p>Consultation has occurred with Ausgrid and arrangements made to relocate 2 light poles as required. Work carried out by Ausgrid to relocate and remove light poles and cable near culvert on 28/08/2011.</p> <p>Further consultation has occurred with Ausgrid regarding disconnection of light poles in the vicinity of the temporary crane pad during piling, and these light poles have now been disconnected. Consultation remains ongoing in relation to future works.</p> <p>Meeting held with Ausgrid at BLB1 site on 13/12/2011 to discuss the inspection of the new 11kV cable installation and connection. Ausgrid was present during the installation of conduits bypassing the eastern culvert section on 19/12/2011. Ausgrid inspected the HV conduit installation and substation base in January 2012.</p> <p>Temporary light poles in the vicinity of BLB1 removed on 31/01/2012. Ausgrid inspected the HV cable installation and jointing and kiosk installation in February 2012.</p> <p>The Contractor has prepared a Watermain Connection Application for submission to Sydney Water and has submitted the Major Works Deed to Sydney Ports for execution.</p> <p>Sydney Ports executed the Deed in April 2012 and the Contractor has submitted it to Sydney Water for the work to be tendered. The Contractor has liaised with Sydney Water regarding the BLB2 sewer connection.</p>	4 - Pre-construction	 2. In Progress	Contractor
6806	1.11 - Utilities and Services	Prior to the commencement of construction works that may affect services/utilities, the Proponent shall provide documentary evidence to the Director-General that the requirements of the relevant utility provider(s) have been met.	<p>Documentary evidence supplied to DP&I (23 August 2011) indicating that the requirements of Ausgrid have been met.</p> <p>Letter from DP&I (19/9/11) received confirming that the Department is satisfied that the requirements of CoA 1.11 have been met in relation to the temporary removal of the light poles.</p>	4 - Pre-construction	 2. In Progress	Contractor / Sydney Ports
6811	2.1 (a) - Hazards and Risk - Fire Safety Study	One month prior to the commencement of construction of the project (except for preliminary works as described in CoA 2.1), a Fire Safety Study shall be prepared and submitted for the approval of the Director-General, covering the relevant aspects of the Department of Planning's 'Hazardous Industry Planning Advisory Paper No. 2 - Fire Safety Study Guidelines' and the NSW Government's 'Best Practice Guidelines for Contaminated Water	Letter to submit the FSS for DG Approval sent 14/02/11. The DG has approved the FSS as per the letter dated 14/04/11. Response received from the Commissioner of FRNSW on 28 April requesting amendments to the FSS. Amended FSS provided 23 May. Approval letter received from FRNSW (10 June 2011).	4 - Pre-construction	 5. Completed - compliant	Sydney Ports





ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
		Retention and Treatment Systems'. In addition to approval from the Director General, approval for this study shall also be obtained from the Commissioner of the NSW Fire Brigades.	Revised FSS received 31/08/2011 relating to foam tank change from bladder to atmospheric. Revised FSS with further updates received 31/10/2011 and submitted to DP&I and FRNSW on 21/11/2011. Response received from FRNSW (25/01/12) indicating that they consider this condition remains satisfied following review of revised FSS. Response received from DP&I (27/01/12) indicating that they do not have any further comments based on the amended FSS.			
6812	2.1 (b)-Hazards and Risk-Hazard and Operability Study	One month prior to the commencement of construction of the project (except for preliminary works as described in CoA 2.1), a Hazard and Operability Study, chaired by an independent and qualified person approved by the Director-General prior to the commencement of the study, shall be carried out in accordance with Department of Planning's Hazardous Industry Planning Advisory Paper No. 8 - HAZOP Guidelines. The study report shall be accompanied by a program for the implementation of all recommendations made in the report. If the Proponent proposes to defer the implementation of a recommendation, full justification must be included.	HAZOP Study submitted on 14/02/11. The DG has approved the HAZOP Study as per the letter dated 14/04/11. A program for the implementation of the HAZOP is to be submitted to the DG by 20/05/11 (extension granted by DP&I from 14/05 to 20/05 as per email from Ingrid Ilias, dated 10/05/11). This letter also requires that: - all actions arising from the study are required to be implemented in a timely manner. If Sydney Ports intends to defer the implementation of recommendations made, then full justification must be provided to the Department. - the study is required to take into consideration the final piling methodology and associated environmental management, as relevant. Program for the implementation of the HAZOP submitted to DP&I 23 May 2011. Email sent to DP&I, dated 8 June 2011, indicating that the HAZOP Studies are not the relevant medium to consider the final piling methodology and associated environmental management. Letter received from DP&I, dated 16 June 2011, approving the HAZOP implementation program (submitted 23/05/11) and indicating that they are satisfied that the final piling methodology and associated environmental management has been adequately addressed in other studies and reports. As a result of the fire fighting foam system design change from foam bladder storage to an atmospheric tank, a HAZOP Study was conducted on 15/06/2011 and a Foam Fire Fighting System HAZOP Report received for review on 27/06/2011. Final Foam Fire Fighting System HAZOP Report received on 12/12/2011.	4 - Pre-construction	5. Completed - compliant	Sydney Ports




ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
6813	2.1 (c) - Hazard and Risk - Final Hazard Analysis	One month prior to the commencement of construction of the project (except for preliminary works as described in CoA 2.1), a Final Hazard Analysis shall be prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis.	Letter drafted to seek the Agreement of DG for submission of the FHA 1 month prior to the BLB2 User's commencement of construction. Letter noted above sent 14/02/11. The DG has agreed to the submission of the FHA at least one month prior to the Users' commencement of construction as per the letter dated 14/04/11.	4 - Pre-construction	 2. In Progress	Sydney Ports / Users
6814	2.1 (d) - Hazard and Risk - Construction Safety Study	One month prior to the commencement of construction of the project (except for preliminary works as described in CoA 2.1), a Construction Safety Study shall be prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 7 - Construction Safety Study Guidelines. Because the construction period exceeds six months, the "commissioning" portion of the study may be submitted two months prior to the commencement of commissioning.	Letter drafted to seek the Agreement of DG for submission of the Construction Safety Study 1 month prior to the BLB2 User's commencement of construction. Letter noted above sent 14/02/11. The DG has agreed to the submission of the CSS at least one month prior to the Users' commencement of construction as per the letter dated 14/04/11.	4 - Pre-construction	 2. In Progress	Sydney Ports / Users
6815	2.2 (a) - Emergency Plan	Two months prior to the commencement of project commissioning, or within such period otherwise agreed by the Director-General, the Proponent shall develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the project prepared in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1 - Industry Emergency Planning Guidelines, and submit them for the approval of the Director-General.		2 - Pre-operational	 1. Open	Sydney Ports
6816	2.2 (b) - Safety Management System	Two months prior to the commencement of project commissioning, or within such period otherwise agreed by the Director-General, the Proponent shall develop and implement a comprehensive Safety Management System covering all on-site operations and associated transport activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records shall be kept on-site and shall be available for inspection by the Director-General upon request. The Safety Management System shall be developed in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 9 - Safety Management.		2 - Pre-operational	 1. Open	Sydney Ports
6817	2.3 - Odour	The Proponent shall not permit any offensive odour, as defined under section 129 of the Protection of the Environment Operations Act 1997, to be emitted beyond the boundary of the site unless as otherwise permitted by an Environment Protection Licence	This is noted.	5 - General	 2. In Progress	Contractor / Users





ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
6818	2.4 - Dust Emissions	The Proponent shall undertake the project in a manner that minimises or prevents dust emissions from the site, including wind-blown and traffic-generated dust. Should visible dust emissions occur at any time, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.	This is noted. Addressed in Contractor's CEMP and associated Environmental Control Plans (see Issue 6845). Dust suppression undertaken by lightly hosing the affected area and using a road sweeper.	3 - Construction	 2. In Progress	Contractor
6819	2.5 - Construction Noise Impacts	To mitigate construction noise impacts associated with the project, the Proponent shall only undertake construction activities that are audible at any residential receptor during the hours listed below: a) all works undertaken on Mondays to Fridays shall only be carried out between 7:00 am to 6.00 pm; b) all works undertaken on Saturdays shall only be carried out between 8:00 am and 1.00 pm; and c) no construction works shall occur 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. Note: 'safety or emergency reasons' refers to emergency works which may need to be undertaken to avoid loss of life, property loss and/or to prevent environmental harm.	This is noted.	3 - Construction	 2. In Progress	Contractor
6820	2.6 - Construction Noise Impacts	The hours of construction activities specified under condition 2.5 of this approval may be varied with the prior written approval of the Director-General. Any request to alter the hours of construction specified under condition 2.5 shall be: a) considered on a case-by-case basis; b) accompanied by details of the nature and need for activities to be conducted during the varied construction hours; and c) accompanied by sufficient information for the Director-General 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.	This is noted.	3 - Construction	 2. In Progress	Contractor
6821	2.7 - Construction Noise Impacts	Notwithstanding condition 2.5, no audible piling activities are permitted to occur on the weekend or public holidays.	CoA 2.7 has been deleted pursuant to Modification of Minister's Approval 07_0061 MOD 1, dated 28 April 2011, allowing pile driving activities on Saturdays in accordance with CoA 2.5.	3 - Construction	 8. Reviewed - Closed	Contractor
6822	2.8 - Construction Noise Impacts	No driven piles are permitted for the construction of wharf structures unless otherwise agreed by the Director-General.	A letter to the Department of Planning regarding piling issues was sent 24 Nov 2010. DoP responded with a letter, dated 22 Dec 2010, allowing pile driving but placing additional time restrictions on the activity. A subsequent letter was sent to DoP (23 Dec 2010) seeking reconsideration of its position on construction hours and respite periods. DoP responded (24 Dec 2010) agreeing that piling activities may be carried	3 - Construction	 8. Reviewed - Closed	Contractor



ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
			out as per CoA 2.5 subject to the provisions of CoA 2.7 (see Issue 7448).			
7448	2.8 - Driven Piles- Construction Noise Impacts (DG letter 24/12/10)	The use of driven piles is permitted during the construction hours prescribed in CoA 2.5 and in accordance with CoA 2.7 and 6.2d.	Refer to Issue Response under 6822 for background information. Piling for the project was commenced on 2 December 2011 and completed on 26 April 2012.	3 - Construction	 5. Completed - compliant	Contractor
6823	2.9 - Operation Noise Impacts	The Proponent shall minimise noise emissions from plant and equipment operated on the site by installing and maintaining, wherever practicable, efficient silencers and low-noise mufflers (residential standard).		1 - Operational	 1. Open	Sydney Ports / Users
6824	2.10 - Operation Noise Impacts	The Proponent shall design, operate and maintain the project to ensure that the noise contributions from the project do not exceed the maximum allowable noise contributions specified in Table 1 (see Project Approval document), at those locations and during those periods indicated. The maximum allowable noise contributions apply under: a) meteorological condition of wind speeds up to 3 ms-1 (measured at 10 metres above ground level); or b) temperature inversion conditions up to 3oC per 100 metres and wind speeds up to 2ms-1 (measured at 10 metres above ground level).		1 - Operational	 1. Open	Sydney Ports / Users
6825	2.11 - Operation Noise Impacts	For the purpose of assessment of noise contributions specified under condition 2.10 of this approval, noise from the project shall be: a) Measured at the most affected point on or within the residential boundary to determine compliance with the LAeq(15 minute) and LAeq(night) noise limits outlined in condition 2.10; and b) 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 premises be impractical, the Proponent may employ an alternative noise assessment method deemed acceptable by the DECC (refer to Section 11 of the New South Wales Industrial Noise Policy (EPA, 2000)). Details of such an alternative noise assessment method accepted by the DECC shall be submitted to the Director-General prior to the implementation of the assessment method.		1 - Operational	 1. Open	Sydney Ports / Users
6832	2.12 - Soil and Water Impacts	The Proponent shall ensure that all stormwater on the working platform is directed to a stormwater treatment unit/pollutant trap capable of removing gross pollutants, oil, grease and sediments, prior to it being discharged to Botany Bay.	Addressed in design.	1 - Operational	 2. In Progress	Sydney Ports / Contractor
6833	2.13 - Soil and Water Impacts	The Proponent shall ensure that all oil and grease or other pollutants in the wastewater storage tank and the stormwater		1 - Operational	 1. Open	Sydney Ports




ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
		treatment unit is regularly collected and disposed of off-site at a waste management facility lawfully permitted to accept this waste.				
6834	3.1 - Noise Audit	Within 90 days of commencement of operations associated with the project and during a period in which the project is operating under normal operating conditions, the Proponent shall undertake a noise audit to detail the noise emission performance of the facility. This audit shall meet the requirements of the DECC, and shall include, but not necessarily be limited to: a) noise monitoring, consistent with the guidelines provided in New South Wales Industrial Noise Policy (EPA, 2000) to assess compliance with the criteria specified in Table 1 of this approval; b) methodologies for noise monitoring; c) location(s) of noise monitoring; d) frequency of noise monitoring; e) identification of monitoring sites at which pre-and post-project levels can be ascertained; and f) provision of details of any complaints received relating to noise generated by the project, and action taken to respond to those complaints.		1 - Operational	 1. Open	Sydney Ports
6835	3.2 - Noise Audit	Within 28 days of conducting the noise audit referred to under condition 3.1 of this approval, the Proponent shall provide the Director-General and DECC with a copy of the report. If the noise audit identifies any non-compliance with the noise limits imposed under this approval, the Proponent shall detail what additional measures would be implemented to ensure compliance, clearly indicating who would implement these measures, when these measures would be implemented, and how the effectiveness of these measures would be measured and reported to the Director-General.		1 - Operational	 1. Open	Sydney Ports
6836	3.3 - Hazard Audit	Twelve months after the commencement of operations of the project or within such period otherwise agreed by the Director-General, the Proponent shall carry out a comprehensive Hazard Audit of the project and within one month of its completion submit the audit report to the Director General. The audit shall be carried out at the Proponent's expense by a duly qualified independent person or team approved by the Director General prior to commencement of the audit. Further audits shall be carried out every three years or as determined by the Director General and a report of each audit shall be submitted to the Director General within one month of each audit completion date. All hazard audits shall be carried out in accordance with the Department of Planning's Hazardous Industry Planning Advisory Paper No.5 - Hazard Audit Guidelines. Each audit shall include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit.		1 - Operational	 1. Open	Sydney Ports

ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
		Each audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Proponent intends to defer the implementation of a recommendation, justification must be included.				
6837	4.1 - Compliance Tracking Program	The Proponent shall develop and implement a Compliance Tracking Program to track compliance with the requirements of this approval. The Program shall be submitted to the Director-General for approval prior to the commencement of construction. The Program shall relate to both construction and operational stages of the project and shall include, but not necessarily be limited to: a) provisions for periodic review of the compliance status of the project against the requirements of this approval; b) provisions for periodic reporting of compliance status to the Director-General; c) provisions for specific reporting requirements as required by conditions 4.2 and 4.3; d) a program for independent environmental auditing at least annually, or as otherwise agreed by the Director-General, in accordance with ISO 19011:2002 - Guidelines for Quality and/ or Environmental Management Systems Auditing; and e) mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance.	A Compliance Tracking System has been implemented to track compliance across all phases of the project. It allows for satisfaction of the requirements listed in a) to e). A Compliance Tracking Program (CTP) was submitted for DG approval 23 May 2011. DG approval of the CTP provided 14 June 2011. A Compliance Tracking Report was submitted to the DoP on 21/11/2011 in accordance with the CTP. Approval of the Report was obtained from the DoP on 7/12/2011.	4 - Pre-construction	 5. Completed - compliant	Sydney Ports / Contractor
6838	4.2 - Compliance Tracking Program	One month prior to the commencement of project operations, the Proponent shall submit to the Director-General a Pre-Startup Compliance Report detailing compliance with conditions 2.1 and 2.2, including: a) dates of study/plan/system submission, approval, commencement of construction and commissioning; b) actions taken or proposed to implement recommendations made in the studies/plans/systems; and c) response to any requirements imposed by the Director-General under condition 1.3.		1 - Operational	 1. Open	Sydney Ports / Contractor
6840	4.3 - Compliance Tracking Program	Three months after the commencement of project operations, the Proponent shall submit to the Director-General, a Post-Startup Compliance Report verifying that: a) the Emergency Plan required under condition 2.2a) is in place and effective and that at least one emergency exercise has been conducted; and b) the Safety Management System required under condition 2.2b) has been fully implemented and that records required by that system are being kept on site.		1 - Operational	 1. Open	Sydney Ports / Users
6841	5.1 - Community Information, Consultation and Involvement	Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.	The EA is publicly available on SydneyPorts.com.au. Project contacts are available on this website (as follows): Telephone: +61 2 9296 4999 Fax +61 2 9296 4742	5 - General	 2. In Progress	Sydney Ports / Contractor

ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
			E-mail: blb2.project@sydneyports.com.au Media inquiries: Please contact the Media Manager on +61 2 9296 4995. The website also includes a form for submission of queries, feedback and complaints. Requests by the public for any documents required under the Approval will be forwarded to Oliver Smith and Ryan Bennett and will be provided as required (subject to confidentiality).			
6842	5.2 - Complaints Procedure	Prior to the commencement of construction of the project, the Proponent shall ensure that the following are available for community complaints for the life of the project (including construction and operation): a) a telephone number on which complaints about construction and operational activities at the site may be registered; b) a postal address to which written complaints may be sent; and c) an email address to which electronic complaints may be transmitted. The telephone number, the postal address and the email address shall be displayed on a sign near the entrance to the site, in a position that is clearly visible to the public, and which clearly indicates the purposes of the sign.	Two signs with the relevant information have been installed by the construction contractor on site gates and the entrance to the site offices.	4 - Pre-construction	 5. Completed - compliant	Sydney Ports / Contractor
6844	5.3 - Complaints Procedure	The Proponent shall record details of all complaints received through the means listed under condition 5.2 of this approval in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to: a) the date and time, where relevant, of the complaint; b) the means by which the complaint was made (telephone, mail or email); c) details of the complainant that were provided, or if no details were provided, a note to that effect; d) the nature of the complaint; e) any action(s) taken by the Proponent in relation to the complaint, including any follow-up contact with the complainant; and f) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken. The Complaints Register shall be made available for inspection by the Director-General upon request.	A Complaints, Incidents and Non-Conformance Register has been created. One complaint received from ACFS on 14/02/2012 regarding wheel marks in the grass verge outside their compound. This complaint was investigated and although it could not be confirmed to be attributed to the BLB2 project, as a gesture of goodwill the Contractor repaired the wheel marks on 15/02/2012.	5 - General	 2. In Progress	Sydney Ports / Contractor
6845	6.1 - Construction Environmental Management Plan	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 the construction of the project. The Plan shall be prepared in accordance with Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004).	Contractor's CEMP prepared and submitted to Sydney Ports on 30/06/11. Revised CEMP submitted on 26/07/11, 12/08/11 and 17/08/11 and Sydney Ports' review comments closed. Revised CEMP, with marine mammals procedure, submitted on 26/08/2011 and approved by Sydney Ports on 1/09/2011. CEMP being implemented as required and verified by Sydney Ports' contract management providers and staff.	4 - Pre-construction	 2. In Progress	Contractor

ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
6846	6.2 (a) - Construction Traffic Management Protocol	As part of the CEMP for the project, the Proponent shall prepare and implement a Construction Traffic Management Protocol to detail how vehicle movements associated with the project will be managed during construction. The Protocol shall specifically address the movement of heavy and/or oversize loads to and from the site, the management of construction traffic and any restrictions to the hours of heavy vehicle movements to avoid road use conflicts with other port users. The Protocol shall detail the expected routes to the site for construction traffic with the intention that all residential areas are avoided	Contractor's CTMP prepared and submitted to Sydney Ports on 30/06/11. Revised CTMP submitted on 26/07/2011. Further revised CTMP submitted on 12/08/11 and Sydney Ports' review comments closed on 15/08/11. Updated CTMP submitted on 26/10/2011 and approved by Sydney Ports on 2/11/2011. CTMP being implemented as required and verified by Sydney Ports' contract management providers and staff.	4 - Pre-construction	 2. In Progress	Contractor
6876	6.2 (b) - Construction Water Management Protocol	As part of the CEMP for the project, the Proponent shall prepare and implement a Construction Water Management Protocol to outline specific mitigation measures that would be implemented as part of the project to minimise the impact of construction on water quality including piling activities and the handling of chemicals, fuels and concrete. The Protocol shall include the use of appropriate stormwater controls, in accordance with Managing Urban Stormwater: Soils and Construction (Landcom, 2004) and shall outline specific measures that will be implemented at the site to avoid sediment-laden stormwater from entering Botany Bay.	Contractor's CEMP prepared and submitted on 30/06/2011. Revised CEMP and associated Water Quality ECP submitted on 26/07/11. Further revised Water Quality ECP submitted on 12/08/11 and approved by Sydney Ports on 1/09/11 as part of the CEMP (see Issue 6845). Subsequent comments incorporated into amended Water Quality ECP submitted on 20/10/2011. Water Quality ECP being implemented as required and verified by Sydney Ports' contract management providers and staff.	4 - Pre-construction	 2. In Progress	Contractor
6877	6.2 (c) - Acid Sulphate Soil Management Plan	As part of the CEMP for the project, and where surface excavation is required below 1 metre or where soil testing prior to the commencement of construction identifies the presence of acid sulfate soils, the Proponent shall prepare and implement an Acid Sulfate Soil Management Plan prepared in accordance with guidance provided in Acid Sulfate Soil Manual (Acid Sulfate Soil Management Advisory Committee, 1998).	Contractor's CEMP prepared and submitted on 30/06/2011. Revised CEMP and associated Acid Sulphate Soil ECP submitted on 26/07/11. Further revised Acid Sulphate Soil ECP submitted on 12/08/11 and approved by Sydney Ports on 1/09/11 as part of the CEMP (see Issue 6845). In accordance with the ECP, excavation material from the culvert works tested and no ASS present. Two soil samples recovered from the drainage trenches were sent for ASS analysis and verification on 20/12/2011.	4 - Pre-construction	 2. In Progress	Contractor
6878	6.2 (d) - Construction Noise Management Plan	As part of the CEMP for the project, the Proponent shall prepare and implement a Construction Noise Management Plan to outline construction noise mitigation, monitoring and management measures to be implemented to minimise noise impacts during construction of the project. The Plan shall include, but not necessarily be limited to: i) details of construction activities and a schedule for construction works; ii) identification of construction activities that have the potential to generate noise and/ or vibration impacts on surrounding land uses, particularly residential areas; iii) where the relevant construction noise goals contained in the Noise Management Guideline – Construction Noise (formerly published as Chapter 171 of the Environmental Noise Control Manual) are predicted to be exceeded at sensitive	A Construction Noise Environmental Control Plan (Noise ECP) has been prepared and submitted to the DP&I on 19 August 2011. The Noise ECP fulfils the requirements of CoA 6.2(d) as well as the requirements of the letter from DP&I to Sydney Ports (24/12/10). The Noise ECP has been incorporated into the project's CEMP. A letter from DP&I (14/10/11) confirms that the Noise ECP meets the requirements of CoA 6.2d and that it has been incorporated into the project's CEMP as required. The Contractor commenced noise surveys on 24/10/2011 in accordance with the ECP. Piling	4 - Pre-construction	 2. In Progress	Contractor

ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
		receivers, provision for the application of all practicable and reasonable noise mitigation measures to seek to achieve the relevant construction noise goals; iv) procedures for notifying residents of construction activities that are likely to effect their noise and vibration amenity, as well as procedures for dealing with and responding to noise complaints; and v) 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, how the results of this monitoring would be recorded; and, if any non-compliance is detected.	commenced on 2/12/2011. Sound level monitoring carried out in accordance with the ECP indicates piling works were inaudible at all four monitoring receptors and dominant noise was external environmental. The ECP was updated (dated 27/03/12) to reflect the current noise management levels and the updated version was provided to DP&I for their records on 17/04/12.			
6879	6.3 - Operation Environmental Management Plan	Prior to the commencement of operation of the project, the Proponent shall prepare and submit for the approval of the Director-General an Operation Environmental Management Plan to detail an environmental management framework, practices and procedures to be followed during the operation of the project. The Plan shall be consistent with the Department's 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 operation of the project; 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) specific consideration of measures to address any requirements of Council and the DECC during operation; d) details of how the environmental performance of operations will be monitored, and what actions will be taken to address identified adverse environmental impacts; e) a description of the roles and responsibilities for all relevant employees involved in the operation of the project and a program for how these employees will be trained in responsibilities identified in the plan; and f) complaints handling procedures to be applied during operation of the project (conditions 5.2 and condition 5.3 of this approval).		2 - Pre-operational	 1. Open	Sydney Ports / Users
6880	7.1 - Incident Reporting	The Proponent shall notify the Director-General of any incident with actual or potential significant off-site impacts on people or the biophysical environment within 12 hours of becoming aware of the incident. The Proponent shall provide full written details of the incident to the Director-General within 24 hours of any incident or potential incident occurring. A further detailed report shall be prepared and submitted following investigations of the causes and identification of necessary additional preventive measures. The detailed report is to be submitted to the Director-General no later than 14 days after the incident or potential incident.	An incident register has been created and the requirements of this condition are noted.	5 - General	 2. In Progress	Sydney Ports / Contractor

ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
8079	DoP Letter - 14/04/11 - Hazard & Risk Studies (CoA 2.1)	The Users' designers are to review the Fire Safety Study (re CoA 2.1 a) as part of the design process and amend it based on the proposed gas and liquid transfer and infrastructure installed. The updated FSS shall then be submitted to Sydney Ports for review prior to the finalisation of the detailed design works for the berth. The Users are to confirm the that recommended safety features have been incorporated for the Marine Loading Arms during design of the pipeline facilities. The updated FSS is to be submitted to the DG for approval.	Users' review will commence when required as per the project schedule.	4 - Pre-construction	 2. In Progress	Sydney Ports / Contractor
7449	DoP Letter - 22/12/10 - Pile Vibration Management Plan	A Pile Vibration Management Plan is to be prepared and implemented as a requirement of the Director General agreeing to the use of driven piles. The Plan is to be approved by the Director - General prior to piling works and will be incorporated into the CEMP (CoA 6.1). The changes in construction methodology shall also be considered, as appropriate, within the Hazard and Risk studies prepared under CoA 2.1. The Plan shall be prepared in consultation with Elgas and include management measures to control vibration to acceptable limits and to protect surrounding port infrastructure (including the integrity of the Elgas LPG Cavern). This shall include the identification of vibration level criteria and a Pile Vibration Monitoring System.	Pile Vibration Management Plan (PVMP) submitted to the DG 28/03/2011. DoP subsequently queried whether the duration of piling was considered in the preparation of the PVMP and asked for the resolution of the geophones. This information was submitted to Lilia Donkova (NSW Planning & Infrastructure) in an email dated 3/5/11. An email response from Ingrid Ilias of DP&I on 4 May 2011 requested additional information with regard to the PVMP. Letter with additional information provided to DP&I 19 May 2011. As requested by DP&I in an email dated 24 May 2011, the GHD Report "BLB2 Piling and Vopak Terminal Sydney, Pile Vibration Analyses and Assessments, May 2011" was supplied on 27 May 2011. DP&I approval for the PVMP granted via a letter, dated 30 May 2011. Letter received from DP&I, dated 16 June 2011, indicating that they are satisfied that the final piling methodology and associated environmental management has been adequately addressed in other studies and reports and does not need to be further considered in the Hazard and Risk studies under CoA 2.1. The PVMP has been incorporated into the CEMP. Installation of the Vibration Monitoring System is complete and background vibration monitoring commenced in June 2011 (see Issue 8167). Vibration monitoring has been ongoing during piling and there have been no exceedances of the prescribed set levels. Piling installation completed 26/04/2012.	4 - Pre-construction	 5. Completed - compliant	Contractor / Sydney Ports
7591	DoP Letter - 24/12/10 - Construction Noise Management Plan	The Construction Noise Management Plan (re CoA 6.2d) must include clear commitments in relation to the duration of driven piling activities, the provision of respite periods, and mitigation measures in response to noise criteria exceedances. The CNMP must be submitted to the Department of Planning prior to the commencement of works.	A Construction Noise Environmental Control Plan (Noise ECP) has been prepared and submitted to the DP&I on 19 August 2011 (prior to commencement of works). The Noise ECP fulfils the requirements of CoA 6.2(d) as well as the requirements of the letter from DP&I to Sydney Ports (24/12/10). The Noise ECP has	4 - Pre-construction	 5. Completed - compliant	Users / Sydney Ports

ID	Condition of Approval Title	Condition Requirements	Evidence of Compliance	Project Phase	Status	Responsibility
			been incorporated into the project's CEMP. A letter from DP&I (14/10/11) confirms that the Noise ECP meets the requirements of CoA 6.2d and that it has been incorporated into the project's CEMP as required.			
8167	DP&I Letter - 30/5/11 - Pile Vibration Management Plan approval	Pile driving activities are to be done in accordance with the management measures outlined in the Pile Vibration Management Plan. Pile vibrations are to be monitored in accordance with the Pile Vibration Monitoring System and an additional probe is to be used to monitor vibrations at the adjacent Vopak storage tanks. A survey of the current condition of the Vopak storage tanks shall be undertaken prior to the commencement of piling works.	Pile Vibration Monitoring System has been installed and commenced recording background data in June 2011. Surveys of the Vopak tanks commenced in June 2011. Baseline surveys completed in September 2011. Vibration monitoring during piling is ongoing and there have been no exceedances of the prescribed set levels. The Vopak tanks levels are being surveyed regularly and there has been no exceedance of the maximum settlement criteria. Piling installation completed on 26/04/2012.	3 - Construction	5. Completed - compliant	Contractor / Sydney Ports