

21 May 2021

Peter Fryar
Director
Key Urban Planning
10/151-153 Peats Ferry Road
HORNSBY NSW 2077

Dear Mr Fryar,

Permission to Lodge – Modification Application to permit an increase in container stacking height within an approved container park at Port Botany at 11 Simblist Road, Port Botany (Lot 101, DP 1182871)

Thank you for providing the Modification Application (MOD) to permit an increase in container stacking height within an approved container park at Port Botany at 11 Simblist Road, Port Botany (Lot 101, DP 1182871) to NSW Ports for our consideration.

NSW Ports provides in principle support for the lodgement of this MOD application and supporting documentation with Randwick Council for this development.

NSW Ports will seek the consent of Port Lessor as landowner on behalf of Tyne Container Services for this MOD application. It should be noted that the landowner consent from Port Lessor is not guaranteed.

NSW Ports is giving permission to lodge the application and as such, the application could be refused by the consent authority.

This permission to lodge is valid for three (3) months from the date of this letter.

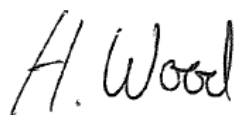
Permission to lodge is granted, subject to the following conditions:

CONDITIONS	ITEM	COMMENT
1.	Modification Application	The documentation to be lodged is that which was submitted to and reviewed by NSW Ports, being: <ul style="list-style-type: none"> Statement of Environmental Effects (Rev C) for 11 Simblist Road, Port Botany dated 14 May 2021. Container Stacking Plan (Rev B) for 11 Simblist Road, Port Botany dated 11 May 2021.
2.	Amendments	Any amendments to the application or supporting documentation reviewed by NSW Ports (whether or not the amendments are made prior to lodgement or following lodgement) must be submitted to NSW Ports for review and comment. NSW Ports' consent for the amended and/or new documentation being lodged with the Consent Authority is required prior to submission.
3.	Other Documentation	In accordance with Clause 13.1 of the Lease for the above-mentioned subject site, the tenant is directed to provide the following documentation to NSW Ports for review and comment: <ul style="list-style-type: none"> An updated Operational Traffic Management Plan An updated Container Stacking Management Plan

CONDITIONS	ITEM	COMMENT
4.	Operational Traffic Management Plan	<p>Following the sunset of Schedule 1 Clause 29A of <i>State Environmental Planning Policy (Three Ports) 2013</i> and prior to the stacking of containers in any new arrangement, an Operational Traffic Management Plan (or update to the existing) is to be provided to NSW Ports for review and comment.</p> <p>The Operational Traffic Management Plan is to meet the requirements of the Site Specific Management Plans in the <i>Port Botany Overarching Traffic Management Plan</i> dated March 2020.</p> <p>The Operational Traffic Management Plan is to be consistent with any commitments or operational management measures in existing site management plans (i.e., Operational Environmental Management Plans).</p>
5.	Container Stacking Management Plan	<p>Following the sunset of Schedule 1 Clause 29A of <i>State Environmental Planning Policy (Three Ports) 2013</i> and prior to the stacking of containers in any new arrangement, a Container Stacking Management Plan (or update to the existing) is to be provided to NSW Ports for review and comment.</p> <p>The Container Stacking Management Plan is to include as a minimum:</p> <ul style="list-style-type: none"> (a) a risk assessment of the site to identify potential issues and strategies or procedures to mitigate the issues identified in relation to the development. (b) options for the ongoing management of the development on the site, including procedures for carrying out the development safely and allowing appropriate space for the movement and use of operational equipment and vehicles. (c) an assessment of the requirements for the monitoring of weather at the site in relation to the development (d) include consideration of safe stacking provisions in the following documents, particularly in relation to stacking near the boundary of premises to protect neighbouring tenants, road verges and pipeline corridors: <ul style="list-style-type: none"> (i) AS 3711.10 : 2000 Freight containers – handling and securing (ii) IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code), 2014 (e) measures such as stepped stacking, lashings and/or height limitations given that wind events greater than 20 m/s (i.e. 76 km/h) are known to occur at Port Botany
6.	Compliance	<p>A copy of the Modification Application (MOD) approval is to be provided to NSW Ports within 7 days of approval.</p> <p>Evidence of compliance with Conditions of Approval is to be submitted to NSW Ports within two weeks of request by NSW Ports, or other time frames as agreed with NSW Ports.</p>

If you have any further questions, please do not hesitate to contact myself on +61 438 655 676.

Yours sincerely,

A handwritten signature in black ink that reads "A. Wood". The signature is written in a cursive, slightly slanted style.

Hamish Wood
Planning Officer