

Port Botany Terminal Patrick HSE Management System

Public Inquiry, Comment & Complaint Handling Report

Reporting Period: 1 January to 31 March 2020



Courtesy of Bob Wood – OOCL Texas berthed at Patrick's Port Botany Terminal, 2017

Report No. PBT_HSE_REP_11_01_17

Date Issued: 28 April 2020

DOCUMENT CONTROL

Document control shall be in accordance with Patrick Terminal's corporate **PAT_HSE_PRO_14_014 Document Management Procedure**, ensuring:

- The current version of the quarterly **Public Inquiry, Comment & Complaint Handling Report** is readily available to key stakeholders via the Patrick website <http://www.patrick.com.au>; and
- A copy of this report will be retained for a minimum of seven years.

Listed below are the four most recent issues of the report template:

| Document History | | | | | |
|------------------|----------|------------|--|-------------|-------------|
| Version No. | Page No. | Issue Date | Description of Amendment(s) | Prepared By | Approved By |
| 2 | 4 | 10-Apr-18 | Included DA-453 condition 3.63 | Marie Gibbs | Bruce Guy |
| 3 | 8 | 5-Oct-18 | Updated flowchart (section 3) | Marie Gibbs | Bruce Guy |
| 4 | All | 3-Jan-19 | Updated entire OEMP, Table 1 & Register (sections 6 & 9) | Marie Gibbs | Bruce Guy |
| 5 | 11 | 14-Jan-20 | Updated section 1.2 to DA494, MOD17; section 3 flow diagram; consolidated sections 6 & 7 | Marie Gibbs | Bruce Guy |

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1. Introduction and Purpose

This Public Inquiry, Comment & Complaint Handling Report for the fourth quarter of 2019 has been prepared by Patrick to comply with the relevant conditions outlined in the Instrument of two development consents (DA453 and DA494) and Patrick's Environmental Protection Licence (EPL 6962).

1.1 Conditions of Approval DA453-12-2002-i MOD-7

DA453 applies to the existing Patrick terminal, i.e. Berths 7, 8 and 9 and the area adjacent. Conditions 3.63 and 3.64 specifically relate to the receiving of complaints and registering any complaints received.

Telephone Hotline

3.63 *Prior to the commencement of construction, the Applicant shall establish and list with the telephone company a 24-hour free-call complaints contact telephone number. The Applicant shall provide the telephone number to the Department, EPA and Council and written notification shall be given to the surround residents.*

The aim of the complaints line is to enable any member of the public to reach a person who can arrange appropriate corrective action to the complaint within two hours, 24 hours per day for the duration of the construction and operation of the development.

Complaints Register

3.64 *The Applicant shall record details of all complaints received in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:*

- (a) the date and time of the complaint;*
- (b) the means by which the complaint was made;*
- (c) any personal details of the complainant that were provided, or if no details provided, a note to that effect;*
- (d) the nature of the complaints;*
- (e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and*
- (f) if no action was taken by the Applicant 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, EPA and Council upon request. The Applicant shall also make summaries of the register, without details of the complainants, available for public inspection.

1.2 Conditions of Approval DA494-11-2003-i MOD-17

DA494 (MOD-17) applies to the Port Botany Expansion Project, i.e. the Patrick Terminal's "The Knuckle" (Berth 6). At the time of this report, MOD-17 was in draft with the DPIE.

C3.1 *The Applicant must meet the following requirements in relation to community consultation and complaints management:*

- *all monitoring, management and reporting documents required under the development consent shall be made publicly available;*
- *provide means by which public comment, inquiries and complaints can be received, and ensure that those means are adequately publicised; and*
- *includes details of a register to be kept of all comments, inquiries and complaints received by the above means, including the following register fields:*
 - i. *the date and time, where relevant, of the comment, inquiry or complaint;*
 - ii. *the means by which the comment, inquiry or complaint was made (telephone, fax, mail, email or in person);*
 - iii. *any personal details of the commenter, inquirer or complainant that were provided, or if no details provided, a note to that effect;*
 - iv. *the nature of the complaint;*
 - v. *any actions(s) taken by the Applicant in relation to the comment, inquiry or complaint, including any follow-up contact with the commenter, inquirer or complainant; and*
 - vi. *if no action was taken by the Applicant in relation to the comment, inquiry or complaint, the reason(s) why no action was taken.*
- *Provide quarterly reports to the Department and EPA, unless otherwise agreed by the Secretary, outlining details of the complaints received.*

1.3 Environmental Protection Licence (EPL 6962) (approved 13 June 2017)

Environmental Protection Licence 6962 **Section 5, Monitoring and Recording Conditions (M2 & M3)**, and **Section 6, Reporting Conditions (R1)** specifically refer to complaints:

M2 Recording of pollution complaints

M2.1 *The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.*

M2.2 *The record must include details of the following:*

- a) *the date and time of the complaint;*
- b) *the method by which the complaint was made;*
- c) *any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;*
- d) *the nature of the complaint;*
- e) *the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and*
- f) *if no action was taken by the licensee, the reasons why no action was taken.*

M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M2.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M3 Telephone complaints line

M3.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M3.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community know how to make a complaint.

M3.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

R1 Annual return documents

R1.1 The licensee must complete and supply the EPA an Annual Return in the approved form comprising of a:

1. Statement of Compliance,
2. Monitoring and Complaints Summary,
3. Statement of Compliance – Licence Conditions,
4. Statement of Compliance – Load based Fee,
5. Statement of Compliance – Requirement to Prepare Pollution Incident Response Management Plan,
6. Statement of Compliance – Requirement to Publish Pollution Monitoring Data; and
7. Statement of Compliance – Environmental Management Systems and Practices.

1.4 Patrick's Commitment and Compliance

This quarterly report demonstrates Patrick's commitment and compliance to these two consent conditions, and the environmental protection licence by:

- Managing any inquiries, comments and/or complaints raised by the public/community with Patrick;
- Operating a 24-hour, 7-days a week, free-call to receive calls from the public (or regulator) and respond within 2 hours of receiving the inquiry, comment and/or complaint;
- Managing public inquiry, comment and/or complaint as per the Terminal's **Operational Environmental Management Plan (OEMP) – Section 4.6, Handling Environment Related Public Inquiries, Comments and Complaints**, and maintaining the **PBT Public Inquiry, Comment and Complaint Register (PBT_HSE_REG_11_02)**;
- Providing to key stakeholders, a quarterly report providing details of any inquiry, comment and/or complaint received from the public during the three-month reporting period;
- Making the register available for inspection by the Department of Planning, Industry and Environment (DPIE), NSW Ports and NSW EPA, and if requested to council; and
- A copy of this report will be available on Patrick's website - <http://patrick.com.au/environmental-monitoring/> (i.e. Community Feedback Reports).

2. Opportunities for the Public to Contact Patrick

There are several methods available to the public / community to raise any inquiry, comment and/or complaint with Patrick at the Port Botany Terminal, including:

- a. in Person at Patrick's terminal building – Gate B105A, Intermodal-Access Road (off Penrhyn Road), Banksmeadow, NSW 2019;
- b. by mail, sent to Patrick Port Botany Terminal, PO Box 194, Botany NSW 1455;
- c. by Phone on (02) 9394 0308 which is diverted to a mobile phone with 24-hour /7-day coverage; and
- d. by email, on the Patrick website <https://patrick.com.au/contact/> and completing the enquiries template, addressing it to “Port Botany Environment, Sustainability & Compliance Manager” and then submitting to Patrick.

3. Public Inquiry, Comment and/or Complaint Handling Process

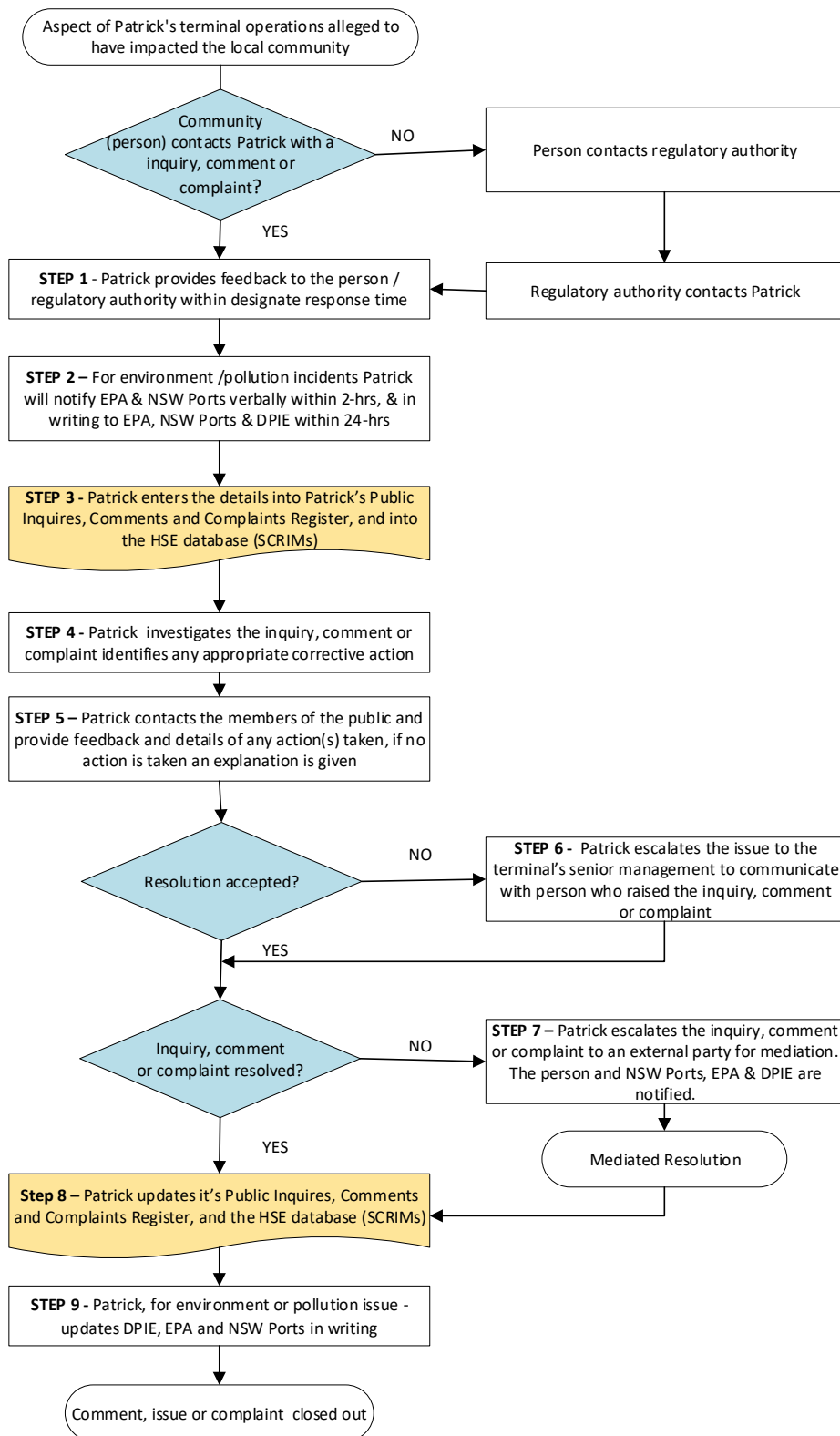


Figure 3: Process for handling environment related inquiries, comments and/or complaints from the Public

4. Reporting and Distribution

4.1 Reporting

In accordance with Development Consent DA494 Condition C3.1, and Patrick's Operational Environmental Management Plan (OEMP) located on the Patrick website this quarterly (3-monthly) report shall be distributed to key stakeholders and made available via Patrick's website - <http://patrick.com.au/environmental-monitoring/> (i.e. Community Feedback Reports).

4.2 Distribution

This quarterly report will be made available to the following key stakeholders via either direct email and/or access to Patrick's website:

- NSW Ports;
- NSW Department of Planning, Industry and Environment;
- NSW Environmental Protection Authority;
- Port Botany Community Consultative Committee; and
- Bayside Council, and Randwick City Council (if required).

5. Progress of Operational Development

The required documentation, including Construction and Pre-Operational Compliance reports certifying the Port Botany Expansion Consent DA494 Schedule B (i.e. construction works and ongoing environmental management of non-operational aspects of the terminal) have been complied with and submitted by Patrick to NSW Ports and ultimately to the Department of Planning and Environment (11 January 2016). The Director General later confirmed the documents were to their satisfaction (4 February 2016). Based on the response from the Department of Planning and Environment, NSW Ports advised Patrick it is reasonable for compliance purposes, to regard the 4 February 2016 as the date on which operations commenced at “The Knuckle” (Berth 6).

5.1 Milestones Achieved to Date

From 2013 to 2015, the following areas were constructed/remodelled, and handed over to the terminal, including:

- The area known as “The Knuckle” (Berth 6 and part of the Automated Yard);
- Tower building (offices and amenities);
- Maintenance building (offices and workshops); and
- Truck Grids and Automated Yard.

During 2016 and 2017, the following deconstruction and construction activities were completed:

- Quay crane 1 dismantled and removed; and
- Quay (Liebherr) cranes 12, 13 and 14 assembled and installed.

In 2018, no major construction or dismantling activities were carried out during the year.

In August 2019, the construction of rail line extension project, with NSW Ports, began at the eastern most end of the terminal’s rail siding. This project continued into 2020 and is ongoing.

In March 2020, the following have taken place:

- The engineered dismantling of quay crane CS02/PT02 located at Berth 7 closer to the western end of Brotherson Dock, which adjoins Berth 6 and the ‘Knuckle’, and
- The transfer of three automated rail mounted gantry cranes from a vessel at Berth 7, to the designated commissioning exclusion zone located at the north-west corner of the terminal. The gantry cranes are currently undergoing installation and commissioning.

6. Public Inquiry, Comment and/or Complaint Received

Table 6: Breakdown of inquiries, comments and/or complaints received during reporting period

| Reporting Period: | | 1 January to 31 March 2020 | |
|--|--|----------------------------|-------------|
| Total number of days during the reporting period | | 91 | |
| No. | Key Parameter | Number | Percent (%) |
| 1 | Inquiries, comments and/or complaints received by Patrick during this period | | |
| 1.1 | Total number logged / received | 3 | NA |
| 1.2 | Total number logged / received - attributed to Patrick's operations | 1 | NA |
| 2 | Inquiries, comments and/or complaints which can be attributed to Patrick's operations | | |
| 2.1 | Number - received from the public | 0 | NA |
| 2.2 | Number - involving Patrick and/or other Port Botany tenant(s) | 0 | NA |
| 2.3 | Number - involving vessels | 0 | NA |
| 2.4 | Number - closed out | 0 | NA |
| 2.5 | Number - escalated | 0 | NA |
| 2.6 | Number - unresolved | 0 | NA |
| 2.7 | Number - carried over | 0 | NA |
| 3 | From February 2016 - Inquiries, Comments and/or Complaints received by Patrick | | |
| 3.1 | Total number - received | 10 | NA |
| 3.2 | Total number & percentage – received, closed out | 10 | 100 |
| 3.3 | Total number – received are attributed to Patrick's operations | 2 | NA |
| 3.4 | Total number & percentage - attributed to Patrick's operations, closed out | 2 | 100 |
| 3.5 | Total number & percentage - attributed to Patrick's operations, escalated | 0 | 0 |
| 3.6 | Total number & percentage - attributed to Patrick's operations, unresolved | 0 | 0 |
| 3.7 | Total number & percentage- attributed to Patrick's operations, carried over | 0 | 0 |

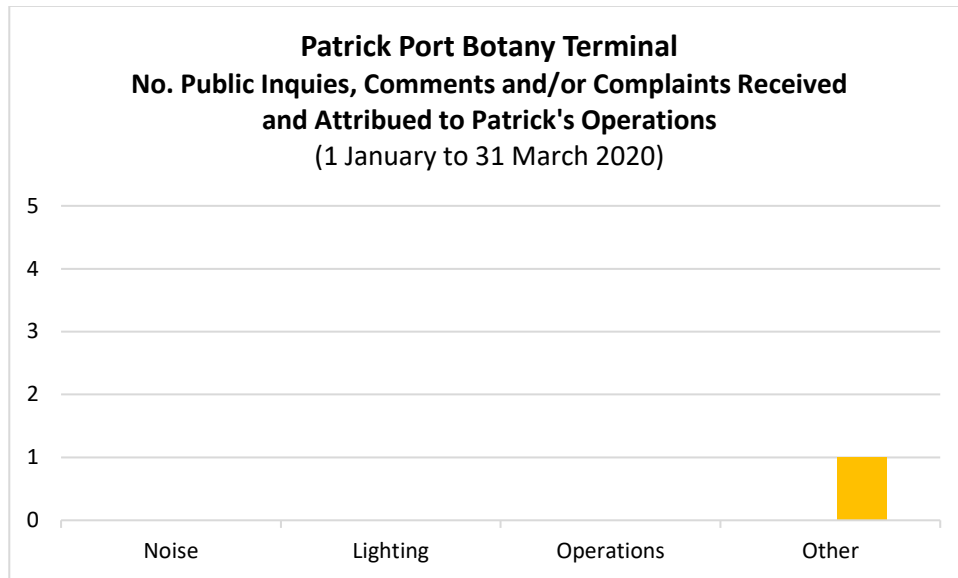
6.1 Commentary of Inquiry, Comment and/or Complaint Received

During the 3-month reporting period (1 January to 31 March 2020) Patrick received three (3) complaints from the public via the NSW EPA and NSW Ports. Refer to section 8 of this report for further details.

7. Graph and Trend Analysis

7.1 Graph of the Data Collected during Reporting Period

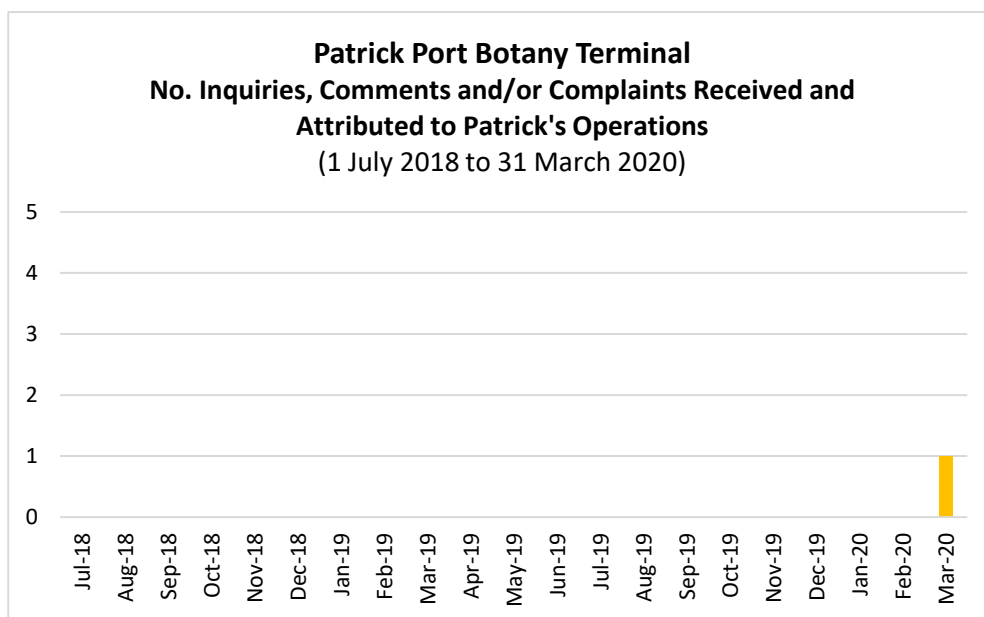
Figure: 7.1.1: Public Inquiries, Comments and/or Complaints Received and Attributed to Patrick Operations, 1Q/2020



7.2 Trend Analysis

With the exception of this quarter with one complaint confirmed, the typical trend has been zero (0) inquiries, comments and/or complaints attributed to Patrick's operations between July 2018 to February 2020.

Figure: 7.2.1: Public Inquiries, Comments and/or Complaints Received and Attributed to Patrick Operations, July 2018 to 2020 YTD



8. Public Inquiry, Comment and/or Complaint Register

Table: 8: Patrick Port Botany Terminal – Public Inquiry, Comment and/or Complaint received during the reporting period

| Reporting Period (3 months): | | | | | 1 January to 31 March 2020 | | | |
|------------------------------|-----------------------------|---------------------------------|----------------|--|---|--|---|--|
| No. | Date & Time of Notification | Direct or Indirect Notification | Means Received | Personal Details of Complainant <small>Note 1</small> | Nature of Issue | Action taken by Patrick & Follow-Up <small>Note 2</small> | Attribute Complaint to Patrick Operations? (Yes or No) | Patrick Comments |
| 1 | 10-Jan-20 @10.35am | Indirect | Phone | NSW EPA | Noise complaints from local resident – Dent St (9-Jan-20 @ 10:30PM) | Patrick investigated and no abnormal operations at the terminal. | NO | Replied to NSW EPA & NSW Ports, nil report of any noise related issues. |
| 2 | 20-Jan-20 @ 9.24am | Indirect | Phone | NSW EPA | Noise complaints from local resident - - 17/18-Jan-20 (10:00PM to 03:00AM) | Patrick investigated and reported back to NSW EPA advising there were no issues with any of the vessels alongside or port operations during the specific 5hr period during the night of 17/18-Jan-20. | NO | Nil issues reported in the duty shift managers reports of any issues with the vessels or port operations. |
| 3 | 11-Mar-20 @10.55am | Indirect | Email | NSW Ports | During inspection of Hutchison site, construction material found over the fence from Patrick's site | Patrick engaged a contractor who after being inducted to the Hutchison site cleared the affected area of the gravel material. Construction company put controls in place to cease spilling material under the fence. | YES | Entered into Patrick's incident database. Inspection of the area will be included in Patrick's next environmental inspection of the construction site. |

Note 1 – Identifying personal details have been removed.

Note 2 - If nil action taken include reason(s) why no action taken.