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## COMPLIANCE REPORT- MP06\_0089

Application number:	MP06_0089 Mod 2
Reporting Period:	December 2024- November 2025
Date of preparation	13 November 2025
Prepared By:	Mike O'Connor SHEQ Advisor Vopak Terminals Australia

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## 1. Introduction

Vopak Terminals Sydney Pty Limited is located at 20 Friendship road, Port Botany, NSW 2036. The site is approximately 8.9 Ha and located within Lot 10 DP 1126332 and Lot 21 DP 1045324. The site is currently a bulk liquid terminal.

Below is the site layout referenced from Figure 2 of the Department of Planning and Environment's Modification Assessment Report.



The site expansion under MOD 2 has not commenced and is excluded from this compliance reporting.

Avishek Biswas, SHEQ Manager is responsible for the environmental/ compliance management of the development.

Schedule 4-8 of MP06\_0089 Mod 2 requires compliance reporting to be submitted in accordance with the Compliance Reporting Post Approval Requirements . Vopak has referenced Compliance Reporting POST APPROVAL REQUIREMENTS May 2020 to develop this report.

## 2. Action items

Actions were generated from an Independent Environmental Audit (IEA) conducted by Geosyntec Consultants Pty Ltd in September 2024. A Hazard audit was also conducted in February 2023 by GHD however no issues of concerns were raised.

### 2.1. Action Item Status from 2024 Compliance Report

Actions generated from the 2024 compliance report were reviewed. The below table shows the status of these actions.

Condition No	Details of NC	Recommendations from Geosyntec	Action / Response from Vopak	Action Status
MP06_008 9 Schedule 3 -9G	This condition is considered non-compliant as evidence of submission of the Hazard Audit report to SafeWork NSW was unable to be sighted.	Hazard audit report must also be submitted to SafeWork NSW.	Hazard audit conducted in 2025 for MP06_0089 and SSD 7000. Reports submitted to all due parties.	Completed
MP06_008 9 Mod 2  Schedule 4- 6	This condition is considered non-compliant as there was no evidence of OEMP review following the last 2023 IEA.	After this Independent Environmental Audit, Vopak must review and if necessary, revise plans/strategies/programs required under this approval. Any revised plan/strategies/programs must be submitted.	OEMP review will be conducted. Currently with DPHI in "Lodge" status	Completed
MP06_008 9 Mod 2 Schedule 4- 8	Compliance reporting was not carried out in accordance with the Compliance Reporting Post Approval Requirements every year following the approval of MP06-0089 Mod2.	Compliance report must be conducted in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) or its modification (subject to approval by DP&E).	Compliance report completed - November 2025	Completed

### 2.2. Action Item Status from 2025 Compliance Report

There were no further actions raised in the 2025 Compliance Report.

### **3. Compliance status summary**

Refer to Appendix A for Compliance Table summary for MP06\_0089 Mod 2.

### **4. Incidents**

There have not been any reportable incidents during the reporting period in relation to the Develop Approval.

### **5. Complaints**

There have not been any complaints recorded during the reporting period in relation to the Develop Approval.

### **6. Conclusion**

Overall the Independent Environmental Audit and compliance table from the 2024 Audit by Geosyntec was used as a baseline for Compliance Reporting this year. IEA was conducted by Vopak

### **7. Appendices**

See following pages.

## A. Compliance Table for MP 06\_0089 Mod 2

Below is the detailed audit table for relevant clauses of MP 06\_0089 Mod 2

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 2 - 1	In addition to meeting the specific performance measures and criteria in this approval, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the project, and any rehabilitation required under this approval.	Operation	" The Auditor has reviewed the performance measures and criteria in this consent and consider that reasonable and feasible measures have been implemented to prevent or minimise any material harm to the environment. "	Compliant
Schedule 2 - 2	The Proponent must carry out the project: a) in compliance with the conditions of this approval; b) generally in accordance with site and architectural plans in Appendix 1: 2515-P-2000 (Rev. 4), and 2515-P-2001 (Rev 2); c) generally in accordance with the EA; d) generally in accordance with MOD 1; and e) in accordance with MOD 2.	Operation	No changes since 2024 compliance report.  Record sighted previously - DP&E (Feb 2007) Vopak Site B3 Facility Expansion. In this report, the site is generally in accordance with the site and architectural plans in Appendix 1: 2515-P-2000 (Rev. 4), and 2515-P-2001 (Rev 2). Report encapsulate B1, B2, and B3 as DA38/94 and DA549/97 were surrendered.  - Accessible and publicly available EA for MP06_0089 are (1) EA for B3 (Department of Planning, February 2007) which is associated with the original MP06_0089. This EA document is accessed via <a href="https://www.planningportal.nsw.gov.au/major-projects">https://www.planningportal.nsw.gov.au/major-projects</a> on 20 February 2022. Document is reviewed and assessed. Vopak terminal is generally in accordance with the requirement in EA	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
			<p>document, noting that EA document refer to Appendix A which is not provided with the document publicly provided in the portal.</p> <p>(2) EA associated with Mod2 (PlanComm, 23 November 2016). Vopak advised that the expansion approved under Mod2 has not commence. Photograph during site walkover was restricted and controlled.</p> <p>- EA available on the NSW Major Project site for MP06_0089 Mod2 is not the EA referred to the MP06 0089 or MP06 0089Mod2.</p> <p>Interview: - Vopak (MM) stated that the expansion listed in MP06 0089Mod2 has not started.</p> <p>This table assesses the project conduct against the original MP06 0089 and MP06 0089 Mod 2. Mod 1 is no longer accessible in the NSW Major Project portal from our engagement to date (23 February 2023).</p>	
Schedule 2 - 2A	<p>2A. Consistent with the requirements in this approval, the Planning Secretary may make written directions to the Proponent in relation to:</p> <p>a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this approval; and</p> <p>b) the implementation of any actions or measures contained in any such document referred to in 2A(a) above.</p>	Operation	<p>No changes since 2024 compliance report.</p> <p>Prior reports stated that there had been no written directions from the Planning Secretary.</p>	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 2 - 2B	<p>2B. The conditions of this approval and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition 2c), 2d) or 2e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition 2c), 2d) or 2e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.</p> <p><i>Note: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of approval or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.</i></p>	Operation	Condition noted.	Compliant
Schedule 2 - 3	If there is any inconsistency between the above, the conditions of this approval must prevail to the extent of the inconsistency.	Operation	Condition noted.	Compliant
Schedule 2 - 4	<p>Prior to the commencement of any construction activities associated with Application No. 06_0089, the Proponent must surrender the following development consents in accordance with the EP&amp;A Regulation:</p> <p>a) the Minister's consent for DA 38/94, dated 16 January 1995; and</p> <p>b) the Minister's consent for DA 549/97, dated 30 June 1998.</p> <p>Note: This approval applies to the developments the subject of DA 38/94 and DA 549/97 from the date of surrender.</p>	Non-Operation	<p>No changes since 2024 compliance report.</p> <p>Record sighted previously - Vopak letter (10 August 2007) Surrender of Existing Approvals DA38/94 and DA549/97.</p>	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 2 - 5	<p>The Proponent must ensure that all new buildings and structures on the site are constructed in accordance with the relevant requirements of the BCA.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>• Under Part 4A of the EP&amp;A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.</li> <li>• Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the project.</li> </ul>	Non-Operation	<p>No changes since 2024 compliance report.</p> <p>Record sighted previously</p> <ul style="list-style-type: none"> <li>- McKenzie Group (5 November 2021) Completion Statement No. 202856/01, stating that the completed works are generally in accordance with the relevant BCA.</li> </ul>	Compliant
Schedule 2 - 5A	<p>Within three (3) months of the date of approval of MOD 2, or as otherwise agreed to by the Planning Secretary, the Proponent must:</p> <p>a) obtain and provide a copy to the Planning Secretary of a building information certificate from Council for any structures proposed as part of MOD 2 that have been constructed or partially constructed prior to the approval of MOD 2; and</p> <p>b) ensure that all new structures, including any alterations or additions to existing structures, are constructed in accordance with the relevant requirements of the BCA.</p>	Non-Operation	<p>Interview:</p> <ul style="list-style-type: none"> <li>- Vopak (AB) stated that Mod2 has not commenced. This is not triggered at this stage.</li> </ul>	Compliant
Schedule 2 - 6	<p>The Proponent must ensure that any demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.</p>	Non-Operation	<p>Interview:</p> <ul style="list-style-type: none"> <li>- Vopak (AB) stated that Mod2 has not commenced. This is not triggered at this stage.</li> </ul>	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 2 - 7	<p>The Proponent must:</p> <p>a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and</p> <p>b) relocate, or pay the full costs associated with relocating,</p>	Operation	<p>Interview:</p> <p>- Vopak (MM) stated that Mod2 has not commenced and there has been any repair needed based on the current operation. This is not triggered at this stage.</p>	Compliant
Schedule 2 - 8	<p>The Proponent must ensure that all plant and equipment used on the site is:</p> <p>a) maintained in a proper and efficient condition; and</p> <p>b) operated in a proper and efficient manner.</p>	Operation	<p>Record sighted previously:</p> <p>- CMMS computerised maintenance management system for 2022 sighted. Each device is registered in the system and system will alert the maintenance team for upcoming preventative maintenance. There is a score card from Maintenance team sighted too. The score card tracks the performance of the PM (Preventative Maintenance).</p> <p>Interview &amp; Observation:</p> <p>- Vopak use the Infor "ME2" CMMS to assess plant and equipment operations.</p> <p>- Terminal operators are trained to Record sighted previously maintenance requirements in ME2 which is then processed and actioned by maintenance department (where required). - Preventative and Corrective maintenance is managed in this system.</p>	Compliant
Schedule 2 - 9	<p>The Proponent must ensure that the throughput at the site does not exceed 7,800,000m<sup>3</sup> of bulk liquids a year.</p>	Operation	<p>Throughput data for 2024 - 2025 (YTD Oct) reviewed</p> <p> Throughput Data - 2024 &amp; 2025</p> <p>2024 throughput 4832 km3 2025 (YTD) throughput 4244 km3 - Estimated 5100 km3 for</p>	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
			2025 Well below MOD 2 throughput limit of 7800 km3	
Schedule 2 - 10	The Proponent must not receive more than 192,500m <sup>3</sup> of bulk liquids a year by road tanker.	Operation	Records sighted from Customer Service department <b>1. Month End</b> 2024: 38,004 m3 2025 YYD Oct: 29305 m3  Significantly below requirements from Schedule 2-10  Record sighted previously: - Excel table detailing monthly truck delivery via RTL from January 2020 to December 2022. The table shows that Site does not receive truck delivery more than 192,500m <sup>3</sup> of bulk liquids a year.	Compliant
Schedule 2 - 11	The Proponent must not dispatch more than 3,700,000m <sup>3</sup> of bulk liquids a year by tanker, including a maximum of 2,603,876 m <sup>3</sup> of Dangerous Goods Class 3.1.	Operation	Throughput data for 2024 - 2025 (YTD Oct) reviewed <b>Throughput Data - 2024 &amp; 2025</b>  Tanker throughputs: 2024: 3177 km3 2025 (YTD Oct): 2678 km3  All below threshold in schedule 2-11  Interview: - Vopak (MM) stated that the Three Port SEPP does not put restriction on the throughput. Record provided in 28/03/2023:	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
			- Excel table detailing monthly throughput from January 2020 to December 2022. The table shows that tankers did not dispatch more than 3,700,000m3 of bulk liquids a year, including a maximum of 2,603,876 m3 of Dangerous Goods (DG).	
Schedule 2 - 12	<p>With the approval of the Planning Secretary, the Proponent may:</p> <p>a) prepare and submit any strategy, plan or program required by this approval on a staged basis (if a clear description is provided as to the specific stage and scope of the project to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);</p> <p>b) combine any strategy, plan or program required by this approval (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and</p> <p>c) update any strategy, plan or program required by this approval (to ensure the strategies, plans and programs required under this approval are updated on a regular basis and incorporate additional programs required under this approval are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the project).</p>	Non-Operation	All stages are included in this audit	Compliant
Schedule 2 - 13	If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this approval.	Non-Operation	Plans were not staged.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 2 - 14	If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.	Operation	<p>"OEMP submitted to DPHI. Evidence viewed via NSW Planning portal.</p> <p>Note: OEMP is in ""lodge"" status as there is still an RFI open for Vopak to review the OEMP"</p>	Compliant
Schedule 2 - 15	<p>Where conditions of this approval require consultation with an identified party, the Proponent must:</p> <p>a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and</p> <p>b) provide details of the consultation undertaken including:</p> <p>(i) description of how matters raised by those consulted have been resolved to the satisfaction of both the Proponent and the party consulted; and</p> <p>(ii) details of any disagreement remaining between the party consulted and the Proponent and how the Proponent has addressed the matters not resolved.</p> <p><i>Note: The Proponent may provide evidence of consultation in the form of correspondence with the relevant party.</i></p>	Operation	<p>The Auditor reviewed the conditions relating to consultation. All conditions relating to consultation were either associated with development listed in Mod2 (i.e. that has not occurred) or associated with construction stage, which are not relevant to the current audit. Therefore, this condition is considered not triggered.</p>	Compliant
Schedule 3- 1	<p>The Proponent must prepare and implement the following studies to the satisfaction of the Planning Secretary:</p> <p>a) a Fire Safety Study that:</p> <p>- has been prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 2 – Fire Safety Study Guidelines;</p>	Non-Operation	<p>This is not relevant for Operational IEA.</p>	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<ul style="list-style-type: none"> <li>- takes into account the New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems;</li> <li>- demonstrates the compliance of the project with AS1940;</li> <li>- has been prepared in consultation with the NSW Fire Brigades.</li> </ul> <p>b) a Hazard and Operability Study that:</p> <ul style="list-style-type: none"> <li>- addresses the process operations, fuel supply and introduction of ethanol for the project;</li> <li>- addresses the adequacy of control systems to ensure safe filling rates for tanks are not exceeded;</li> <li>- addresses the adequacy of level indication and alarm system for underground oily water tanks;</li> <li>- addresses the adequacy of emergency response and shutdown systems including manning levels to ensure efficient isolation of marine loading arms in the event of an emergency;</li> <li>- addresses the interfacing of the operating and control systems for the dedicated methanol line and flexible hoses with the rest of the operating and control systems;</li> <li>- has been prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 8 – HAZOP Guidelines;</li> <li>- is accompanied by a program for the implementation of any recommendations made in the Study;</li> <li>- has been chaired by an independent qualified person who has been approved in writing by the Planning</li> </ul>			

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<p>Secretary.</p> <p>c) a Final Hazard Analysis that:</p> <ul style="list-style-type: none"> <li>- has been prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis.</li> </ul> <p>d) a Construction Safety Study that:</p> <ul style="list-style-type: none"> <li>- has been prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 7 – Construction Safety Study Guidelines.</li> </ul>			
Schedule 3- 2	The Proponent must not commence construction of any works associated with the B3 bulk liquids storage facility before these studies have been approved by the Planning Secretary.	Non-Operation	This is not relevant for Operational IEA.	Compliant
Schedule 3- 3	<p>The Proponent must prepare and implement the following studies to the satisfaction of the Planning Secretary:</p> <p>a) a Transport of Hazardous Materials Plan that:</p> <ul style="list-style-type: none"> <li>- has been prepared in accordance with the Department's draft Route Selection Guidelines;</li> <li>- details arrangements for the transport of hazardous materials, including routes to be used by vehicles associated with the project carrying hazardous materials;</li> <li>- provides for contractual arrangements that require drivers to use the determined routes except for local deliveries or emergencies.</li> </ul> <p>b) an Emergency Plan that:</p>	Non-Operation	This is not relevant for Operational IEA.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<ul style="list-style-type: none"> <li>- details procedures for the safety of all people outside the site who may be at risk from the project;</li> <li>- has been prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1 – Industry Emergency Planning Guidelines;</li> <li>- is compatible with the NSW Ports Consolidated Port Botany Emergency Plan.</li> </ul> <p>c) a Safety Management System that:</p> <ul style="list-style-type: none"> <li>- addresses all on-site operations and associated transport activities involving hazardous materials;</li> <li>- clearly specifies all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures;</li> <li>- has been prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 9 – Safety Management;</li> <li>- is kept on the site and is available for inspection by the Planning Secretary upon request.</li> </ul>			
Schedule 3- 4	The Proponent must not commence the commissioning of any activities associated with the B3 bulk liquids storage facility before these studies have been approved by the Planning Secretary.	Non-Operation	This is not relevant for Operational IEA.	Compliant
Schedule 3- 5	During the life of the project, the Proponent must implement procedures at the entrance to the site to ensure that possible ignition sources including but not limited to matches, cigarette lighters (personal and those in vehicles) are prohibited from the site.	Operation	<p>Clothing requirements are clear to all personnel entering site, including from new visitor induction video.</p> <p>No ignition sources found in zoned areas</p>	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 3- 6	The Proponent must notify NSW Ports in writing on each occasion that flexible hoses are used for ship import and export activities. This notification must occur prior to the use of the hoses, and shall state the reasons for the use of the hoses, the intended duration of use and the quantity of product to be transferred.	Operation	No hoses have been used for ship import or export since the last Audit.  All MLA's at both BLB1 and BLB2 are operational.	Compliant
Schedule 3- 7	Prior to the commencement of operations, the Proponent must submit for the approval of the Planning Secretary a testing and inspection program detailing the integrity measures and hydrostatic testing for all pipelines associated with the project, including the jet fuel pipeline.	Non-operation	This is not relevant for Operational IEA.	Compliant
Schedule 3- 8	The Proponent must maintain a register of accidents, incidents and potential incidents at the site. The register must be made available for inspection by the Planning Secretary and any hazard auditors approved by the Planning Secretary.	Operation	<p>Record sighted previously:</p> <ul style="list-style-type: none"> <li>- ENABLON is an online reporting system that record accidents, incidents and potential incidents at the site. A few that is randomly checked showed that there is impact recorded, the investigation conducted, and mitigation measure or handling which closed/validated the matter.</li> </ul> <p>Incident that randomly picked that involved a spillage (9 June 2022) shows that it was cleaned up by pumping away to slops. Slops will either be blended back into gasoline or disposed of as waste. The clean up was recorded to be completed within 30mins.</p> <p>The system is readily accessible for review during the Audit. The main report provides a summary of other selected incidents.</p> <p>Interview:</p> <ul style="list-style-type: none"> <li>- Vopak (MM) stated that there is no incident that has actual or potential significant off-site impacts on people or the biophysical environment.</li> </ul>	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 3- 9	Within 24 hours of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment, the Proponent must supply a report to the Department outlining the basic facts. The Proponent must provide a further detailed report to the Department within 14 days of the incident that identifies necessary additional preventative measures.	Operation	<p>Record sighted previously:</p> <ul style="list-style-type: none"> <li>- ENABLON register of incidences was screened during the audit and the listed incidents did not indicate actual or potential significant off-site impacts during the Audit period.</li> </ul> <p>Interview:</p> <ul style="list-style-type: none"> <li>- Vopak (MM) stated that there was no incident that has actual or potential significant off-site impacts on people or the biophysical environment.</li> </ul>	Compliant
Schedule 3-9A	<p>The Proponent must:</p> <ul style="list-style-type: none"> <li>a) implement all risk control measures and safeguards proposed in the PHA (preliminary hazard analysis);</li> <li>b) implement all reasonable and feasible prevention measures to reduce the likelihood of major incidents;</li> <li>c) implement all reasonable and feasible mitigation measures to limit the consequences of major incidents;</li> <li>d) notify the Planning Secretary if the operation of the project has deviated from the assumptions listed in Appendix E of the PHA. Within three (3) months of notifying the Planning Secretary, the Proponent must submit an updated hazard analysis.</li> </ul>	Operation	<p>Interview:</p> <ul style="list-style-type: none"> <li>- Vopak (MM) stated that PHA is for Mod2 and Mod2 has not commenced. This condition is not yet triggered.</li> </ul>	Compliant
Schedule 3- 9B	At least one month prior to the commencement of construction works associated with MOD 2 (except for ancillary works), or within any such time as the Planning Secretary may agree, the Proponent must update the existing Surge Analysis to be consistent with the operating conditions and carry out new surge studies for	Non-operation	This is not relevant for Operational IEA.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	operations not included in existing studies. The outcomes of the analysis that may impact on the risk assessment must be included in the Final Hazard Analysis (FHA).			
Schedule 3-9C	At least one month prior to the commencement of construction works described in MOD 2 (except for ancillary works), or within any such time as the Planning Secretary may agree, the Proponent must prepare and submit for the approval of the Planning Secretary the studies set out under subsections (a) to (d) (the pre-construction studies) of this condition. Construction, other than of preliminary works, shall not commence until approval has been given by the Planning Secretary and, with respect to the Fire Safety Study, approval has also been given by Fire and Rescue NSW (FRNSW).	Non-operation	This is not relevant for Operational IEA.	Compliant
	<p>a) FIRE SAFETY STUDY</p> <p>The Fire Safety Study (FSS) of the site as required by condition 1(a) must be updated to incorporate all components described in MOD 2. The updated FSS must also be developed in consultation with FRNSW and address all recommendation raised by FRNSW.</p> <p>b) HAZARD AND OPERABILITY STUDY</p> <p>A Hazard and Operability Study (HAZOP) for the components described in MOD 2, chaired by a qualified person, independent of the project, approved by the Planning Secretary prior to the commencement of the study. The study shall be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 8, 'HAZOP Guidelines'. The study report must be accompanied by a program for the</p>			Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<p>implementation of all recommendations made in the report. If the Proponent intends to defer the implementation of a recommendation, reasons must be documented.</p> <p>c) FINAL HAZARD ANALYSIS</p> <p>A FHA of the site as modified by MOD 2, consistent with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'. The FHA must:</p> <ul style="list-style-type: none"> <li>- re-evaluate and confirm all relevant data and assumptions of the PHA and, in particular, the outcomes of the surge analysis that may result in changes in the risk assessment; and</li> <li>- re-evaluate and confirm all proposed risk reduction measures. If the Proponent intends to defer the implementation of a risk reduction measures, reasons must be documented and agreed with Safework NSW.</li> </ul> <p>d) CONSTRUCTION SAFETY STUDY</p> <p>A Construction Safety Study, prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 7 'Construction Safety'. Where the construction period exceeds six months, the commissioning portion of the Construction Safety Study may be submitted two (2) months prior to commencement of commissioning of each discrete component/system of the project per the project's commissioning plan. The Construction Safety Study must identify and assess construction and demolition related hazards and the control measures that will be put in place to prevent and/or mitigate such hazards.</p>			

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 3- 9D	<p>The Proponent must develop and implement the plans and systems set out under subsections (a) to (c). No later than two (2) months prior to the commencement of commissioning of any components described in MOD 2 (except for ancillary works), or within such further period as the Planning Secretary may agree,</p> <p>the Proponent must submit, for the approval of the Planning Secretary, documentation describing those plans and systems. Commissioning must not commence until approval has been given by the Planning Secretary.</p> <p>a) TRANSPORT OF HAZARDOUS MATERIALS</p> <p>The Transport of Hazardous Materials Plan as required by condition 3(a) in Schedule 3 must be updated to incorporate all components described in MOD 2. The study must include information on the Proponent's responsibility under the Heavy Vehicle National Law (NSW), including but not limited to, fatigue management, speeding compliance, mass, dimension and loading requirement for heavy vehicles. The study must demonstrate all practicable control measures to further reduce the risks are implemented.</p>	Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered.	Compliant
	<p>b) EMERGENCY PLAN</p> <p>The Emergency Plan and detailed emergency procedures for the site, as required by condition 3(b) in Schedule 3 must be updated to incorporate all components described in MOD 2. This plan must include consideration of the safety of all people outside of the site who may be at risk from operations at the site. The plan must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'. The plan must include interim emergency management</p>	Operation		Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<p>arrangements (if any) which may be introduced between the commencement of commissioning and reaching end-state terminal operations. The plan must also include a review of access arrangements from the Australian Container Freight Services (ACFS) site, with consultation with ACFS, to determine if any additional emergency access or egress provisions are required in the event of an incident in the southern or eastern parts of the site.</p>			
	<p>c) SAFETY MANAGEMENT SYSTEM</p> <p>The Safety Management System that covers all on-site operations, as required under condition 3(c) must be updated to incorporate all components described in MOD 2. The document must clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records must be kept on-site and must be available for inspection by the Planning Secretary upon request. The Safety Management System must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'.</p> <p>An inspection, testing and preventive maintenance program should be developed, implemented and maintained to ensure the reliability and availability of the key critical safety equipment is, at a minimum, consistent with the data estimated in the PHA.</p>	Operation		Compliant
Schedule 3- 9E	<p>PRE-STARTUP COMPLIANCE REPORT</p> <p>Two (2) weeks prior to the commencement of operation of</p>	Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<p>each asset or system described in MOD 2 (except for ancillary works), or as otherwise agreed to by the Planning Secretary, the Proponent must submit to the Planning Secretary, a report detailing compliance with conditions 9A to 9D in Schedule 3,</p> <p>a) dates of study/plan/system submission, approval, commencement of construction and commissioning;</p> <p>b) actions taken or proposed, to implement the recommendations and safety-related control measures in the studies/plans/systems;</p> <p>c) a pre-startup safety review/checklist; and</p> <p>d) responses to each requirement imposed by the Planning Secretary under condition 9H(b) of this schedule.</p>			
Schedule 3-9F	<p><b>POST-STARTUP COMPLIANCE REPORT</b></p> <p>Three (3) months after the commencement of operation of the first asset or system described in MOD 2 (except for ancillary works), the Proponent must submit to the Planning Secretary, a report verifying that the:</p> <p>a) Emergency Plan required under condition 9D(b) in schedule 3 is effectively in place and that at least one emergency exercise has been conducted; and</p> <p>b) Safety Management System required under condition 9D(c) in schedule 3 has been fully implemented and that records required by the system are being kept.</p>	Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 3-9G	<p><b>HAZARD AUDIT</b></p> <p>Within 12 months of the date of approval of MOD 2 and every three (3) years thereafter, or at such intervals as the Planning Secretary may agree, the Proponent must carry out a comprehensive Hazard Audit of the site.</p> <p>The audits must be carried out at the Proponent's expense by a qualified person or team, independent of the project, approved by the Planning Secretary prior to commencement of each audit. Hazard Audits must be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines' (HIPAP No. 5). The audit reports must, in addition to the requirements provided in HIPAP No 5:</p> <p>a) verify that an inspection, testing and preventative maintenance program has been developed, implemented and maintained to ensure the reliability and availability of key safety critical equipment;</p> <p>b) confirm the throughput and storage quantities of potentially hazardous materials are consistent with the information provided in the FHA;</p> <p>c) verify if the site is operating in accordance with the operating assumptions adopted in the PHA and whether an update of the Hazard Analysis and FSS is triggered by the Proponent's checklist provided in E1.3 of the PHA;</p> <p>d) verify implementation of any measures arising from the reports submitted in respect of conditions 9A to 9D of this schedule.</p>	Operation	<p>A Hazard Audit was conducted in August 2025, with the report finalised in October 2025. The audit was completed by DPHI-approved auditors from GHD. Copies were sent to all relevant stakeholders:</p> <ul style="list-style-type: none"> <li>* DPHI</li> <li>* SafeWork NSW</li> </ul>	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<p>Within three (3) months of receiving the final audit report, or as otherwise agreed by Planning Secretary, a copy of the report must be submitted to the Planning Secretary. The 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, reasons must be documented. This audit report must also be submitted to SafeWork NSW.</p>			
Schedule 3-9H	<p>Within three (3) years of the date of approval of MOD 2 and every three (3) years thereafter, or as otherwise agreed to by the Planning Secretary, the Proponent must carry out a periodic update of the <i>Denison Street Dangerous Goods Transport Quantitative Risk Assessment (DS-DG TQRA), July 2016 Update</i>, prepared by Systra Scottlister, dated 22 August 2018.</p> <p>The periodic update of the DS-DG TQRA must be prepared and submitted for approval of the Planning Secretary. Each quantitative risk assessment, or update to such an assessment, must be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis (DoP, 2011)</i>.</p> <p>The update of the DS TQRA reports must, in addition to the requirements provided in HIPAP No 6:</p>	Operation	<p>Record sighted previously:</p> <ul style="list-style-type: none"> <li>- DP&amp;E letter to Vopak (19 October 2021) Vopak Bulk Liquid Facility (MP06 0089) Condition 9H - Change request. Letter stated that DP&amp;E "agrees that the QRA should be updated once the works approved under Mod2 are completed."</li> </ul> <p>Interview</p> <ul style="list-style-type: none"> <li>- Vopak (MM) stated: currently, development under Mod2 is not yet started.</li> </ul>	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<p>a) establish the methodology to estimate the annual tanker movements of Dangerous Goods Class 3.1 from the project along Denison Street. The methodology must be agreed by the Planning Secretary prior to the submission of the DS-DG TQRA;</p> <p>b) report the estimated annual tanker movements of Dangerous Goods Class 3.1 from the project along Denison Street and compare these numbers against the predicted traffic movements on Denison Street provided in the EA in MOD 2;</p> <p>c) evaluate individual and societal transport risk on Denison Street from tanker movements of Dangerous Goods Class 3.1 based on the most recently available population and meteorological data; and</p> <p>d) evaluate cumulative individual and societal transport risk on Denison Street considering the Dangerous Goods Transport Quantitative Risk Assessment for Denison Street, Hillsdale prepared by Scott Lister, dated 12 February 2015.</p>			
Schedule 3-9I	The Proponent must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions 9A to 9G of this schedule inclusive, within such time as the Planning Secretary may agree.	Operation	Interview: - Vopak (MM) stated that there has been no requirements from Planning Secretary. Mod2 has not commenced.	Compliant
Schedule 3- 10	<p>During construction, the Proponent must ensure that :</p> <p>a) all trucks entering or leaving the site with loads have their loads covered; and</p> <p>b) the trucks associated with the construction works do not track dirt onto the public road network.</p>	Non-Operation	Interview: - Vopak (MM) stated that there has been no requirements from Planning Secretary. Mod2 has not commenced.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 3- 11	<p>The Proponent must ensure that:</p> <p>a) the internal road network and parking associated with the Project is designed, constructed and maintained in accordance with the latest versions of the Australian Standards AS 2890.1:2004 and AS 2890.2:2002; and</p> <p>c) all vehicles associated with the Project enter and exit the site in a forward direction.</p>	Operation	<p>:</p> <p>Observation:</p> <ul style="list-style-type: none"> <li>- Vehicles were observed to enter and exit the site in a forward movement.</li> <li>- Road were observed to be in good condition.</li> </ul>	Compliant
Schedule 3- 12	<p>During the life of the project, the Proponent must ensure that project does not result in any vehicles queuing on the public road network. Tankers must be queued in such a manner as to ensure that there is free access around the site for fire vehicle appliances for emergency purposes. All tankers being unloaded or loaded must not remain on site for undue extended periods.</p>	Operation	<p>:</p> <ul style="list-style-type: none"> <li>- No queuing was observed on the public road network.</li> <li>- There was free access for the site for emergency purposes.</li> </ul>	Compliant
Schedule 3- 13	<p>During the life of the project, the Proponent must provide on-site parking for all vehicles associated with the project in accordance with the requirements of the NSW Ports.</p>	Operation	<p>Not applicable at the time of the Audit.</p> <p>MOD2 has not yet commenced</p>	Compliant
Schedule 3- 14	<p>During the life of the project, the Proponent must ensure that vehicles associated with the project do not transport hazardous goods along Stephen Road and Botany Road west of their intersection with Foreshore Road, unless for local deliveries only.</p>	Operation	<p>This condition is covered under the Site B Gantry User Access Agreement</p> <p><a href="#">FOPS058C Gantry User Terminal Access Agreement.docx</a></p>	Compliant
Schedule 3- 14A	<p>The Proponent must prepare a Construction Traffic Management Plan for the construction works (except for awning works and warehouse extensions) described in MOD 2. The plan must form part of the CEMP required by condition 1B of schedule 4 and must:</p>	Non-Operation	<p>This is not relevant for Operational IEA.</p>	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<p>a) be prepared by a suitably qualified and experienced person(s) and in consultation with NSW Ports;</p> <p>b) be prepared to the satisfaction of the Planning Secretary prior to the commencement of construction activities as described in MOD 2;</p> <p>c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;</p> <p>d) detail heavy vehicle routes, access and parking arrangements;</p> <p>e) include a Driver Code of Conduct to:</p> <p>(i) minimise the impacts of earthworks and construction on the local and regional road network;</p> <p>(ii) minimise conflicts with other road users;</p> <p>(iii) minimise road traffic noise;</p> <p>(iv) ensure truck drivers use specified routes; and</p> <p>f) include a program to monitor the effectiveness of these measures.</p>			
Schedule 3- 14B	<p>The Proponent must:</p> <p>a) not commence construction of the works described in MOD 2 until the Construction Traffic Management Plan required by condition 14A is approved by the Planning Secretary; and</p> <p>b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.</p>	Non-Operation	This is not relevant for Operational IEA.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 3- 14C	<p>Prior to the commencement of operation of the components described in MOD 2 (except for ancillary works), the Proponent must update the Traffic Management Plan (TMP), dated 5 December 2013 and prepared by Sherpa Consulting, to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required by condition 1E of schedule 4 and must:</p> <ul style="list-style-type: none"> <li>a) be by a suitably qualified and experienced person (s) and in consultation with NSW Ports;</li> <li>b) detail the known heavy vehicle routes and access arrangements to and from the site;</li> <li>c) detail procedures for managing operational traffic, including adherence to the Australian Code for Transport of Dangerous Goods by Road and Rail, January 1998 or its latest version;</li> <li>d) detail traffic management measures to manage road tanker arrivals during peak periods;</li> <li>e) include a Driver Code of Conduct to:               <ul style="list-style-type: none"> <li>(i) minimise the impacts of operation on the local and regional road network;</li> <li>(ii) minimise conflicts with other road users;</li> <li>(iii) minimise road traffic noise; and</li> <li>(iv) advise truck drivers to use specified routes.</li> </ul> </li> </ul>	Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered	Compliant
Schedule 3- 15	<p>Prior to commencement of construction (excluding awning works), the Proponent must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements in the latest version of the Managing Urban Stormwater: Soils and</p>	Non-Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	Construction Guideline and the Erosion Sediment Control Plan included in the CEMP required by condition 1B of schedule 4.			
Schedule 3- 16	During construction, the Proponent must ensure that no excavation or work occurs more than 20 metres below existing ground level at the site, and details of all excavation work must be provided to NSW Ports prior to construction.	Non-Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered	Compliant
Schedule 3- 17	During the life of the project, the Proponent must ensure that stormwater discharges comply with the requirements of any EPL for the site. There must be no discharge of water direct to Botany Bay through the bund wall. Non-contaminated water must be pumped by separate key start pump to the stormwater discharge.	Operation	<p>Observation:</p> <ul style="list-style-type: none"> <li>- Stormwater discharge points at Site B, B4 and B5 (point 2, 10 and 16 respectively) were observed.</li> <li>- Exceedance of TSS on 13/11/2024. <a href="#">Reported to EPA</a> and noted on <a href="#">Annual Return</a></li> <li>- <a href="#">Letter received by Vopak</a> (AB) regarding failure to report concentration limit exceedances (from 2022-23 reporting) - received 5/3/2025. <a href="#">Actions from that letter completed</a></li> </ul> <p><b>PREVIOUS ENTRIES</b></p> <p>Interview:</p> <ul style="list-style-type: none"> <li>- Vopak (TM) explained the process of stormwater discharge. During heavy rainfall, pump from all bunds are activated for queuing to the stormwater discharge point 2. The pump is activated based on the levels of water in the stormwater discharge point. Testing is conducted prior to discharge. All stormwater is treated in the onsite wastewater treatment plan prior to discharge to the bay if it meets the criteria.</li> <li>- Vopak (MM) reiterated that the way representative samples are collected are to open the discharge point for 2 hrs,</li> </ul>	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
			<p>therefore exceedances mean that the water has been discharged into the bay.</p> <ul style="list-style-type: none"> <li>- Vopak (TM) stated that stormwater collected at stormwater discharge point 2 comprises stormwater from upgradient vicinity (including offsite). Measures to reduce TSS has been conducted through street sweeping, but Vopak could not control sediment entering from offsite locations.</li> </ul> <p>Record sighted previously:</p> <ul style="list-style-type: none"> <li>- Annual Return (2019-2020, 2020-2021, 2021-2022) showed that TSS exceedances are reported to EPA as shown in the EPL (see further items related to EPL below).</li> <li>- Vopak Environmental Monitoring Data that listed the BOD, Oil and Grease, pH and TSS for Licensed Discharge Point 2 for 7 January 2019 to 9 January 2022.</li> </ul> <p>Exceedances noted from this document are as follows:</p> <ul style="list-style-type: none"> <li>- TSS concentration exceeded the Concentration Limit of this condition in Aug 2019, February 2020, February 2021, March 2021, May 2021, October 2021, December 2021, and November 2022,</li> <li>- pH concentration exceeded the Concentration Limit of this condition in February 2020 and January 2023</li> <li>- Oil and grease concentration exceeded the Concentration Limit of this condition in January 2021 and August 2022.</li> <li>- Envirolab analytical result for Vopak Site B Interceptor Pit sample dated 16 March 2020. The result indicates that pH, oil&amp; grease, TSS, and BOD are below the Limit Conditions of EPL 6007 L3.6.</li> <li>- WSP Discharge to Waters - Effluent Quality Monitoring for 13 January 2019 for Vopak Site B stormwater was also sighted,</li> </ul>	

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
			but it is outside the Audit period.	
Schedule 3- 18	During the life of the project, the Proponent must ensure that all tank condensate and other water draw-off from storage tanks is disposed of to slops tanks and not through oily water treatment systems, unless otherwise authorised by the DEC.	Operation	Tank condensate/water removal covered under dewatering process.  Sighted <a href="#">Dewatering Procedure</a> <a href="#">Dewatering Safe Work Instruction</a>	Compliant
Schedule 3- 19	The Proponent must ensure that all bund walls and floors are constructed of impervious materials and are of sufficient capacity to contain 110% of the largest tank in the bund. Bund walls must not be less than 1200mm high and must comply with AS1940.	Operation	- Bund walls were observed to be at least 1200mm high.	Compliant
Schedule 3- 20	The Proponent must ensure that all storage tanks are fitted with high level sensors and overfill protection devices, connected to audible and visual alarm systems, and designed to prevent the overflow of liquid from the tanks.	Operation	Tanks are fitted with radar level sensors plus overfill protection switches (SIL2 capable). All readings/activations are connected to site PLC/SCADA and alarm audibly in the Control Room  Complies with requirements	Compliant
Schedule 3- 21	The Proponent must ensure that hose couplings terminate within bunded areas so that spillages are contained. Where couples can not be terminated within bunds, suitable means of collecting and retaining spillages must be provided.	Operation	Observation: - Hose couplings were observed within the bunded areas.	Compliant
Schedule 3- 22	The Proponent must ensure that any contamination of stored products into the ground as a result of the project is reported to the DEC and NSW Ports upon detection.	Operation	Enablon Incident Register reviewed and personnel interviewed.  No contamination into the ground since the last audit.	Compliant
Schedule 3- 23	During construction, the Proponent must minimise the vegetation clearing on the site.	Non-Operation	Construction phase not started.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 3- 24	During the life of the project, the Proponent must: <ul style="list-style-type: none"> <li>a) maintain the landscaping on the site to the satisfaction of the Planning Secretary; and</li> <li>b) ensure that the landscaping on the site does not impede driver sight distance of vehicles entering or leaving the site.</li> </ul>	Operation	Observation: - Vegetation was adequately maintained and was not observed to potentially impede driver sight for vehicle entering or leaving the site.	Compliant
Schedule 3- 25	During the life of the project, the Proponent must ensure that the lighting associated with the project: <ul style="list-style-type: none"> <li>a) complies with the latest version of Australian Standard AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting; and</li> <li>b) is mounted, screen and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network, or operations associated with Sydney Airport.</li> </ul>	Operation	<ul style="list-style-type: none"> <li>- Construction of lighting is not part of the audit.</li> <li>- Enablon Incident register did not indicate any complaint in relation to lighting.</li> </ul>	Compliant
Schedule 3- 26	The Proponent must undertake all construction activities associated with the Project between the following hours: <ul style="list-style-type: none"> <li>• 7:00am and 6:00pm, Monday to Friday;</li> <li>• 8:00am and 1:00pm, Saturdays; and</li> <li>• at no time on Sundays and public holidays.</li> </ul>	Non-Operation	This is not relevant for Operational IEA.	Compliant
Schedule 3- 26A	The Proponent shall use its best endeavours to participate in the development and implementation of a precinct-wide noise map for Port Botany, should one be developed by NSW Ports.	Operation	Noted.  Note: The site is relatively quiet, as confirmed by a noise assessment in 2024	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<p><i>Note: The aim of a noise map is to establish an efficient, equitable and cumulative noise management, monitoring and reporting framework across the precinct.</i></p>			
Schedule 3- 27	The Proponent must implement all reasonable steps to minimise dust generated during demolition, earthworks, construction and operation of the project.	Operation	Observation: - No unacceptable dust was observed during the audit.	Compliant
Schedule 3- 27A	During construction, the Proponent must ensure that: a) exposed surfaces and stockpiles are suppressed by regular watering; and b) land stabilisation works are carried out progressively on site to minimise exposed surfaces.	Non-Operation	This is not relevant for Operational IEA.	Compliant
Schedule 3- 27B	The Proponent must ensure that vapour resulting from loading operations is recovered, so that the total concentration of unrecovered vapours emitted to the atmosphere during any period of four consecutive hours does not exceed 4 milligrams per litre of volatile organic liquid passing out of the plant during that period.  The concentration limits specified in this condition comes into effect upon the commencement of operation of the upgraded vapour recovery unit and satisfaction of the requirements in condition 27C.	Operation	VRU performance testing by 3rd party conducted 6-monthly. Sited test results from November 2024 (R018331-1) May 2025(R018940-1)  No abnormalities nor non-conformances detected.	Compliant
Schedule 3- 27C	Within six (6) months of the approval of MOD 2, the Proponent must submit a validation study to the Planning Secretary and the EPA to verify compliance of the vapour recovery unit with the concentrations limits in condition 27B.	Operation	Record sighted previously: - Ektimo draft report (11 July 2019), Vopak Vapour Recovery Unit Performance Test. The report shows that the 28 June 2019 VRU for Organic Vapour is 0.67 mg/L (for V.O.L) and 0.38mg/L (for total VRU throughput).	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 3- 27D	<p>Prior to the commencement of operation of any component described in MOD 2 (except for ancillary works), the Proponent must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP must form part of the updated OEMP required by condition 1E of schedule 4 and must:</p> <ul style="list-style-type: none"> <li>a) be prepared by a suitably qualified and experienced person(s);</li> <li>b) detail and rank VOC emissions from all categories of the project operated by the Proponent;</li> <li>c) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators;</li> <li>d) identify the control measures that that will be implemented for each emission category, including measures already in place; and</li> <li>e) describe proactive and reactive management strategies.</li> </ul>	Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered	Compliant
Schedule 3- 27E	<p>The Proponent must:</p> <ul style="list-style-type: none"> <li>a) not commence operation of any components described in MOD 2 (except for ancillary works) until the Air Quality Management Plan required by condition 27D is approved by the Planning Secretary;</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>b) implement the most recent version of the Air Quality Management Plan approved by the Planning Secretary for the duration of the project.</li> </ul>	Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 3- 28	During the life of the project, the Proponent must implement reasonable and feasible measures to minimise the waste generated by the project.	Operation	Waste reduction programmes primarily focused on emissions reduction. Within the 3 Year Maintenance Plan (3YMP) a number of projects related to this Schedule apply. They include: IFR seal replacement Carbon change for VRU absorption beds  Appropriate documentation sighted.	Compliant
Schedule 3- 29	Prior to the commencement of construction activities described in MOD 2, the Proponent must prepare an unexpected finds protocol to ensure that potentially contaminated material is appropriately managed.  The protocol must form part of the CEMP required by condition 1B of schedule 4 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary.	Non-Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered	Compliant
Schedule 4- 1	Prior to construction, the Proponent must prepare (and following approval implement) an Environmental Management Plan for the project to the satisfaction of the Planning Secretary. This plan must include:  a) a construction noise management plan that provides measures to minimise noise and respond to unacceptable noise generation;  b) a construction waste management plan that addresses waste management during the construction phase;  c) a pipeline construction management plan that	Operation	This condition is mainly about Environmental Management Plan for Mod0 prior construction. Thus, it is part of IEA prior to construction of what is approved under Mod 0. However, this condition also require "a traffic management plan that addresses truck movements during operation" Record sighted for this is: -Vopak Site B and Site B4A OEMP Rev 7 (current) - - - has traffic management plan section.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<p>describes all activities to be undertaken on the site and pipeline easements during construction of pipelines and marine loading arms, and details traffic management procedures during the installation of pipelines under Friendship Road;</p> <p>d) a traffic management plan that addresses truck movements during operation;</p> <p>e) details of the person who would be responsible for overseeing the environmental management of the project, and provide contact details for this person;</p> <p>f) a description of the procedures that would be implemented to:</p> <ul style="list-style-type: none"> <li>• keep the relevant agencies informed about the progress of the project;</li> <li>• receive, handle, respond to, record and report any complaints about the project;</li> <li>• resolve any disputes that may arise during the project; and</li> <li>• monitor and respond to any non-compliances.</li> </ul>		<p>Management Plan for expansion/upgrade items approved under Mod2 is not triggered as development approved under Mod2 is not yet constructed according to the advise provided by Vopak (MM).</p> <p>Record sighted previously:            - DP&amp;E email (8 August 2022) discussed and assessed the current OEMP which has the Traffic Management Plan as a sub-plan. The OEMP was submitted to DP&amp;E in late 2020 as part of MP06 0089 (Mod0) during the operation stage.</p>	
Schedule 4- 1A	<p>Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:</p> <p>a) detailed baseline data;</p> <p>b) details of:</p> <p>(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);</p> <p>(ii) any relevant limits or performance measures and</p>	Operation	<p>Noted and the management plans were reviewed as part of the previous Audit.</p> <p>OEMP Rev 7 (current) includes the items stipulated in this condition. Currently with the DPHI in "Lodge" status.</p>	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<p>criteria; and</p> <p>(iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;</p> <p>c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;</p> <p>d) a program to monitor and report on the:</p> <p>(i) impacts and environmental performance of the project;</p> <p>(ii) <b>effectiveness of the management measures</b> set out pursuant to paragraph (c) above;</p> <p>e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;</p> <p>f) a program to investigate and implement ways to improve the environmental performance of the project over time;</p> <p>g) a protocol for managing and reporting any:</p> <p>(i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);</p> <p>(ii) complaint;</p> <p>(iii) failure to comply with statutory requirements; and</p> <p>h) a protocol for periodic review of the plan.</p> <p>Note: The Planning Secretary may waive some of these</p>			

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	requirements if they are unnecessary or unwarranted for particular management plans.			
Schedule 4- 1B	The Proponent must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition 1A and to the satisfaction of the Planning Secretary.	Non-Operation	This is not relevant for Operational IEA.	Compliant
Schedule 4- 1C	As part of the CEMP required under condition 1B of this approval, the Proponent must include the following: a) Construction Traffic Management Plan (see condition 14C in schedule 3); b) Erosion and Sediment Control Plan (see condition 15 in schedule 3); c) Unexpected Finds Protocol (see condition 29 in schedule 3); and d) Waste Management.	Non-Operation	This is not relevant for Operational IEA.	Compliant
Schedule 4- 1D	The Proponent must: a) not commence construction of the works described in MOD 2 (except for awning works and warehouse extensions) until the CEMP is approved by the Planning Secretary; and b) carry out the construction of the works described in MOD 2 in accordance with the CEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).	Non-Operation	This is not relevant for Operational IEA.	Compliant
Schedule 4- 1E	Prior to the commencement of operation of any component described in MOD 2 (except for ancillary works), the Proponent must update the <i>Operational Environmental Management Plan, Vopak Site B</i> , prepared by Vopak Terminals Australia and dated 27 September 2016 to incorporate the components described in MOD 2	Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered. Audit is conducted based previous Operational Management Plan	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<p>and its management to the satisfaction of the Planning Secretary. The updated plan must incorporate the following:</p> <ul style="list-style-type: none"> <li>a) procedures, roles and responsibilities of key personnel involved in the environmental management of the project</li> <li>b) community consultation requirements for the project;</li> <li>c) include the following environmental management plans:               <ul style="list-style-type: none"> <li>(i) Traffic (see condition 14C); and</li> <li>(ii) Air Quality (see condition 27D).</li> </ul> </li> </ul>			
Schedule 4- 1F	<p>The Proponent must:</p> <ul style="list-style-type: none"> <li>a) not commence operation of any component described in MOD 2 (except for ancillary works) until the updated OEMP required under Condition 1D is approved by the Planning Secretary; and</li> <li>b) operate the project in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).</li> </ul>	Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered. Audit is conducted based on previous Operational Management Plan	Compliant
Schedule 4- 2	Prior to the commencement of construction and operation, the Proponent must certify in writing to the satisfaction of the Planning Secretary, that it has complied with all relevant conditions of this approval.	Operation	This is not relevant for the current Operational IEA. This would have been assessed prior to construction and operation for items under MOD0 approval (i.e. in the past)	Compliant
Schedule 4- 3	<p>Within 3 months of the commencement of operation of the project, the Proponent must prepare a compliance report to the satisfaction of the Planning Secretary. The report must be prepared by a suitably qualified, experienced, and independent expert whose appointment has been endorsed by the Planning Secretary and must include:</p> <ul style="list-style-type: none"> <li>a) date of commencement of operation;</li> </ul>	Operation	This is part of the 2015-2016 IEA which is conducted by other consultant. This is not part of this Audit.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	<p>b) actions taken (or proposed to be taken) to implement conditions 1 and 3 of schedule 3 to this approval; and</p> <p>c) a signed statement that:</p> <ul style="list-style-type: none"> <li>- the transport routes specified are being followed;</li> <li>- the Emergency Plan required under condition 3 is effectively in place and that at least one emergency exercise has been conducted;</li> <li>- the Safety Management System required under condition 3 of schedule 3 has been fully implemented and that records required by the system are being kept; and</li> <li>- the various studies required under condition 3 of schedule 3 have been prepared in accordance with the relevant Hazardous Industry Planning Advisory Paper and all recommendations of these studies have been implemented and are being maintained.</li> </ul>			
Schedule 4- 4	<p>Within 12 months of the approval of MOD 2, and every three (3) years thereafter, unless the Planning Secretary directs otherwise, the Proponent must carry out an Independent Audit of the project in accordance the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).</p>	Operation	<p>The previous Operational Audit was completed in July 2023. The current Audit is conducted within three years after the previous Audit.</p>	Compliant
Schedule 4- 4A	<p>In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:</p> <ul style="list-style-type: none"> <li>a) review and respond to each Independent Audit Report prepared under condition 4 of this approval;</li> <li>b) submit the response to the Department; and</li> </ul>	Operation	<p>Record sighted previously:</p> <ul style="list-style-type: none"> <li>- DP&amp;E email (20 October 2021) verified that there has been a submission for the previous IEA.</li> </ul>	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
	c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done. <i>Note: Information deemed commercially sensitive or confidential by the Proponent does not need to be made publicly available.</i>			
Schedule 4- 5	Within 2 months of commissioning this audit, or as otherwise agreed by the Planning Secretary, the Proponent must submit a copy of the audit report to the Planning Secretary, with a response to any recommendations contained in the audit report.	Operation	2024 compliance audit submitted to DPHI. Evidence viewed via NSW Planning portal	Compliant
Schedule 4- 6	Following each Independent Environmental Audit, the Proponent must review and if necessary revise the Environmental Management Plan (and any other plans/strategies/programs required under this approval) to the satisfaction of the Planning Secretary. The revised plans/strategies/programs must be submitted to the Planning Secretary within 3 months of submitting the audit report.	Operation	OEMP submitted to DPHI. Evidence viewed via NSW Planning portal.  Note: OEMP is in "lodge" status as there is still an RFI open for Vopak to review the OEMP	Compliant
Schedule 4- 7	The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident. Subsequent notification requirements must be given and reports submitted in accordance with the requirements set out in Appendix 3.	Operation	Interview - Vopak (MM) stated that there is no incident of significant harm requiring reporting.	Compliant
Schedule 4- 7A	The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within seven days after the Applicant becomes aware of any non-compliance.	Operation	Interview - Vopak (MM) stated that there is no non-compliance to be reported during this Audit period.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Schedule 4- 7B	A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	Operation	Interview - Vopak (MM) stated that there is no non-compliance to be reported during this Audit period.	Compliant
Schedule 4- 7C	7C. A non-compliance which has been notified as an incident does not need to also be notified as a noncompliance.	Operation	Noted	Compliant
Schedule 4- 8	Within 12 months of the approval of MOD 2, and in the same month each subsequent year (or such other timing as may be agreed by the Planning Secretary), Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	Operation	Compliance report for 2024 sighted.  Evidence of submission to DPHI viewed via NSW Planning portal. OEMP is in "lodge" status as discussed above.	Compliant
Schedule 4- 9	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.	Operation	Interview - Vopak (MM) stated that there has been no Compliance Report carried out in accordance with the Compliance Reporting Post Approval Requirements.	Compliant
				Compliant
Appendix 1	NIL			Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
				Compliant
Appendix 2		Non-Operation	This is not relevant for Operational IEA.	Compliant
Appendix 2		Operation		Compliant
Appendix 2		Operation	Mod2 construction has not commenced yet. This condition is non-triggered	Compliant
Appendix 2		Operation	Mod2 construction has not commenced yet. This condition pertaining HAZOP is non-triggered.	Compliant
Appendix 2		Non-Operation	This is not relevant for Operational IEA.	Compliant
Appendix 2		Non-Operation	This is not relevant for Operational IEA.	Compliant
Appendix 2		Operation	Interview - Vopak is installing upgraded seals to IFR's as the tank 10-yearly service programme continues. Covered in 3YMP budget.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Appendix 2		Operation	Interview -Vopak (MM) stated that the only air compressor on site is enclosed in a building and there have been no complaints to date. - Vopak (2025) all air compressors are operated enclosed within in a building well away from site boundaries. No complaints to date.	Compliant
Appendix 2		Non-Operation	This is not relevant for Operational IEA.	Compliant
Appendix 2		Operation	Interview - Vopak (MM) stated that there is no equipment with excessive noise above the industry's best practice. - Vopak (2025) - Hygiene assessment conducted in 2024 found no samples exceeded the regulatory standard of LAeq.8h < 85dB(A) Observation: - No excessive noise were observed during site visit.	Compliant
Appendix 2		Non-Operation	This is not relevant for Operational IEA.	Compliant
Appendix 2		Non-Operation	This is not relevant for Operational IEA.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Appendix 2		Operation	<p>Record sighted previously:            - Geosyntec (August 2022) report presents a groundwater monitoring that is part of biannual monitoring.</p> <p>Interview:            - Vopak (MM) stated that the bund and pits are inspected before release to Stormwater</p> <p>Observation:            - Spill kit was noted on site.</p>	Compliant
Appendix 2		Operation	<p>Observation:            - Site was observed to be in an orderly manner.</p>	Compliant
Appendix 2		Non-Operation	This is not relevant for Operational IEA.	Compliant
Appendix 2		Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered.	Compliant
Appendix 2		Non-Operation	This is not relevant for Operational IEA.	Compliant
Appendix 2		Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Appendix 2		Non-Operation	This is not relevant for Operational IEA.	Compliant
Appendix 2		Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered	Compliant
Appendix 2		Non-Operation	This is not relevant for Operational IEA.	Compliant
Appendix 2		Operation	Interview: - Vopak (MM) stated no disposal of contaminated soil or water has been required.	Compliant
Appendix 2		Non-Operation	Expansion in Mod 2 is not built yet, thus the first bullet point is not yet triggered  Interview and record sighted previously: - Geosyntec (August 2022) report presents a groundwater monitoring that is part of biannual monitoring. - Vopak (MM) stated that the groundwater monitoring is ongoing.	Compliant
Appendix 2		Non-Operation	Expansion in Mod 2 is not built yet, thus this is not yet triggered	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Appendix 2		Non-Operation	This is not relevant for Operational IEA.	Compliant
Appendix 2		Operation	Interview: - Vopak (MM) stated that liquid waste is stored in slop tanks. Hard waste (metals etc.) are recycled. Others are disposed of to skip bins.  Observation: - No waste stockpiles were observed.	Compliant
Appendix 2		Non-Operation	This is not relevant for Operational IEA.	Compliant
Appendix 2		Operation	Records sighted previously: - Cleanaway (21 October 2023) records the disposal of emulsion waste. - Emulsion waste is collected as and when required by Vopak. - Cleanaway (24 March 2022) Waste Data Form for slops.	Compliant
Appendix 2		Non-Operation	This is not relevant for Operational IEA.	Compliant
				Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Appendix 3-1	A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition 7, schedule 4 or, having given such notification, subsequently forms the view that an incident has not occurred.	Operation	Noted.  Enablon Incident Register reviewed. No evidence of an incident requiring notification to the DPHI.	Compliant
Appendix 3-2	Written notification of an incident must: <ul style="list-style-type: none"> <li>a. identify the development and application number;</li> <li>b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);</li> <li>c. identify how the incident was detected;</li> <li>d. identify when the applicant became aware of the incident;</li> <li>e. identify any actual or potential non-compliance with conditions of consent;</li> <li>f. describe what immediate steps were taken in relation to the incident;</li> <li>g. identify further action(s) that will be taken in relation to the incident; and</li> <li>h. identify a project contact for further communication regarding the incident.</li> </ul>	Operation	Noted.  See above response.	Compliant

Condition of consent No.	Compliance Requirement	Development Phase	Evidence and comments	Compliance status
Appendix 3-3	Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.	Operation	Noted. See above response.	Compliant
Appendix 3-4	The Incident Report must include: a. a summary of the incident; b. outcomes of an incident investigation, including identification of the cause of the incident; c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and d. details of any communication with other stakeholders regarding the incident.	Operation	Noted. See above response.	Compliant

## B. Compliance Report Declaration Form

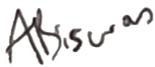
Compliance Report Declaration Form	
Project Name	Vopak site B bulk liquids storage facility and associated infrastructure, Port Botany.
Project Application Number	06_0089
Description of Project	Vopak site B bulk liquids storage facility and associated infrastructure, Port Botany.
Project Address	Lot 1 DP 806558, Lot 21 DP 1045323 known as 20 Friendship Road, Port Botany
Proponent	Vopak Terminals Sydney Pty Ltd
Title of Compliance Report	Compliance Report - MP06_0089
Date	28/11/2025

I declare that I have reviewed the contents of the attached Compliance Report and to the best of my knowledge:

- i. the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- ii. the Compliance Report has been prepared in accordance with the Compliance Reporting Requirements;
- iii. the findings of the Compliance Report are reported truthfully, accurately and completely;
- iv. due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- v. the Compliance Report is an accurate summary of the compliance status of the development.

Notes:

- Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years' imprisonment or 200 penalty units, or both).

Name of Authorised Reporting Officer	Avishek Biswas
Title	SHEQ Manager
Signature	
Qualification	SHEQ Manager
Company	Vopak Terminals Sydney
Company Address	PO Box 191 Matraville NSW 2036, Australia