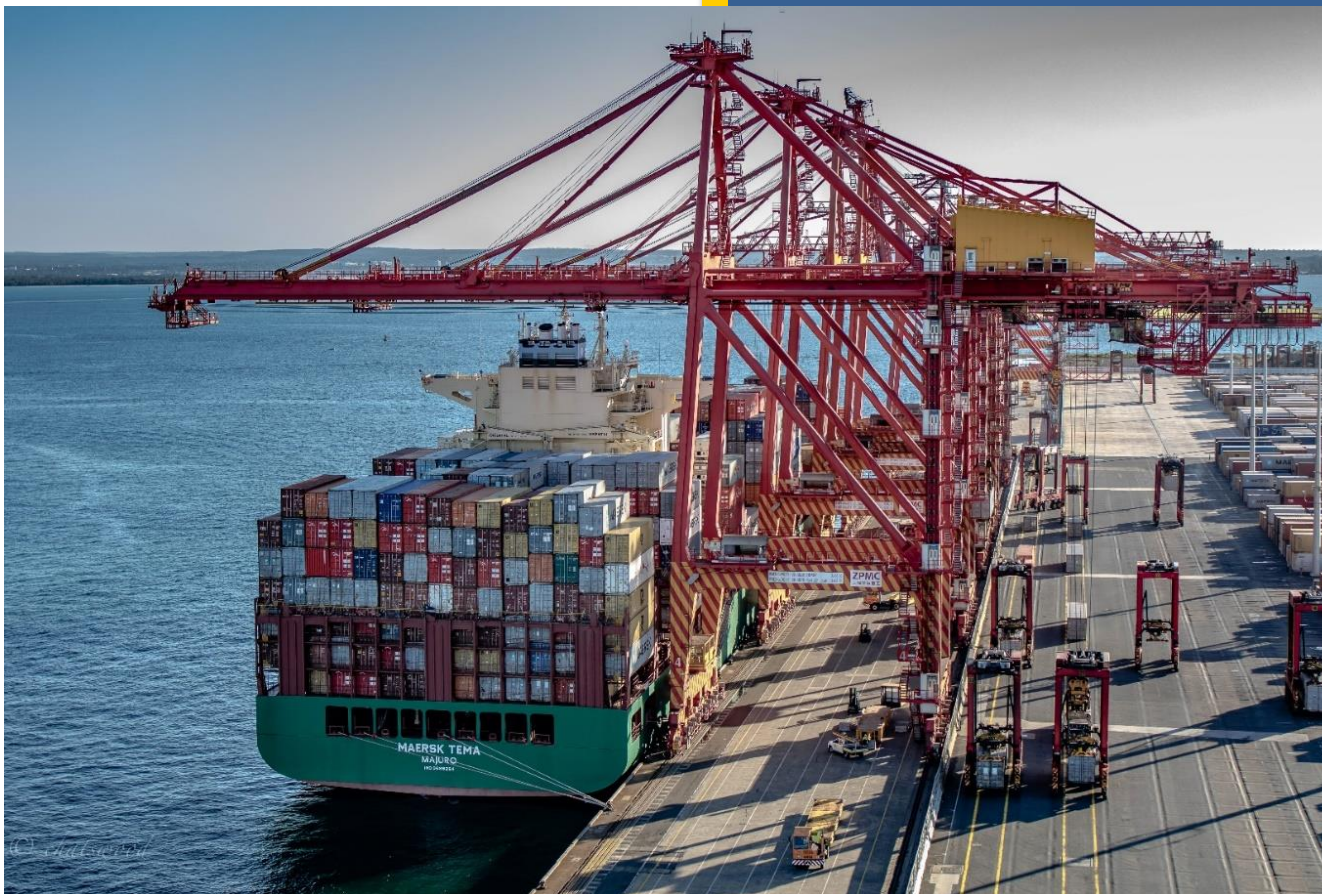




2016

# Patrick Port Botany Terminal Annual Environmental Management Report



Issue Date : 14 November 2017

**DOCUMENT CONTROL:**

Document control shall be in accordance with Patrick PBT's HSE Management System, section 14 – Management of Documents and Records, ensuring:

- The Operational Environmental Management Plan (OEMP or Operational EMP) is maintained and up-to-date;
- The current version of the Operational EMP is readily available to all Managers, employees and key stakeholders; and
- A copy of this report is retained for a minimum of seven years.

Listed below are the for this document.

Document History					
Version No.	Page No.	Issue Date	Description of Amendment(s)	Prepared By	Approved By
Draft	All	10-Nov-17	Initial draft	Marie Gibbs	Bruce Guy
1	All	14-Nov-17	Approved version	Marie Gibbs	Bruce Guy

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## Executive Summary

The Patrick Port Botany Terminal operations are currently incorporated into two separate development consents. The development of the 'Knuckle' and 'Ramp D' was completed in accordance with a development consent (DA-494-11-2003-i) issued as part of the Port Botany Expansion. The Patrick Terminal redevelopment was completed under a separate development consent specific to the Patrick Terminal (DA-453-12-2002-i).

The purpose of the Annual Environmental Management Report (AEMR) is to document for the preceding twelve-month period the following requirements under *Development Consent Condition C4.2 (C4.2) of Development Application (DA-494-11-2003-i MOD15, approved 8 July 2013)* for the Port Botany Expansion:

- the compliance with the conditions of the consent;
- report any complaints received;
- comparison of environmental impacts and performance predicted in the Environmental Impact Statement (EIS);
- comparison of environmental impacts and performance predicted in the Environmental Protection Biodiversity and Conservation (EPBC) Act 1999;
- provide results of all environmental monitoring; and
- environmental performance goals have not been achieved, action taken to prevent recurrence.

This AEMR has also been developed to satisfy *Development Consent Condition C6.6 of Development Application (DA-453-12-2002-i MOD8, approved 26 September 2013)* the Patrick Consent for the Port Botany Terminal Upgrade. C6.6 requires the development of an Annual Compliance Report to:

- provide evidence of compliance with conditions of consent and statutory requirements including the Environment Protection Licence and Trade Waste Consent
- report any complaints received;
- provide results of required environmental monitoring; and
- designate actions and responsibility for correction of any non-conformances.

The scope of this AEMR covers the entire terminal and the activities associated with its operation and associated infrastructure for the period of 1 January 2016 to 31 December 2016.

In summary, the findings of this AEMR are:

- Eleven (11) non-compliance made against the Development Consents or other requirements (licences / consents) related to Patrick's activities;
- Zero (0) areas where the performance of the EIS and the EPBC were not as predicted;
- Two (2) areas where Patrick's performance against key performance areas did not meet the targets established.

For further details of performance deficiencies, areas for improvement, proposed actions and role responsible – refer to Section 7 of this report.

Submitted by:



**Marie Gibbs**

Environment, Sustainability & Compliance Manager  
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## Acronyms and Glossary

**Table 1: Acronyms and Glossary**

Term	Definition
ACCC	Australian Competition & Consumer Commission
AEMR	Annual Environmental Management Report
Auto Strad™	Automated Straddle Carrier – a mobile plant remotely controlled
Auto Yard	Automated Yard - Fenced off area where containers are stored between being loaded onto trucks or loaded onto vessels. When in operation only AutoStrads and containers occupy this area. In the event access is required the AutoStrads are noded out enabling access.
Development Consents	Instrument of Development Consent DA-494-11-2003-i; and Instrument of Development Consent DA-453-12-2002-i
DG	Dangerous Goods
DP&E	NSW Department of Planning and Environment
DSEWPC	Department of Sustainability, Environment, Water, Population and Communities (refer to Australian Government - Department of the Environment and Energy)
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EPA	Environment Protection Authority
EPL	Environment Protection Licence
EPBC	Environment Protection and Biodiversity Conservation Act 1999
NPWS	NSW National Parks & Wildlife Service
OEMP	Operational Environmental Management Plan
OOG	Out of gauge
PBCCC	Port Botany Community Consultative Committee
Quay Crane	Purpose built crane mounted on rails on the wharf and can move along the wharf on these rails. Used for loading and unloading cargo from vessels onto the wharf or in the back reach of the crane into the Automated Yard.
Reach Stacker	Mobile plant used to pick up and carry containers with its telescopic arm and spreader. Used to handle OOG cargo, rail cargo on and off wagons.
SOP	Standard Operating Procedure
SPC	Sydney Ports Corporation
Spreader	A device used by quay cranes, Auto Strads or reach stackers which enables the mobile plant to lift, lock on to and carry containers safely.
TEU	Twenty-foot Equivalent Unit – the acceptable measure of container through-put and equal to 1x 20-foot (6.1m) long container i.e. 1x 40-foot container is equal to 2 TEU.



## 1. Development Consents

The Patrick Port Botany Terminal operations are currently incorporated into two separate development consents. The development of the 'Knuckle' and 'Ramp D' was completed in accordance with a development consent (DA-494-11-2003-i) issued as part of the Port Botany Expansion. The Patrick Terminal redevelopment was completed under a separate development consent specific to the Patrick Terminal (DA-453-12-2002-i).

## 2. Operational Date for Compliance Purposes

Based on the Pre-Operational Construction Completion Compliance Report dated 4 December 2015 which was submitted to NSW Ports and subsequently issued to the Department of Planning and Environment (DP&E) on the 11 January 2016. In the initial communication with NSW Ports Patrick request the site is deemed 'operational' under the consent on the receipt of an acknowledgement from the DP&E that the pre-operational compliance report meets the requirements and the first operational environmental audit will then be undertaken within twelve-months of this operational date. NSW Ports received a letter (4 February 2016) from the DP&E stating the Post-Construction Completion Compliance Report was satisfactory.

NSW Ports advised, for compliance purposes it is reasonable for Patrick to regard 4 February 2016 as the date on which operations commenced following the completion of the Port Botany Expansion.

## 3. Purpose of the Annual Environmental Management Report (AEMR)

The purpose of the Annual Environmental Management Report (AEMR) is to document for the preceding twelve-month period the following requirements:

### 3.1 DA-494-11-2003-i MOD15, condition C4.2, Annual Environmental Management Report (AEMR)

*The Applicant must prepare an Annual Environmental Management Report for the development. The Annual Environmental Management Report must:*

- *detail compliance with the conditions of this consent;*
- *contain a copy of the Complaints Register (for the preceding twelve-month period, exclusive of personal details) and details of how these complaints were addressed and resolved;*
- *include a comparison of the environmental impacts and performance predicted in the EIS and additional information documents provided to the Department and Commission of Inquiry;*
- *detail results of all environmental monitoring required under the development consent and other approvals, including interpretations and discussion by a suitably qualified person;*
- *contain a list of all occasions in the preceding twelve-month period when environmental performance goals have not been achieved, indicating the reason for failure to meet the goals and the action taken to prevent recurrence of that type of incident;*
- *be prepared within twelve months of the commencement of the operation, and every twelve months thereafter;*
- *be approved by the Director-General each year; and*
- *be made available for public inspection.*



### 3.1.1 Environmental Impact Statement

As per condition C4.2 requirement:

- *include a comparison of the environmental impacts and performance predicted in the EIS and additional information documents provided to the Department and Commission of Inquiry;*

### 3.1.2 Environmental Protection Biodiversity and Conservation (EPBC) Act 1999

As per condition C4.2 requirement:

- *include a comparison of the environmental impacts and performance predicted in the EIS and additional information documents provided to the Department and Commission of Inquiry;*

### 3.2 DA-453-12-2002-i MOD8, condition C6.6 - Annual Compliance Report

*Within twelve months of the date of this consent, and annually thereafter, unless the Director-General directs otherwise, the Applicant shall submit a Compliance Report to the Director-General. The Compliance Report shall:*

- Identify all the standards, performance measures, and statutory requirements the development is required to comply with, including the conditions of this consent;*
- Review the environmental performance of the development to determine whether it is complying with these standards, performance measures, and statutory requirements;*
- Identify all the occasions during the previous year when these standards, performance measures, and statutory requirements have not been complied with;*
- Include a copy of the Complaints Register for the preceding twelve-month period and indicate what actions were taken (or are being taken) to address complaints;*
- Include the detailed reporting from any monitoring requirements, and identify any trends in the monitoring over the life of the project; and*
- Where non-compliance is occurring, describe what actions will be taken to ensure compliance, who will be responsible for carrying out these actions, and when these actions will be implemented.*

*The Director-General may require the Applicant to address certain matters identified in the Annual Compliance Report. Any action required to be undertaken shall be completed within such period as the Director-General may agree. The Applicant shall provide a copy of the Annual Compliance Report to the EPA and Council. The report shall be made available to the public on request.*

### 3.2.1 Environmental Protection Licence (EPL 6962)

As per condition C6.6 requirement:

- Identify all the standards, performance measures, and statutory requirements the development is required to comply with, including the conditions of this consent;*

### 3.2.2 Consent to Discharge Industrial Trade Wastewater (No. 24990)

As per condition C6.6 requirement:

- Identify all the standards, performance measures, and statutory requirements the development is required to comply with, including the conditions of this consent;*

#### 4. Scope of the Annual Environmental Management Report

To address both consents, the scope of this AEMR covers the entire activities associated with Patrick's Port Botany Terminal's operation and associated infrastructure for the 12-month period from 1 January 2016 to 31 December 2016.

#### 5. Annual Environmental Management Report Assessment Methodology

The effectiveness of the terminal's overall environmental management was assessed using the information collected by the terminal staff and systems for inclusion in the AEMR, including but not limited to:

- a general overview of Terminal operations;
- recorded TEU throughput;
- different classes of DGs cargo handled by Patrick and the breakdown by tonnages and TEU;
- status and number of operational plant in service;
- results of any air monitoring;
- results and reports of any noise monitoring;
- results and reports of any water monitoring;
- any general enquires / complaints / comments received from the public, regulatory bodies or other organisations;
- amount of solid waste and liquid waste generated and the amount of these wastes recycled;
- volume of portable water used;
- total fuel consumption;
- total carbon emissions;
- total electricity consumed; etc

The majority of the above information will be collected from various sources, including utility bills, meter readings, invoices and register entries. The collected information will be analysed to identify trends and understand the appropriate context.

## 6. Overview of Patrick's Port Botany Operations

The Patrick PBT is located at the end of Penrhyn Road (Inter Modal Access Road) in Port Botany, NSW. Foreshore Road and Botany Road are located to the north of the site and Brotherson Dock to the South. Figure 1 provides an overview of the site context.

The site comprises approximately 63 hectares of land with 1400 metres quay line. The Terminal is accessed by road from Penrhyn Road, by rail from the Patrick Port Botany Siding, and container transfer to the yard through the Truck loading and unloading area (Truck Grid). The original terminal comprised approximately 45 hectares. The recent expansion (The Knuckle) covers the remainder approximately 18 hectares - its relative size to the original parts of Patrick PBT is indicated in below.

**Figure 1: Terminal Location**



Source: Google Earth and referencing Sydney Ports Corporation Handbook (7th Edition) for site layout

During the preceding twelve-month period (1 January 2016 to 31 December 2016), the following components of the terminal became operation:

- Berth 9 commissioned and operational;
- De-construction of quay crane 1; and
- Quay cranes 12, 13 and 14 assembled and installed.

## 7. Performance Deficiencies and Areas for Improvement

The overall assessment of environmental performance for this reporting period demonstrated a moderate level of compliance with the relevant conditions, licence and performance measures at Patrick. The table below contains a list of where conditions of the consents, standards, performance measures / goals and statutory requirements have not been achieved, the reason for failure, and the proposed action to be taken, and by whom, to prevent recurrence of the non-compliance.

**Table 2: Performance Deficiencies, Areas of Improvement, Proposed Action and Role Responsible**

No.	Ref. No	Assessment	Performance Deficiency / Area for Improvement	Reason	Proposed Action	Role Responsible
1	DA-494 (C1.3)	Non-Compliant	Patrick has not fully complied with this condition. The Operational EMP approved by the Director-General, has not been made available for public inspection.	Due to the sale of Patrick in 2016, the existing web site was no longer available.	Patrick has established a new web site. Operation EMP (and appendices) to be uploaded onto the new Patrick website making it available for public inspection.	Environment, Sustainability & Compliance Manager
2	DA-494 (C2.18) and DA-453 (3.49)	Non-Compliant	Patrick is not fully compliant with this condition. Dangerous Goods throughput analysis identified Class 2.3 – methyl bromide exceeded the limited number of movements for NEQ 12 tonnes (13 compared to 0).	DG movements into and out of the terminal are approved by the Port Authority NSW.	Patrick to review with Port Authority NSW - Table 6.8 ex Sydney Ports Corporation, Port Botany Expansion Preliminary Hazard Analysis (rev. 7, June 2004)	Environment, Sustainability & Compliance Manager
3	DA-494 (C3.1)	Non-Complaint	Patrick has not fully complied with this condition. No means has been provided to adequately publicise public comments, inquires and complaints received; quarterly reports to be sent to the DP&E detailing complaints received.	Due to people changes at Patrick this requirement was missed.	Patrick has provided NSW Ports with copies of the Quarterly Complaints Reports outlining details of complaints received during the monitoring period (2016). These reports will be uploaded to the new Patrick website making them publicly available.	Environment, Sustainability & Compliance Manager
4	DA-494 (C4.1), DA-453 (3.52) and EPL (R2.2)	Non-Compliant	Patrick has not fully complied with this condition. During this reporting period two incidents were reported to NSW EPA, however not notified to NSW Ports and DP&E.	Notifiable incidents were reported to NSW EPA, notifying Director-General was overlooked.	Patrick to familiarise new personnel with the requirement to notify DP&E as per Operational EMP, section 4.2, Table 4. Include in the updated ERP the need to notify NSW Ports & DP&E.	Environment, Sustainability & Compliance Manager

**Table 2: Performance Deficiencies, Areas of Improvement, Proposed Action and Role Responsible - Continued**

No.	Ref. No	Assessment	Performance Deficiency / Area for Improvement	Reason	Proposed Action	Role Responsible
5	DA-494 (C4.2)	Non-Compliant	Patrick is not compliant with this condition as an Annual Environmental Management Report for the development has not been prepared within twelve months of the commencement of operation.	Due to recent people changes at Patrick this requirement was missed.	Patrick has appointment a Compliance Manager responsible for maintaining reporting requirements. This AEMR covers the reporting period for 2016.	Environment, Sustainability & Compliance Manager
6	DA-494 (C4.5) and DA-453 (6.7 & 6.8)	Non-Compliant	Patrick is not compliant with this condition. An independent environmental audit was not commissioned by Patrick for the reporting period (2016).	Due to recent people changes at Patrick this requirement was missed.	Patrick has appointment a Compliance Manager responsible for maintaining reporting requirements. Patrick have engaged Wolf Peak Australia Pty Ltd (independent auditors have been approved by the DP&E Director General) to conduct an Independent Environmental Audit in January 2018.	Environment, Sustainability & Compliance Manager
7	DA-453 (1.9 & 3.62)	Non-Complaint	Patrick is not fully compliant with this condition. While employees, contractors and sub-contractors are required to undertake an induction prior to commencing work on site the induction content does not include reference to the conditions of consent DA-453.	Due to recent people changes at Patrick this requirement was missed.	Patrick to update the site induction content to include reference to the conditions of consent.	Environment, Sustainability & Compliance Manager
8	DA-453 (3.63) and EPL (M3.1 & M3.2)	Non-Complaint	Patrick is not fully compliant with this condition. Patrick does not have a designated telephone number for the public to call to report complaints etc.	Due to recent people changes at Patrick this requirement was missed.	Patrick to designate a phone number for the public to use to report complaints, and make the number readily available.	Environment, Sustainability & Compliance Manager
9	DA-453 (6.6)	Non-Complaint	Patrick is not compliant with this condition as an Annual Compliance Report has not been prepared within twelve months of the commencement of operation.	Due to recent people changes at Patrick this requirement was missed.	This AEMR includes the condition to submit an annual compliance report (DA-453, 6.6). This being the first AEMR prepared for Patrick (2016) it has been prepared more than 12 months after the commencement of operation (4 February 2015).	Environment, Sustainability & Compliance Manager

**Table 2: Performance Deficiencies, Areas of Improvement, Proposed Action and Role Responsible - Continued**

No.	Ref. No	Assessment	Performance Deficiency / Area for Improvement	Reason	Proposed Action	Role Responsible
10	TW (S1-1 & S1-3)	Non-Compliant	Patrick is not compliant with this condition as the LONG TERM AVERAGE DAILY MASS and maximum daily mass are not calculated/reported for trade waste.	Missed	Include the requirement to calculate/report the LONG TERM AVERAGE DAILY MASS and maximum daily in the appropriate Patrick procedure.	Environment, Sustainability & Compliance Manager
11	TW (S2-3)	Non-Compliant	Patrick is not compliant with this condition as the rate of waste discharge is not reported with the sampling results.	Missed	Consult with Eurofins to arrange for inclusion of the rate of waste discharged in sampling results, as required by this condition.	Environment, Sustainability & Compliance Manager
12	KPA	Non-Compliant	Potential Key Performance Areas (KPA) – spills and DG throughputs higher than tentative goals	Tentative goals	Preliminary KPI goals, additional operational data required to set goals.	Environment, Sustainability & Compliance Manager

## 8. Development Consent: DA-494-11-2003-i

### Schedule C Terminal Operations - Compliance

**Table 3A: DA-494, Assessment Compliance Rating**

Category	Definition
<b>Compliant</b>	Complies with all requirements of the condition.
<b>Non-Compliant</b>	Does not fully comply with all requirements of the condition, categorised as 'Minor' or 'Major' depending on the severity.
<b>Observation</b>	Observed during the assessment which provides an opportunity or is not necessarily best practice or requires further consideration.
<b>Not Applicable</b>	Either there are no compliance issues, was not applicable at the time of assessment, or is not the responsibility of Patrick.

**Table 3B: DA-494-11-2003-i (MOD 15, approved 8 July 2013) Schedule C Terminal Operations - Compliance**

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C1</b>	<b>General Requirement</b>		
	<b>Application of Schedule</b>		
C1.1	The conditions in this Schedule of the consent relate to all the development and activities associated with the operation of the container terminal and associated infrastructure.	Noted	Not Applicable
C1.2	The conditions in this sub-schedule of the consent must be complied with by the Applicant, or any party undertaking the activities and works referred to under condition C1.1, with the exception of the undertaking of Temporary Uses, which are subject to condition C1.2A. Should more than one terminal operator undertake operations within the terminal area, compliance with the conditions of this Schedule may be undertaken individually by operators, or collectively.	Noted	Not Applicable
	<b>Temporary Uses</b>		
C1.2A	The conditions in this sub-schedule of the consent must be complied with by the Applicant, or any party undertaking activities and works associated with Temporary Uses, except conditions C1.3, C1.4, C1.5, C2.5, C2.12, C2.16, C2.17, C2.18, C2.20, C2.25, C3.2, C3.3, C4.2, C4.3, C4.4 and C4.5.	Noted	Not Applicable



No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C1</b>	<b>General Requirement</b>		
C1.2B	Temporary Uses shall be limited to a period of two (2) years, unless otherwise agreed by the Director-General. Any request to extend the period shall be supported by a Temporary Use Environmental Management Report detailing compliance with the conditions of consent, including environmental impacts and performance.	Noted	Not Applicable
	<b>Operation Environmental Management Plan - Temporary Uses</b>		
C1.2C	<p>The Applicant shall prepare an Operation Environmental Management Plan – Temporary Uses prior to the commencement of temporary uses on the site. The Plan shall include details of how environmental performance would be managed and monitored to meet acceptable environmental outcomes, including what actions will be taken to address potential adverse environmental impacts. In particular, the following environmental issues shall be addressed in the Plan:</p> <ul style="list-style-type: none"> <li>- Odour and Air Quality;</li> <li>- Noise;</li> <li>- Waste Management;</li> <li>- Water and Wastewater Management;</li> <li>- Hazard Risk Management;</li> <li>- Amenity, including lighting; and</li> <li>- Incident Reporting.</li> </ul> <p>The Plan shall also</p> <ul style="list-style-type: none"> <li>- identify all statutory obligations that the applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations;</li> <li>- include a description of the roles and responsibilities for all key employees involved in the operation of the development; and</li> <li>- include overall environment policies and principles to be applied to the operation of the facility.</li> </ul>	Noted	Not Applicable

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C1</b>	<b>General Requirement</b>		
	<b>Operation Environmental Management Plan (OEMP)</b>		
C1.3	<p>The Applicant shall prepare an Operational Environmental Management Plan (OEMP) which must be approved by the Director-General prior to commencement of any operations at the terminal. The OEMP must:</p> <ul style="list-style-type: none"> <li>- identify all statutory obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations;</li> <li>- describe any relevant staging or phasing of the commencement of operations within the terminal envelope and any relevant timeframes;</li> <li>- clearly outline what aspects of environmental management, monitoring and reporting would be undertaken by the Applicant or jointly with other operators within the terminal area;</li> <li>- include a description of the roles and responsibilities for all key employees involved in the operation of the development;</li> <li>- include overall environment policies and principles to be applied to the operation of the facility;</li> <li>- include specific consideration of measures to address any requirements of DOP, DEC, and the Council during operation;</li> <li>- detail standards and performance measures to be applied to the development, and a means by which environmental performance can be periodically reviewed and improved, where appropriate;</li> <li>- detail management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent;</li> <li>- include the Management Plans relevant to operation, include the environmental monitoring requirements relevant to operation; and</li> <li>- be made available for public inspection after approval of the Director General.</li> </ul>	<p>An Operational EMP was developed for Patrick terminal operations and was last updated in March 2015.</p> <p>The Operational EMP and its appendices were approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>The Operational EMP is not available on the Patrick website during the assessment period as a new website was being established. Patrick to upload Operation EMP to the Patrick website making available for public inspection.</p>	<b>Non-Compliant</b>

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C1</b>	<b>General Requirement</b>		
	<b>Compliance Certification</b>		
C1.4	<p>Prior to each of the events listed from a) to c) below, or within such period otherwise agreed by the Director-General, documentation certifying that all conditions of this consent applicable prior to that event have been complied with shall be submitted to the satisfaction of the Director-General. Where an event is to be undertaken in stages, submission of compliance certification may be staged consistent with the staging of activities relating to that event, subject to the prior agreement of the Director-General.</p> <p>a) commencement of any operations within the terminal area; and b) commencement of each stage or phase of operations.</p> <p>*Note: (c) is not listed on the DA</p>	<p>The Pre-Operational Compliance Report for the Patrick Port Botany 'Knuckle' and Ramp D (dated December 2015) was approved by the Director-General on 4 February 2016 (refer to letter from Ms Karen Harragon, NSW Department of Planning &amp; Environment to Mr Trevor Brown, NSW Ports).</p>	Compliant
C1.5	<p>Notwithstanding condition C1.4 of this consent, the Director-General may require an update report on compliance with all, or any part, of the conditions of this consent. Any such update shall meet the requirements of the Director-General and be submitted within such period as the Director-General may agree.</p>	<p>Noted, no requests have been made.</p>	Compliant

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C2</b>	<b>Operational Environmental Performance</b>		
	<b>Air Quality Management – Odour</b>		
C2.1	The development shall be undertaken so as not to permit any offensive odour, as defined under section 129 of the Protection of the Environment Operations Act 1997, to be emitted beyond the boundary of the site.	Addressed in Operational EMP, Section 5.2, and Line 19 and 20 of the Terminal Environmental Risk Assessment (Operational EMP, Appendix C).  No incidents of offensive odour have been reported.	<b>Compliant</b>
	<b>Air Quality Management - Dust Emissions</b>		
C2.2	All activities shall be undertaken in a manner that minimises or prevents dust emissions from the site, including wind-blown and traffic-generated dust. All activities undertaken on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should such visible dust emissions occur at any time, all practicable dust mitigation measures, including cessation of relevant works, as appropriate, shall be identified and implemented such that emissions of visible dust cease.	Addressed in the Operational EMP, Section 5.2.  Between December 2015 and May 2016, a Control (Red Imported Fire Ant) Order was in place at Port Botany, and prevented Patrick from undertaking removal of any evacuation materials off site.  No visible dust emissions were reported to Patrick during this period.	<b>Compliant</b>
C2.3	All trafficable and vehicle manoeuvring areas shall be maintained at all times in a condition that minimises the generation and emission of dust.	All internal roads and truck areas are sealed. Patrick engages street sweeper(s) to sweep road ways truck loading/unloading areas.	<b>Compliant</b>
C2.4	All vehicles entering or leaving the site carrying a load must be covered or otherwise enclosed at all times, except during loading and unloading, to minimise the generation and emission of dust.	Generally, all vehicles entering and leaving the site are carrying shipping containers, tanks or tradesman equipment which are sealed. Trucks leaving site with loads of spoil or other material are covered or enclosed to minimise the generation of emissions of dust. External road ways are swept using street sweeper(s) as needed.	<b>Compliant</b>

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C2</b>	<b>Operational Environmental Performance</b>		
	<b>Noise Management - Operation Noise Management Plan</b>		
C2.5	<p>Prior to the commencement of operations, the Applicant must prepare an Operation Noise Management Plan in consultation with DEC, DOP, Botany and Randwick Councils. The Plan shall include noise management, mitigation monitoring and reporting to ensure that local acoustic amenity is not adversely impacted. In addition, the Operational Noise Management Plan must:</p> <ul style="list-style-type: none"> <li>- identify general activities that will be carried out and associated noise sources;</li> <li>- assess operation noise impacts at the relevant receivers;</li> <li>- a primary objective of achieving the operational noise limits outlined in this consent;</li> <li>- provide details of overall management methods and procedures that will be implemented to control noise from the development;</li> <li>- include a pro-active and reactive strategy for dealing with complaints including achieving the operation noise limits, particularly with regard to verbal and written responses;</li> <li>- detail noise monitoring, reporting and response procedures consistent with the requirements of DEC;</li> <li>- provide for internal audits of compliance of all plant and equipment;</li> <li>- indicate site establishment timetabling to minimise noise impacts;</li> <li>- include procedures for notifying residents of operation activities likely to affect their noise amenity;</li> <li>- address the requirements of DEC;</li> <li>- a strategy to identify operational practices and noise controls that can minimise/or reduce noise levels from container impacts, audible alarms and other short duration high level noise events;</li> <li>- identify opportunities to reduce operational noise levels including, but not necessarily limited to, selection of equipment, engineering noise controls and shore based power; and,</li> <li>- be approved by the Director-General prior to the commencement of operation.</li> </ul>	<p>An Operational Noise Management Plan (Operational NMP), dated 15 January 2015 was developed for the site, and is attached to Patrick's Operational EMP, Appendix D.</p> <p>Patrick's Operational NMP as part of the Operational EMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>The Operational EMP and appendices are under review.</p>	<b>Compliant</b>

No.	Consent DA-494 Conditions - Details					Evidence	Assessment Rating																																											
C2	Operational Environmental Performance																																																	
	Noise Management – Noise Limits																																																	
C2.6	Noise from the premises must not exceed the sound pressure level (noise) limits presented in the Table below. Note the limits represent the sound pressure level (noise) contribution, at the nominated receiver locations in the table.					Noise monitoring is carried out six-monthly at the site by Rodney Stevens Acoustics.  There have been no known exceedances in the noise limits presented in the EPL during the day. Patrick reported a recorded exceedance in the EPA Annual Return 01 April 2015 – 31 March 2016. EPA subsequently removed the reported non-compliance on the basis the exceedance could not be attributed to Patrick operations. NSW EPA advised by email 20 July 2016 that Patrick was not deemed non-compliant based on the difficulty of attributing the detected noise emissions has having come from Patrick’s operations.  Noise monitoring reports (June 2016 and November 2016) are provided to the NSW EPA and a copy of the reports have been uploaded to the Patrick website: <a href="http://www.patrick.com.au/environment-monitoring-reporting">http://www.patrick.com.au/environment-monitoring-reporting</a>	Complaint																																											
	<table><tr><th rowspan="2">Most affected residential Location</th><th>Day</th><th>Evening</th><th colspan="3">Night</th></tr><tr><th>L<sub>Aeq</sub>(15 min)</th><th>L<sub>Aeq</sub>(15 min)</th><th>L<sub>Aeq</sub>(15 min)</th><th>L<sub>Aeq</sub>, 9hrs</th><th>L<sub>Aeq</sub>(1 min)</th></tr><tr><td>Chelmsford Avenues</td><td>40</td><td>40</td><td>40</td><td>38</td><td>53</td></tr><tr><td>Dent Street</td><td>45</td><td>45</td><td>45</td><td>43</td><td>59</td></tr><tr><td>Jennings Street</td><td>36</td><td>36</td><td>36</td><td>35</td><td>55</td></tr><tr><td>Botany Road (north of Golf Club)</td><td>47</td><td>47</td><td>47</td><td>45</td><td>59</td></tr><tr><td>Australia Avenue</td><td>35</td><td>35</td><td>35</td><td>35</td><td>57</td></tr><tr><td>Military Road</td><td>42</td><td>42</td><td>42</td><td>40</td><td>60</td></tr></table>	Most affected residential Location	Day	Evening	Night			L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> , 9hrs	L <sub>Aeq</sub> (1 min)	Chelmsford Avenues	40	40	40	38	53	Dent Street	45	45	45	43	59	Jennings Street	36	36	36	35	55	Botany Road (north of Golf Club)	47	47	47	45	59	Australia Avenue	35	35	35	35	57	Military Road	42	42	42	40	60		
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	For the purpose of this condition; <ul style="list-style-type: none"><li>Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays,</li><li>Evening is defined as the period from 6pm to 10pm</li><li>Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays</li></ul>																																																	
C2.7	Noise from the premises is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary, to determine compliance with the noise level limits in Condition C2.6 unless otherwise stated.					The location from receivers were chosen to comply with the conditions of the EPL and Development Consent. All locations were at the most affected point within the residential boundaries.  This requirement is addressed by the 6-monthly noise monitoring carried out (June 2016 and November 2016) and reported to the EPA.	Complaint																																											

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C2</b>	<b>Operational Environmental Performance</b>		
C2.8	Noise from the premises is to be measured at 1m from the dwelling façade to determine compliance with the LA1 (1 minute) noise level in Condition C2.6.	This requirement is included in the scope of works for the acoustic noise monitoring reports, and is part of Environmental Protection Licence (EPL 6962).	Compliant
C2.9	Where it can be demonstrated that direct measurement of noise from the premises is impractical, the DEC may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy.	Noise monitoring is carried out as per C2.7 and C2.8 above.	Not Applicable
C2.10	The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.	Refer to C2.9 above.	Not Applicable
C2.11	The noise emission limits identified in Condition C2.6 apply under meteorological conditions of wind speed up to 3 metres per second at 10 metres above ground level, and temperature inversion conditions up to 1.50C/100m positive lapse rate.	Noise monitoring reports confirm noise measurements were within the meteorological conditions of the Development Consent.	Compliant
	<b>Operational Traffic Management Plan</b>		
C2.12	<p>Prior to the commencement of terminal operations, the applicant must prepare an Operational Traffic Management Plan in consultation with RTA, DOP, Botany and Randwick Councils and SSROC. The Applicant shall address the requirements of these organisations in the Plan. The Applicant shall also consult with the Community Consultative Committee in preparation of the Plan. The plan must include, but not be confined to, mitigation measures identified in EIS such as:</p> <ul style="list-style-type: none"> <li>- identification of preferred routes to minimise noise impacts on the surrounding community;</li> <li>- physical and operational measures (including signage) to mitigate noise impacts from vehicles accessing and leaving the terminal;</li> <li>- measures to limit the impact of traffic noise on Foreshore Road and Botany Road;</li> <li>- driver education and information to promote driver habits to minimise noise; and</li> <li>- timetabling, scheduling and details of vehicle booking systems.</li> </ul> <p>The plan must be submitted and approved by the Director-General prior to the commencement of operations.</p>	<p>An Operational Traffic Management Plan (Operational TMP), dated 3 March 2015 was developed for the site as Appendix E to the Operational EMP.</p> <p>Patrick's Operational TMP as part of the Operational EMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>The Operational EMP and appendices are under review.</p>	Compliant



No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C2</b>	<b>Operational Environmental Performance</b>		
	<b>Waste Management On-Site</b>		
C2.13	Management of waste must be in accordance with the environment protection licence issued by EPA under the Protection of the Environment Operations Act 1997.	<p>A Waste Management Plan (WMP) has been developed and forms Appendix G to the Operational EMP and was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>EPL 6269 Condition L2 allows Patrick to receive certain wastes at the premises. Compliance with conditions of the EPL are reported annually to the NSW EPA in the Annual Return.</p>	<b>Compliant</b>
C2.13A	The management of waste for uses and activities not subject to an <i>Environmental Protection Licence</i> , shall be managed and disposed of in accordance with the <i>Protection of the Environment Operation (Waste) Regulation 2005</i> and the <i>Waste Classification Guidelines (DECCW 2009)</i> , or any future guideline that may supersede that document. All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.	<p>A Waste Management Plan (WMP) has been developed and forms Appendix G of the Operational EMP and was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>Patrick engages licensed waste transport providers to remove any hazardous waste generated at the site (e.g. Maintenance department).</p> <p>Hazardous wastes are disposed of at appropriately licensed facilities.</p>	<b>Compliant</b>
	<b>Water and Wastewater Management</b>		
C2.14	Except as may be expressly permitted by a licence under the Protection of the Environment Operations Act 1997 in relation to the development, section 120 of that Act (prohibition of the pollution of waters) shall be complied with in connection to the development.	<p>Patrick operates under a Stormwater Management Plan (SWMP), which forms Appendix F to the Operational EMP which was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>The Operational EMP and appendices are under review.</p>	<b>Compliant</b>
C2.15	<b>Pollutant Concentration Limits</b> For each monitoring/discharge point or utilisation area, the concentration of any pollutant discharged at that point, or applied to that area, must not exceed concentration limits specified in the relevant environment protection licence.	No concentration limits for discharges to water are specified in the version of EPL 6962 (Issued 31 March 2015) applicable during the reporting period.	<b>Not Applicable</b>

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C2</b>	<b>Operational Environmental Performance</b>		
	<b>Water and Wastewater Management - Hazards and Risk Management - Temporary Uses</b>		
C2.15A	Temporary uses shall not involve the loading, unloading and storage of dangerous goods.	This requirement does not relate to the Patrick operations.	Not Applicable
	<b>Hazards and Risk Management - Storage and Handling of Dangerous Goods</b>		
C2.16	Prior to the commencement of operation, the Applicant shall develop management measures in consultation with the Major Hazards Unit of DOP regarding the use of the new terminal for loading, unloading and storage of dangerous goods of Classes 2.3 and 6.	<p>The Emergency Management Plan and Emergency Response Plan, Appendix N of the Operational EMP was developed to meet the expectation of the DP&amp;E's Major Hazards Unit i.e. to ensure the actions of Patrick when dealing with an emergency involving Class 2.3 or Class 6 dangerous goods did not increase the off-site risk described in the Preliminary Hazard Analysis.</p> <p>A Standard Operating Procedure (SOP) – Storage &amp; Handling of Hazardous Dangerous Goods (ST-SOP-03 v3, 15 May 2015):</p> <ul style="list-style-type: none"> <li>Section 4.1 - outlines Threshold Limits of Different Classes of Hazards / DGs at the Terminal; and</li> <li>Section 4.5 – Stacking &amp; Segregation of Hazardous / DGs.</li> </ul> <p>The SOP is required to be updated to include the methods followed to manage dangerous goods of Classes 2.3 and 6 on the terminal i.e. they are stored in the existing portion of the terminal's yard adjacent to 'the Knuckle' and not stored on 'The Knuckle'.</p>	Observation

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C2</b>	<b>Operational Environmental Performance</b>		
	<b>Hazards and Risk Management - Storage and Handling of Dangerous Goods</b>		
C2.17	The Applicant shall ensure that the throughput of dangerous goods of each Class and the unit size shall not exceed those listed in table 6.8 of the Preliminary Hazard Analysis (Revision 7, June 2004) and is required to submit periodic reports to the Director-General detailing information on the actual tonnages, numbers of TEUs and package sizes for each class of dangerous goods handled in the previous five years for all port terminals.	<p>A meeting was held with the DP&amp;E, NSW Ports, Patrick and Hutchison (formerly SICTL) on 4 December 2013 to discuss the requirements of C2.17. The meeting minutes confirm that as a result of Section 32 of the Ports Assets (Authorised Transactions) Act 2012 all conditions in the planning approval limiting volumes, including those related to dangerous goods limits (C2.17) no longer apply to the terminal operations in the Port Botany Expansion area.</p> <p>The processes and tools Patrick use to regulate the quantities of Dangerous Goods handled are described in Standard Operating Procedure for Storage &amp; Handling of Hazardous Dangerous Goods (ST-SOP-03 v3, 15 May 2015), as Appendix J of the Operational EMP. As discussed with DP&amp;E during the 4 December 2013 meeting, these processes operate in a transient context rather than an annual context.</p> <p>SOP for Storage &amp; Handling of Hazardous Dangerous Goods (ST-SOP-03) details the management of red-line and green-line cargo. Patrick submits periodic reports to the Port Authority of NSW regarding transiting DGs on site, including daily and hourly DG status and yard movements. In addition, the Port Authority's DG Officer inspects DG compliance and information on a weekly basis at Patrick's premises. It is recognised the SOP requires updating to include this process.</p> <p>Refer to Section 16 of this AEMR for the terminal's Dangerous Goods throughput for 2016 (based on Table 6.8 of the Preliminary Hazard Analysis (Rev. 7, June 2004)).</p> <p>Patrick is not yet required to report to the Director-General on dangerous goods handled in the past five years (est. 2020/21), as the operational period is still below this threshold.</p>	<b>Observation</b>

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C2</b>	<b>Operational Environmental Performance</b>		
	<b>Hazards and Risk Management - Storage and Handling of Dangerous Goods</b>		
C2.18	The Applicant shall not store or handle or permit to be stored or handled, dangerous goods of Class 2.3, toxic compressed or liquefied gases above the quantities stored or handled in 1995/96 except in accordance with recommendations 1.1 and 1.2 in the Port Botany Land Use Safety Study (1996).	<p>Class 2.3 dangerous goods are managed as per SOP - Storage &amp; Handling of Hazardous Dangerous Goods (ST-SOP-03 v3, 15 May 2015)</p> <p>Refer to Section 14 of this AEMR for the terminal's Dangerous Goods throughput for 2016 (based on Table 6.8 of the Preliminary Hazard Analysis (Rev. 7, June 2004). Review of the Dangerous Goods throughput analysis identified Class 2.3 – methyl bromide exceeded the limited number of movements for NEQ 12 tonnes (13 compared to 0). It is noted that DG movements into and out of the terminal are approved by the Port Authority of NSW.</p>	<b>Non-Compliant</b>
C2.19	Condition deleted from Development Consent	Not Applicable	Not Applicable
	<b>Emergency Incident Management - Emergency Response and Incident Management Plan</b>		
C2.20	<p>The Applicant shall develop an Emergency Response and Incident Management Plan in consultation with DEC, DOP, Council and the Community Consultative Committee. The Plan must be approved by the Director-General prior to the commencement of operations and shall detail:</p> <ul style="list-style-type: none"> <li>- terminal security and public safety issues;</li> <li>- effective spill containment and management;</li> <li>- effective firefighting capabilities;</li> <li>- effective response to emergencies and critical incidents; and</li> <li>- a single set of emergency procedures, consistent with the existing Port Botany Emergency Plan, should be developed that be scaled as appropriate for any incident or emergency.</li> </ul>	<p>An Incident Management and Investigation Procedure has been developed forms Appendix I to the Operational EMP, and the Emergency Management Plan and Emergency Response Procedures (November 2015) have been developed and attached to the Operational EMP as Appendix N and approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>The Emergency Response Plan (ERP) is available on the Patrick website - <a href="http://www.patrick.com.au/environment-management">http://www.patrick.com.au/environment-management</a></p> <p>The ERP is currently under review.</p>	<b>Compliant</b>

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C2</b>	<b>Operational Environmental Performance</b>		
	<b>Aviation Operational Impacts - Impact on Aviation Operations at Sydney Airport</b>		
C2.21	The Applicant shall ensure that the location of fixed terminal operating infrastructure adequately takes into account the required lateral separation distances to minimise the interference to Sydney Airport radar and navigational systems.	<p>Patrick has obtained approval under the <i>Airports (Protection of Airspace) Regulations 1996</i> (APAR) (Ref: 12/5083) for the intrusion of three quay cranes into prescribed airspace for Sydney Airport.</p> <p>Approval was granted by Flysafe Aerodrome Precincts, Aviation and Airports Division of the Department of Infrastructure and Transport on 12 December 2012.</p>	<b>Compliant</b>
	<b>Aviation Operational Impacts - Obstacle Limitation Surface</b>		
C2.22	The Applicant shall ensure that all operation equipment is below the obstacle limitation surface, unless otherwise permitted by an approval under the Airports Act 1999 and Airports (Protection of Airspace) Regulation 1966.	Refer to C2.21 above.	<b>Compliant</b>
	<b>Aviation Operational Impacts - Terminal Lighting</b>		
C2.23	The Applicant shall ensure design specifications of the terminal lighting conform to the requirements of Regulation 94 of the Civil Aviation regulations 1988.	<p>The Pre-Operational Compliance Report for the Patrick Port Botany 'Knuckle and Ramp D' (dated December 2015) lists the status of this condition as "open" with comments about consultation with relevant parties.</p> <p>Approval was granted by Flysafe Aerodrome Precincts, Aviation and Airports Division of the Department of Infrastructure and Transport on 12 December 2012.</p>	<b>Compliant</b>

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C2</b>	<b>Operational Environmental Performance</b>		
	<b>Aviation Operational Impacts - Light Spill</b>		
C2.24	<p>The Applicant shall adopt measures to ensure that there is minimal light spill from ships which may cause distraction, confusion or glare to pilots. These may include:</p> <ul style="list-style-type: none"> <li>- minimising ship board lighting while berthed;</li> <li>- orientating ships in a specific direction; and or</li> <li>- providing temporary shielding on the ship mounted floodlights while docked.</li> </ul>	<p>Maritime Order 32 Schedule 1 (2) lighting requires adequate lighting during loading or unloading activities. When vessels are loaded/unloaded at night and sufficient lighting will be required to undertake loading or discharge operations.</p> <p>Note: The Pre-Operational Compliance Report for the Patrick Port Botany 'Knuckle and Ramp D' (dated December 2015) lists the status of this condition as "open" with comments about consultation with relevant parties.</p>	<b>Compliant</b>
	<b>Aviation Operational Impacts - Bird Hazard Management Plan</b>		
C2.25	<p>Prior to operations, the Applicant shall develop a Bird Hazard Management Plan to minimise the attraction of bird species that pose a risk to aircraft movements. The Plan is to be prepared in consultation with the Department of Transport and Regional Services, Sydney Airport Corporation and Botany and Randwick Councils. The Plan must be approved by the Director-General prior to the commencement of operations.</p>	<p>A Bird Hazard Management Plan (undated) has been developed for the site and forms Appendix Q to the Operational EMP. The Operational EMP and appendices are under review.</p> <p>Patrick's Bird Hazard Management Plan as part of the Operational EMP was conditionally approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p>	<b>Compliant</b>

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C3</b>	<b>Community Information, Involvement and Consultation</b>		
	<b>Community Information Complaints Handling</b>		
C3.1	<p>The Applicant must meet the following requirements in relation to community consultation and complaints management:</p> <ul style="list-style-type: none"> <li>- all monitoring, management and reporting documents required under the development consent shall be made publicly available;</li> <li>- provide means by which public comments, inquiries and complaints can be received, and ensure that those means are adequately publicised; and</li> <li>- includes details of a register to be kept of all comments, inquiries and complaints received by the above means, including the following register fields: <ul style="list-style-type: none"> <li>- the date and time, where relevant, of the comment, inquiry or complaint;</li> <li>- the means by which the comment, inquiry or complaint was made (telephone, fax, mail, email or in person);</li> <li>- any personal details of the commenter, inquirer or complainant that were provided, or if no details were provided, a note to that effect;</li> <li>- the nature of the complaint;</li> <li>- any action(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</li> <li>- if no action was taken by the Applicant in relation to the comment, inquiry or complaint, the reason(s) why no action was taken.</li> </ul> </li> <li>- provide quarterly reports to the Department and DEC, where relevant, outlining details of complaints received.</li> </ul>	<p>The complaints management process is documented in the Operational EMP (Appendix P) and complaints reporting is addressed in Section 4.2.11 of the Operational EMP and Complaints Management is addressed in Section 5.4. Table 4.</p> <p>A Statement of Compliance and a Monitoring and Complaints Summary is provided to NSW EPA as part of the Annual Return (Operational EMP, Section 4.2.3).</p> <p>Patrick has prepared and issued to NSW Ports copies of the Quarterly Complaints Reports during the reporting period of 2016. These reports will be uploaded to the Patrick website making them publicly available.</p> <p>Patrick were not fully compliant with this requirement during the reporting period.</p>	<b>Non-Compliant</b>



No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C3</b>	<b>Community Information, Involvement and Consultation</b>		
C3.2	<p>At least 6 months prior to commencement of operations, the Applicant shall establish a Community Consultative Committee to oversee the environmental performance of the development. This committee shall:</p> <p>(a) be comprised of:</p> <ul style="list-style-type: none"> <li>- 2 representatives from the Applicant, including the person responsible for environmental management;</li> <li>- 1 representative from Botany Bay City Council; and</li> <li>- at least 3 representatives from the local community, whose appointment has been approved by the Director-General in consultation with the Council;</li> </ul> <p>(b) be chaired by an independent party approved by the Director-General;</p> <p>(c) meet at least four times a year, or as otherwise agreed by the CCC;</p> <p>(d) review and provide advice on the environmental performance of the development, including any construction or environmental management plans, monitoring results, audit reports, or complaints; and</p> <p>Note: The Applicant may, with the approval of the Director-General, combine the function of this CCC with the function of other existing Community Consultative mechanisms the area, including the construction phase CCC (Condition B3.2) however, if it does this it must ensure that the above obligations are fully met in the combined process.</p>	<p>NSW Ports have confirmed they are responsible for the implementation of this condition.</p> <p>A Patrick representative attends the 3-monthly Port Botany Precinct Community Consultative Committee (PBCCC).</p> <p>The following staff have attended the committee meetings during the reporting period:</p> <ul style="list-style-type: none"> <li>• John Harvison</li> <li>• Dave Dogger</li> <li>• Marie Gibbs</li> </ul> <p>Meetings were held on:</p> <ul style="list-style-type: none"> <li>• 1 March 2016</li> <li>• 31 May 2016</li> <li>• 30 August 2016</li> <li>• 22 November 2016</li> </ul> <p>The chairperson is Roberta Ryan and held at Hutchison's (formerly SICTL) terminal. As and when required / requested Patrick provides updates during the meeting.</p>	<b>Complaint</b>

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C3</b>	<b>Community Information, Involvement and Consultation</b>		
C3.3	<p>The Applicant shall, at its own expense:</p> <ol style="list-style-type: none"> <li>ensure that 2 of its representatives attend the Committee's meetings;</li> <li>provide the Committee with regular information on the environmental performance and management of the development;</li> <li>provide meeting facilities for the Committee;</li> <li>arrange site inspections for the Committee, if necessary;</li> <li>take minutes of the Committee's meetings;</li> <li>make these minutes available on the Applicant's website within 14 days of the Committee meeting, or as agreed to by the Committee;</li> <li>respond to any advice or recommendations the Committee may have in relation to the environmental management or performance of the development; and</li> <li>forward a copy of the minutes of each Committee meeting, and any responses to the Committee's recommendations to the Director-General within a month of the Committee meeting.</li> </ol>	<p>NSW Ports have confirmed they are responsible for the compliance with this condition and it is satisfied by the PBCCC.</p> <p>Representatives are from all of the operators in the PBE project covered by the Development Consent, and other terminal operators. Patrick generally sends one representative to each PBCCC meeting, Hutchison (formerly SICTL) provided the facilities for the meetings.</p> <p>Meetings are chaired by Roberta Ryan, and the minutes are taken by Sandra Spate (both are members of the community).</p> <p>The meeting minutes are published on the NSW Ports website: <a href="https://www.nswports.com.au/community-and-environment-hub/consulative-committees/port-botany/">https://www.nswports.com.au/community-and-environment-hub/consulative-committees/port-botany/</a></p>	<b>Compliant</b>
<b>C4</b>	<b>Environmental Monitoring and Auditing</b>		
	<b>Incident Reporting</b>		
C4.1	<p>The Director-General shall be notified of any incident with actual or potential significant off-site impacts on people or the biophysical environment within 12 hours of the Applicant, or other relevant party undertaking the development, becoming aware of the incident. Full written details of the incident shall be provided to the Director-General within seven days of the date on which the incident occurred. The Director-General may require additional measures to be implemented to address the cause or impact of any incident, as it relates to this consent, reported in accordance with this condition, within such period as the Director-General may require.</p>	<p>Operational EMP, section 4.2 Table 4 outlines the requirement for notification of environmental incidents.</p> <p>During this reporting period two incidents were reported to NSW EPA, however not notified to NSW Ports and DP&amp;E:</p> <ul style="list-style-type: none"> <li>29-Aug-16: AutoStrad leaked diesel in the Yard.</li> <li>22-Oct-16: DGs (Class 9) shipping containers were pushed over, drums came through the doors. Hazmat contacted, identified nil leaking from drums.</li> </ul> <p>Include in the updated ERP the need to notify NSW Ports &amp; DP&amp;E.</p>	<b>Non-Compliant</b>

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C4</b>	<b>Environmental Monitoring and Auditing</b>		
	<b>Annual Environmental Management Report (AEMR)</b>		
C4.2	<p>The Applicant must prepare an Annual Environmental Management Report for the development. The Annual Environmental Management Report must:</p> <ul style="list-style-type: none"> <li>- detail compliance with the conditions of this consent;</li> <li>- contain a copy of the Complaints Register (for the preceding twelve-month period, exclusive of personal details) and details of how these complaints were addressed and resolved;</li> <li>- include a comparison of the environmental impacts and performance predicted in the EIS and additional information documents provided to the Department and Commission of Inquiry;</li> <li>- detail results of all environmental monitoring required under the development consent and other approvals, including interpretations and discussion by a suitably qualified person;</li> <li>- contain a list of all occasions in the preceding twelve-month period when environmental performance goals have not been achieved, indicating the reason for failure to meet the goals and the action taken to prevent recurrence of that type of incident;</li> <li>- be prepared within twelve months of the commencement of operation, and every twelve months thereafter;</li> <li>- be approved by the Director-General each year; and</li> <li>- be made available for public inspection.</li> </ul>	<p>The requirement for an annual environmental management report (AEMR) is detailed in the Operational EMP, section 4.2 – Table 4.</p> <p>This is the first AEMR prepared for Patrick (2016). It is noted this AEMR has been prepared more than 12 months after the commencement of operation which, for compliance purposes was 4 February 2016 making the first AEMR due 12-months thereafter.</p>	<b>Non-Compliant</b>

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C4</b>	<b>Environmental Monitoring and Auditing</b>		
	<b>Environmental Representative</b>		
C4.3	<p>Prior to the commencement of operations, a suitably qualified and experienced Environmental Representative(s) shall be nominated to and approved by the Director-General. The Environmental Representative(s) shall be employed for the duration of operations, or as otherwise agreed by the Director-General. The Environmental Representative shall be:</p> <ul style="list-style-type: none"> <li>- the primary contact point in relation to the environmental performance of the terminal operations;</li> <li>- responsible for all Management Plans and Monitoring Programs required under this consent, in relation to the terminal operations;</li> <li>- responsible for considering and advising on matters specified in the conditions of this consent, and all other licences and approvals relating to the environmental performance and impacts of the terminal operations;</li> <li>- responsible for the management of procedures and practices for receiving and responding to complaints and inquiries in relation to the environmental performance of the terminal operations;</li> <li>- required to facilitate an induction and training program for relevant persons involved with the terminal operations; and</li> <li>- given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.</li> </ul>	During this reporting period (2016), the Environmental Representative (ER) nominated and approved by the Director-General - Mr Tim Cook (ex GDH, Arup).	<b>Compliant</b>

No.	Consent DA-494 Conditions - Details	Evidence	Assessment Rating
<b>C4</b>	<b>Environmental Monitoring and Auditing</b>		
	<b>Environmental Training</b>		
C4.4	<p>Prior to the commencement of operations an Environmental Training Program shall be developed and implemented to establish a framework in which relevant employees will be trained in environmental management and the operation of plant and equipment, including pollution control equipment, where relevant. The Program shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>a) identification of relevant employment positions associated with the development that have an operational or management role related to environmental performance;</li> <li>b) details of appropriate training requirements for relevant employees;</li> <li>c) a program for training relevant employees in operational and/ or management issues associated with environmental performance; and</li> <li>d) a program to confirm and update environmental training and knowledge during employment of relevant persons.</li> </ul>	Section 4.4 of the Operational EMP specifies Environmental Training requirements.	Compliant
	<b>Environmental Auditing</b>		
C4.5	<p>Within one year of the commencement of operations and every year thereafter, the Applicant shall fund a full independent environmental audit. The audit must be undertaken by a suitably qualified person/team approved by the Director-General.</p> <p>The audits would be made publicly available and would:</p> <ul style="list-style-type: none"> <li>- be carried out in accordance with ISO 14010 – Guidelines and General Principles for Environmental Auditing and ISO 14011 – Procedures for Environmental Auditing;</li> <li>- assess compliance with the requirements of this consent, and other licences and approvals that apply to the development;</li> <li>- assess the construction against the predictions made and conclusions drawn in the development application, EIS, additional information and Commission of Inquiry material; and</li> <li>- review the effectiveness of the environmental management of the development, including any environmental impact mitigation works.</li> <li>- Note: An independent and transparent environmental audit can verify compliance (or otherwise) with the Minister’s consent and various approvals. Auditing also provides an opportunity for continued improvement in environmental performance.</li> </ul>	<p>The independent environmental audit was not commissioned by Patrick for the reporting period (2016).</p> <p>Patrick have engaged Wolf Peak Australia Pty Ltd (auditors have been approved by the Director-General) to conduct an Independent Environmental Audit in January 2018 for the next reporting period (2017) and at the same time will conduct a retrospective audit for 2016 based on 2016 information. NSW Ports and DP&amp;E have been advised of this non-compliance and the corrective actions to rectify.</p>	Non-Compliance

## 9. Port Botany Expansion Environmental Impact Statement

Table 4A: PBE Environmental Impact Statement (EIS) - Assessment Predicted Rating

Category	Definition
Predicted	Largely as predicted / concluded
Partially Predicted	Partially as predicted / unknown / concluded
Not Predicted	Not predicted
Not Applicable	Not applicable

Table 4B: PBE Environmental Impact Statement (EIS) - Predictions and Conclusions

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 16 - Hydrology and Water Quality</b>			
16.4.2	<b>Surface Water Quality</b>		
	<b>Dredging and Reclamation</b> Initial consolidation of material in the reclaimed area is expected to take up to two years. During this time the surface of the reclamation, if not protected, may be subject to erosion. To control erosion, the surface of the newly reclaimed area would be stabilised and profiled to form sediment detention basins to contain sediment runoff until the reclaimed area is covered with an impervious surface. These control measures would be documented as part of the Construction EMP for the project.	Construction at Patrick is completed and the developed / redeveloped areas are fully surfaced and sealed.	Predicted
	<b>Erosion and Sedimentation</b> Dredged or construction material stockpiles and active construction areas may be subject to erosion and sedimentation from surface runoff.	Between 15 December 2014 and 2 May 2016, a Control (Red Import Fire Ant) Order was in place at Port Botany, and prevented Patrick removing any excavated soils from site. Water spraying of soil stockpiles occurred. No visible dust emissions were reported to Patrick during this period.	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 17 - Groundwater</b>			
17.6.2	<b>Groundwater Quality</b>		
	<p>The operation of the new terminal is expected to have minimal effect on groundwater quality. Once operational, all terminal activities would be conducted in a manner to prevent contamination of surface or groundwater from operational activities. An Operational EMP would be developed in the detailed design phase to ensure an adequate standard is applied to contamination control for the operation of the new terminal.</p>	<p>The operational areas of the terminal are fully sealed. Patrick has prepared and implemented the following documents under its Operational EMP:</p> <ul style="list-style-type: none"> <li>Appendix F – Stormwater Management Plan</li> <li>Appendix G – Waste Management Plan</li> </ul> <p>And standard operating procedure:</p> <ul style="list-style-type: none"> <li>Storage &amp; Handling of Hazardous Dangerous Goods (ST-SOP-03 v3, 15 May 2015)</li> </ul> <p>These documents describe the controls which Patrick has in place to control spills/leaks, and control of waste generated as part of its operations.</p> <p>The Stormwater Management Plan further details how Patrick will ensure that any surface pollutants shall be captured and treated in order to minimise the potential contamination to groundwater or waters.</p>	<b>Predicted</b>



Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 18 - Geology, Soils and Geotechnical</b>			
18.4.2	<b>Soil Erosion</b>		
	<p>The operations at the new terminal would take place on reclaimed and hard surfaced pavement. There is no requirement for soil removal or disturbance during operation of the terminal. Stormwater collection and treatment systems would be designed to capture surface water runoff from all impervious surfaces. Therefore, the operation of the new terminal is expected to have minimal effects on soil erosion.</p> <p>Soil in the vicinity of facilities outside the new terminal area, such as the proposed railway, boat ramp and car park, would be stabilised and erosion in these areas would be low.</p>	<p>Stormwater collection and treatment devices have been installed at the terminal and are operational, and routinely inspected / maintained.</p> <p>There is no evidence of soil erosion identified in the operational areas.</p>	<b>Predicted</b>
18.4.3	<b>Sediment Contamination</b>		
	<p>Leaks and spills from operations at the new container terminal would be contained by the proposed stormwater detention and treatment system. There is low potential for leaching of contaminants through the hard stand areas. Environmental management measures would be included in the Operational EMP</p>	<p>Patrick operates under a Stormwater Management Plan (SWMP), which forms Appendix F to the Operational EMP.</p> <p>Patrick's SWMP as part of the Operational EMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>Stormwater collection and treatment devices have been installed at Patrick and are operational, and routinely inspected / maintained.</p> <p>Key Patrick operational employees have been trained in the control of environmental spills and all incidents are quickly identified, contained and reported.</p>	<b>Predicted</b>

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 18 - Geology, Soils and Geotechnical</b>			
18.5.2	<b>Operation</b>		
	<p>The operation of the new terminal would have minimal effects on geology, soils and geotechnical issues. Once operational, all terminal activities would be conducted in a manner to prevent soil erosion and contamination from operational activities.</p> <p>A SWMP would be developed as part of an Operational EMP to ensure an adequate standard is applied to sediment control for the operation of new terminal. This plan would also address stormwater management and be prepared in accordance with NSW EPA requirements. The SWMP for operations would be incorporated in the Operational EMP. Management measures would include:</p> <ul style="list-style-type: none"> <li>• a first flush system to capture sediment and contaminants from surface water runoff from the new terminal;</li> <li>• treatment of surface water runoff from potential pollutant areas on the new terminal by a wastewater treatment system prior to discharge to sewer;</li> <li>• investigation of the feasibility of installation of sediment traps on Floodvale and Springvale Drains to reduce influx of sediment to Penrhyn Estuary;</li> <li>• emergency response plan for fuel, oil and chemical spills; and</li> <li>• storage and handling of all dangerous goods in accordance with Australian Standards, Dangerous Goods Regulations and NSW EPA requirements.</li> </ul>	<p>Patrick's Stormwater Management Plan (SWMP) as part of the Operational EMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>Patrick operates under a Stormwater Management Plan (SWMP), which forms Appendix F to the Operational EMP, and the Emergency Management Plan and Emergency Response Procedures (November 2015) have been developed and attached to the Operational EMP as Appendix N and approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>The Emergency Response Plan (ERP) is available on the Patrick website - <a href="http://www.patrick.com.au/environment-management">http://www.patrick.com.au/environment-management</a></p> <p>The ERP is due for review in November/December 2017.</p> <p>Standard Operating Procedure - Storage &amp; Handling of Hazardous Dangerous Goods (ST-SOP-03 v3, 15 May 2015) details the storage and handling of dangerous goods on the terminal.</p>	<b>Predicted</b>

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 19 – Aquatic Ecology</b>			
19.6.1	<b>Potential Physical, Chemical and Biological Stressors</b>		
	<b>Noise, Vibration and Light</b> Vibration would occur as a result of construction and operation of the new terminal. Most aquatic animals would tend to habituate to the changes in noise and vibration, therefore, impacts could be considered as low.	The level of vibrations at Patrick would be similar with the types of activities conducted at the adjacent container terminals.  Patrick's operations have not directly resulted in any increase of vessels in the Port Botany area.	Predicted
	<b>Introduced Species</b> There appear to be no aspects of the proposal likely to enhance the risk of the introduction of exotic species, other than an increase in risk associated with greater numbers of vessels using Port Botany. In terms of introduced species already in Botany Bay, there is some risk of changes in distribution associated with the proposed port expansion for: <ul style="list-style-type: none"> <li><i>Caulerpa taxifolia</i> presently occurring along Foreshore Beach.</li> </ul>	In the most recent <i>Port Botany Post Construction Environmental Monitoring - Seagrass Summary Report (dated April 2015)</i> there is no mention of the <i>Caulerpa taxifolia</i> in the Foreshore Beach or Penrhyn Estuary area.  Refer to report uploaded on the Port Authority of New South Wales (formerly SPC) website: <a href="https://www.portauthoritynsw.com.au/media/1389/seagrass-summary-report-april-2015.pdf">https://www.portauthoritynsw.com.au/media/1389/seagrass-summary-report-april-2015.pdf</a>	Predicted
19.6.2	Management of the possible spread of <i>Caulerpa Taxifolia</i> would form part of a Construction and Operational EMP.	The management of <i>Caulerpa taxifolia</i> is not included in the Patrick Operational EMP or appendices as Patrick has limited control over activities outside of the terminal boundaries.  The management and monitoring of <i>Caulerpa taxifolia</i> is addressed in section 2.1.5 of the <b>Penrhyn Estuary Habitat Enhancement Plan (March 2007)</b> <a href="https://www.portauthoritynsw.com.au/media/1084/pehep_report_execsummary.pdf">https://www.portauthoritynsw.com.au/media/1084/pehep_report_execsummary.pdf</a>	Predicted
19.7.2	<b>Marine Mammals</b>		
	With the current operation of the port it appears that marine mammals are able to co-exist with the port operations. A Marine Mammal Management Plan would, however, be prepared to ensure that the occurrence of marine mammals in the vicinity of the port during operations is appropriately managed. This would form part of the Operational EMP and would be prepared in consultation with NPWS.	The Operational EMP does not include a Marine Management Plan. The Port Authority of NSW (formerly Sydney Ports Corporation) monitors the presence and location of marine mammals in Botany Bay and through Harbour Control will advise commercial vessels and port operations if there are any marine hazard or emergency.	Partially Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 19 – Aquatic Ecology</b>			
19.7.4	<b>Monitoring and Feedback</b>		
	<p><b>Baseline Monitoring</b> - Monitoring of the effects of the proposed port expansion on aquatic ecology would require investigation during construction and operation. Monitoring would be required before construction begins to compile appropriate baseline data. The proposed monitoring would be described in the Construction and Operational EMPs for the project and would include the measures described below:</p> <p><b>The Water Column</b> – Following construction, water quality would be measured on a regular basis within Penrhyn Estuary. Indicators would include turbidity, dissolved oxygen, temperature, salinity, pH, nutrients, heavy metals and organic contaminants. In particular, organic contaminants (eg VHCs) would be measured in relation to an influx of contaminated groundwater into Penrhyn Estuary.</p> <p><b>Seagrass, Algae and Associated Fauna</b> - Monitoring programs would be designed and implemented for seagrass during the construction and operational phases of the project. The seagrass indicators that would be considered include extent and coherence of beds (i.e. patchiness) and morphological characteristics, including shoot density, leaf length and width and extent of epiphytic growth.</p> <p>The occurrence and persistence of nuisance algae within Penrhyn Estuary as a result of nutrients from the catchments of Floodvale and Springvale Drains would be monitored to enable an appropriate management response. Finally, organisms utilising the compensatory seagrass beds would be monitored to evaluate diversity and abundance. It is suggested that a good indicator of this would be fish and mobile invertebrates (e.g. prawns) which can be readily collected using standard sampling procedures (e.g. seine nets).</p>	<p>The Operational EMP does not include monitoring aquatic ecology.</p> <p>The management and monitoring of the effects on specific aquatic ecology of Foreshore Beach and Penrhyn Estuary is covered in section 3 of the <b>Penrhyn Estuary Habitat Enhancement Plan (PEHEP) (March 2007)</b> located on the Port Authority of NSW (formerly SPC) website: <a href="https://www.portauthoritiesnsw.com.au/media/1084/pehep_report_execsummary.pdf">https://www.portauthoritiesnsw.com.au/media/1084/pehep_report_execsummary.pdf</a>.</p> <p>Monitoring of the PEHEP is managed by Cardno on behalf of the Port Authority of NSW – refer to: <a href="http://www.cardno.com/en-au/projects/pages/port-botany-expansion-penrhyn-estuary-habitat-enhancement-plan.aspx">http://www.cardno.com/en-au/projects/pages/port-botany-expansion-penrhyn-estuary-habitat-enhancement-plan.aspx</a></p> <p>The results are summarised in the <b>Port Botany Post-Construction Environmental Monitoring – Seagrass Summary Report April 2015</b> located on the Port Authority of NSW website: <a href="https://www.portauthoritiesnsw.com.au/media/1389/seagrass-summary-report-april-2015.pdf">https://www.portauthoritiesnsw.com.au/media/1389/seagrass-summary-report-april-2015.pdf</a></p>	<b>Predicted</b>

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 20 - Terrestrial Ecology</b>			
20.8.4	<b>Habitat Enhancement</b>		
	<b>Saltmarsh Protection and Transplantation / Re-establishment</b> A Vegetation Management Plan (VMP) detailing methodologies for saltmarsh excavation, storage, propagation and transplantation would be prepared and would be incorporated as part of the Construction and Operational EMPs for the project.	The Operational EMP – Appendix H, Vegetation Management Plan does not include methodologies for saltmarsh protection and transplantation as Patrick has limited control over activities outside of the terminal boundaries.	Partially Predicted
	<b>Mangrove Removal and Control</b> A Vegetation Management Plan (VMP) detailing methodologies for mangrove removal and control would be prepared and would be incorporated as part of the Construction and Operational EMPs for the project.	The Vegetation Management Plan is covered in Appendix C of the <b>Penrhyn Estuary Habitat Enhancement Plan (March 2007)</b> located on the Port Authority of NSW website: <a href="https://www.portauthoritynsw.com.au/media/1084/pehep_report_execsummary.pdf">https://www.portauthoritynsw.com.au/media/1084/pehep_report_execsummary.pdf</a> .	Partially Predicted
	<b>Control of Feral Animals</b> The following two measures would assist in the control of feral animals at Penrhyn Estuary, these include: <ul style="list-style-type: none"> <li>• ensure rubbish is placed in appropriately covered bins at all times.</li> <li>• ensure rubbish is regularly disposed; and</li> <li>• should shorebird monitoring during construction and operation of the Port Botany Expansion reveal feral cat and fox predation (on shorebirds) to be an ongoing issue, a 1080 fox baiting program should be initiated in consultation with NPWS and an expert shorebird ecologist.</li> </ul> A Feral Animal Management Plan (FAMP) would be prepared as part of the Construction and Operational EMP for the Port Botany Expansion. The FAMP would address fencing and the management of garbage, particularly in the habitat enhancement areas, and the viability of a baiting program to be initiated in conjunction with NPWS.	Patrick's Operational EMP, Appendix G, Waste Management Plan (WMP) includes rubbish is placed in appropriate covered bins at all times and rubbish on site is regularly disposed.  The Operational EMP does not include a Feral Management Plan (FAMP).	Partially Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter - 20 Terrestrial Ecology</b>			
20.10	<b>Conclusion</b>		
	Key impacts from the proposal on the 23 shore bird and one seabird species considered as regular or occasional visitors to Penrhyn Estuary could include disturbance to feeding and roosting from a change in lighting regime, increased movement, noise from construction and operation of the port (and associated infrastructure such as railway lines) and potential entry/exit flyway barriers due to the enclosure of Penrhyn Estuary.	<p>The results of the Shorebird Monitoring Program are summarised in the <b>Port Botany Post-Construction Environmental Monitoring – Shorebird Off-Peak Season Summary Report September 2015</b> located on the Port Authority of New South Wales (formerly SPC) website:  <a href="https://www.portauthoritiesnsw.com.au/media/1366/shorebird-summary-report-off-peak-season-august-2015.pdf">https://www.portauthoritiesnsw.com.au/media/1366/shorebird-summary-report-off-peak-season-august-2015.pdf</a></p> <p>Further information is provided in a paper presented at the Coasts &amp; Ports 2017 Conference (Cairns, 21-23 June 2017) – <b>Managing Sensitive Habitats Adjacent to the Port Botany Expansion</b> – located on the Cardno web site: <a href="https://www.portauthoritiesnsw.com.au/media/1366/shorebird-summary-report-off-peak-season-august-2015.pdf">https://www.portauthoritiesnsw.com.au/media/1366/shorebird-summary-report-off-peak-season-august-2015.pdf</a></p>	<b>Predicted</b>
<b>Chapter 21 - Traffic and Transportation</b>			
21.10	<b>Conclusion</b>		
	It has been assumed that the volume moved by rail would be 30% of container throughput by 2006 and 40% by 2011.	<p>In 2015-16, rail accounted for around 13% of container transport at Port Botany ex ACCC Container Stevedoring Monitoring Report 2015-16 (October 2016) – located:  <a href="https://www.accc.gov.au/system/files/Final%20Container%20Stevedoring%20Monitoring%20Report.pdf">https://www.accc.gov.au/system/files/Final%20Container%20Stevedoring%20Monitoring%20Report.pdf</a></p>	<b>Predicted</b>
<b>Chapter 22 - Noise</b>			
22.4.2	<b>Operation Noise Impacts – Sleep Disturbance Impacts</b>		
	All predicted noise levels would be below the external level of 65 dBA which some researchers consider would not result in awakening reactions.	<p>An Operational Noise Management Plan (Operational NMP), dated 15 January 2015 was developed for the site, and is attached to Patrick's Operational EMP, Appendix D.</p> <p>Operational Noise Monitoring undertaken by Patrick in June 2016 and November 2016 identified some levels above 65dBA. NSW EPA advised by email 20 July 2016 that Patrick was not deemed non-compliant based on the difficulty of attributing the detected noise emissions has having come from Patrick's operations.</p>	<b>Predicted</b>

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 22 - Noise</b>			
22.5.2	<b>Operation</b>  A Noise Management Plan containing environmental management measures to assess and minimise noise from the operation of the new terminal would be developed. The Noise Management Plan would be included in the Operational EMP for the new terminal.  <b>Machinery Noise Control</b> - Noise level emissions would be a criteria for selection of new plant for the site. The quietest possible plant that satisfied the operational performance specifications would be selected and noise control kits fitted where required. Regular maintenance of machinery would be carried out to ensure optimal and efficient operation.  <b>Equipment Alarms</b> - Audible safety alarms on some terminal equipment would be turned off during night hours (between 10.00 pm and 6.00 am) and replaced with visual alarms. It is understood that for certain types of equipment e.g. quay cranes (long travel alarm and high wind alarm) alarms are required to remain for safety reasons. In respect of other items of equipment, a safety assessment would be undertaken to identify where the audible alarms could be replaced with visual alarms without affecting safety.  <b>Operator Awareness and Training</b> - Operator awareness and training would be regularly conducted. Good training and awareness of noise issues would be implemented to minimise poor cargo handling practices.  <b>Complaints</b> - Complaints would be assessed and responded to in a quick and efficient manner.  <b>Noise monitoring</b> – Noise monitoring would be conducted to assess impacts from the operation of the new terminal at locations most likely to be affected by the new terminal operations. The results of this monitoring would be discussed with the EPA and Planning NSW to identify any responses required, although the predicted noise levels would not be expected to occur for some years after the commencement of operations in about 2010. By this time, technological and operational changes are likely to be available which would reduce operational noise levels at the new terminal.	  Patrick has prepared and implemented the following document under its Operational EMP - Appendix D, Operational Noise Management Plan  Noise level missions and noise controls are part of the specifications for new plant. Maintenance is carried out on a routine / regular basis in accordance with OEM and the equipment/plant history/risk. Maintenance is scheduled and managed via Patrick's MAXIMO system.  The audible safety alarms are not turned off during evening and night hours, however quackers are being investigated to reduce the noise emissions from Auto Strad moving and connecting alarms.  Quay crane alarms for the movement of vessel hatch / deck lids have been previously standardised and positioned to be directing towards the ground (Operational EMP – Appendix D, Operational Noise Management Plan, section 3.2.2).  Patrick responds to all complaints – refer to this AEMR, Section 12 (Complaints Register); and Patrick's Operational EMP – Appendix D, Operational Noise Management Plan, Section 3.3; and Appendix P – Complaints Management Process.  Operator awareness and training regularly conducted via Toolbox Talks.	<b>Partially Predicted</b>



Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 22 - Noise</b>			
22.5.2	<b>Operation</b> ( <i>continued</i> )		
	<p>The Noise Management Plan would also contain the option for shore power to be provided to ships in the future.</p> <p>A Traffic Noise Management Plan would be developed for the new terminal. This plan would consider traffic route selection, traffic clustering and traffic rescheduling.</p>	<p>Patrick's Operational EMP – Appendix D, Operational Noise Management Plan (NMP), refers to identifying opportunities to reduce operational noise include, but not necessarily limited to, section of equipment, engineering noise controls and share based power.</p> <p>Patrick has prepared and implemented in its Operational – EMP, Appendix E – Operational Traffic Management Plan (TMP).</p> <p>Patrick's Operational NMP and TMP as part of the Operational EMP were approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p>	<b>Predicted</b>
<b>Chapter 23 - Air Quality</b>			
23.8.2	<b>Operation</b>		
	<p>Notwithstanding the fact that the proposed expansion is shown to result in acceptable impacts, the new terminal would be designed and constructed such that it could support the use of alternative energy for ships at berth (i.e. shore power), should ships be able to accept such power in the future. This would reduce ship emissions in the local area.</p>	<p>Patrick could potentially support the use of alternative energy for ships at berth (i.e. shore power), should ships be able to accept such power in the future. This would reduce ship emissions in the local area and complement existing controls for noise mitigation.</p>	<b>Partially Predicted</b>



Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 24 - Cultural Heritage</b>			
24.8	<b>Assessment of Impacts During Operation</b>		
	During the operational phase of the Port Botany Expansion there would be no impacts on Aboriginal, European or maritime heritage resources in the primary or secondary study area	<p>The Knuckle (i.e. Port Botany Expansion Project) was constructed on reclaimed land and the operational areas sealed. The remaining area of the terminal was redeveloped on existing sealed areas.</p> <p>During construction / redevelopment there was no incidents of heritage impacts reported.</p>	Predicted
<b>Chapter 25 - Visual Impact Assessment</b>			
25.5	<b>Mitigation Measures</b>		
	<p><b>Quay Crane specification</b> – quay cranes for the new terminal would be approximately 50 m high.</p> <p><b>Container Stacking height</b> – containers would not be stacked more than six high (18 m) and would typically be only three high (9 m), as is the case with the existing terminals.</p> <p><b>Noise Wall</b> – the proposed noise wall near the edge of the new terminal would be approximately 4 m in height and would partially screen the operations of the new terminal when viewed from foreshore areas near the port.</p>	<p>Maximum height of the Patrick quay cranes of 107.1 m as per approval under the <i>Airports (Protection of Airspace) Regulations 1996</i> (APAR) (Ref: 12/5083) for the intrusion of three quay cranes into prescribed airspace for Sydney Airport.</p> <p>Approval was granted by Flysafe Aerodrome Precincts, Aviation and Airports Division of the Department of Infrastructure and Transport on 12 December 2012.</p> <p>Container stacking at Patrick's terminal will be no more than 3 high (as controlled by the RTCS software programming).</p> <p>A noise attenuation wall was constructed by Hutchison (formerly SICTL) on the northern side of the truck access ramp into the Patrick Terminal. The noise attenuation wall is 3 metres high when parallel to the railway siding, and 4 metres high along the northern and eastern sides of the Hutchison Terminal.</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 26 - Social Impact Assessment</b>			
26.5.5	<b>Waste</b>		
	<p><b>Operation</b></p> <p>A Waste Management Plan (WMP) would be prepared and implemented by the terminal operator(s) as part of the Operational EMP for the new terminal and would include initiatives for sustainable waste management.</p> <p>All waste discharged by ships at the new terminal would be managed through established waste management practices.</p>	<p>A Waste Management Plan (WMP) has been developed and forms Appendix G of the Operational EMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>Shipping agents arrange for the collection of wastes from ships.</p>	<b>Predicted</b>
<b>Chapter 28 – Preliminary Hazard Analysis</b>			
28.10.1	<b>Mitigation Measures</b>		
	<p>The following mitigation measures would be implemented to manage the hazards and risks described above:</p> <ul style="list-style-type: none"> <li>i. containers with dangerous goods would be handled and transported in accordance with the <i>Australian Standard 3846 (1998): The Handling and Transport of Dangerous Goods in Port Areas</i> and the <i>NSW Dangerous Goods (General) Regulation 1999</i>;</li> <li>ii. an Occupational Health and Safety Plan would be developed by the terminal operator(s) to address the handling and transport of dangerous goods during the operation of the new terminal;</li> <li>iii. a notification system for the arrival or delivery of dangerous goods would be implemented;</li> <li>iv. restrictions on the time dangerous goods are allowed to be held within the port would be applied, supported by a loading/unloading plan and arrangement of transport to/from the berths;</li> <li>v. various classes of dangerous goods would be separated by safe distances on the berth;</li> </ul>	<ul style="list-style-type: none"> <li>i. Standard Operating Procedure - Storage &amp; Handling of Hazardous / Dangerous Goods (ST-SOP-03) was developed in accordance with AS3846 and the WHS Act and Regulation (the NSW Dangerous Goods (General) Regulation 1999 has been repealed; provisions saved under the WHS Regulation).</li> <li>ii. As per item (i) above.</li> <li>iii. The Port Authority's ShiPS online system controls the movements of all dangerous goods (import and export) to the terminal. Port Authority Dangerous Goods Officer routinely audits terminals to ensure compliance with red line and green line cargo dwell times.</li> <li>iv. Dangerous Goods are classified as Red line or Green line cargo in the ShiPS system and truck bookings are controlled to limit the duration that cargo is stored within the terminal.</li> <li>v. Patrick uses SPARC / RTCS software to program separation of dangerous goods storage and movements around the terminal.</li> </ul>	<b>Predicted</b>

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 28 – Preliminary Hazard Analysis</b>			
28.10.1	<b>Mitigation Measures (continued)</b>		
	<ul style="list-style-type: none"> <li>vi. suitable container handling equipment would be used to minimise risk of dropped containers;</li> <li>vii. suitable container loading/unloading, handling and stacking systems would be employed to minimise double handling and attendant risk of damaging containers;</li> <li>viii. the facility would be fitted with adequate yard signage and warning systems for mobile equipment;</li> <li>ix. there would be adequate warning systems for ships moving in the vicinity of the facility;</li> <li>x. a first flush drainage system would be installed and maintained to contain spills and contaminated runoff;</li> <li>xi. bunds would be constructed around diesel storage tanks;</li> <li>xii. fire fighting equipment would be provided and personnel trained in fire fighting and evacuation procedures; and</li> <li>xiii. emergency and incident management procedures would be developed (refer to <i>Chapter 32 Emergency and Incident Management</i>).</li> </ul>	<ul style="list-style-type: none"> <li>vi. Patrick uses Quay Cranes, Auto Strads and reach stackers with spreaders which lift containers from the top. Quay Cranes and reach stackers have automated and manual systems to prevent containers from uncontrolled falls/drops; Auto Strads have automated systems to prevent containers from uncontrolled falls/drops.</li> <li>vii. Patrick's operations are designed to minimise double handling.</li> <li>viii. Patrick utilises line marking, signage and fish-eye mirrors around the terminal, and all terminal vehicles are fitted with flashing lights with some fitted with reversing quackers.</li> <li>ix. Patrick does not control the berthing of vessels this task is undertaken by the Port Authority Pilot and third-party tug and line service providers.</li> <li>x. Patrick has installed Purceptors, Gross Pollution Traps and drain wardens to contain spills and contaminated runoff;</li> <li>xi. Bunding has been constructed around the diesel refuelling storage tanks</li> <li>xii. Fire Fighting equipment (i.e. fire extinguishers) is installed at the Patrick terminal and key workers trained in its use; and all workers inducted to the site evacuation procedures.</li> <li>xiii. An Incident Management and Investigation Procedure has been developed forms Appendix I to the Operational EMP, and the Emergency Management Plan and Emergency Response Procedures (November 2015) have been developed and attached to the Operational EMP as Appendix N and approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease). The Emergency Response Plan (ERP) is available on the Patrick website - <a href="http://www.patrick.com.au/environment-management">http://www.patrick.com.au/environment-management</a></li> </ul>	<b>Predicted</b>

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 29 - Bird Hazard</b>			
29.3.3	<b>Operation</b>		
	<p>Sealed surfaces often provide ideal roost sites for large numbers of birds especially Silver Gulls. Bitumen surfaces provide a warm surface for roosting and are particularly attractive where areas are not subject to regular disturbance. These undisturbed open spaces have the potential to attract significant numbers of birds to the site, thereby potentially increasing the risk of bird strike at Sydney Airport.</p> <p>Areas illuminated at night are also likely to attract birds, especially Silver Gulls, as they provide a secure roosting environment and attract insects which birds feed upon.</p> <p>The additional port land may provide large areas of suitable roosting habitat for the Silver Gull. Flat surfaces of buildings, such as roofs, may provide suitable places for Silver Gulls to roost. Openings and ledges may provide roosting and nesting habitat for Feral Pigeons, Common Starlings, Common Mynas and other bird species associated with buildings.</p> <p>The pavements and buildings associated with the new terminal have the potential to attract significant numbers of birds to the site, thereby potentially increasing the risk of bird strike at Sydney Airport. It is therefore important to initiate deterrent strategies.</p>	<p>A Bird Hazard Management Plan (undated) has been developed for the site and forms Appendix Q to the Operational EMP and are under review.</p> <p>Patrick's Bird Hazard Management Plan as part of the Operational EMP was conditionally approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p>	<b>Predicted</b>
29.4	<b>Mitigation Measures</b>		
	<p>A Bird Hazard Management Plan would be prepared for the construction and operation of the Port Botany Expansion to reduce the risk of increasing bird hazards arising from the proposal. The plan would be incorporated in the Construction and Operational EMP and would include:</p> <ul style="list-style-type: none"> <li>• measures to minimise the attraction of birds, especially high-risk species such as Silver Gulls, Australian Pelicans and Australian White Ibises;</li> <li>• use of deterrents to prevent the build-up of birds;</li> <li>• exclusion of activities that attract birds in certain areas;</li> <li>• measures to minimise disturbance of birds at Penrhyn Estuary;</li> <li>• education about bird hazards; and</li> <li>• monitoring.</li> </ul>	<p>A Bird Hazard Management Plan (undated) has been developed for the site and forms Appendix Q to the Operational EMP which along with its appendices is under review.</p> <p>Patrick's Bird Hazard Management Plan as part of the Operational EMP was conditionally approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p>	<b>Predicted</b>

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 30 - Operational Aviation Issues</b>			
30.4.2	<b>Assessment of Impacts – Operation</b>		
	<p><b>Air Space</b> There would be no fixed or mobile structures in the new terminal that would intrude into the OLS.</p> <p><b>Light Spill</b> It is anticipated that light spill from the Port Botany Expansion would not adversely impact operations at Sydney Airport due to the following lighting design measures:</p> <ul style="list-style-type: none"> <li>• High masts - lighting would be directed down to the intended application area with minimal light spill outside the area boundaries, by using asymmetric distribution horizontal flat glass floodlights, and would comply with CASA requirements</li> <li>• Quay cranes - lighting of shuttle boom quay cranes would be specified as downlight type to meet civil aviation regulations. Lighting elements for access/egress stairs and gangways would be mounted horizontal (no tilt) and have internal shielding of the lamps to ensure correct cut off. Obstruction lights would be placed on cranes to mark these in accordance with civil aviation regulations (CAR Regulation 95).</li> <li>• Buildings and associated areas – buildings and other external areas would be lit with floodlights that have a similar cut off lighting performance to those mounted on high masts. Internal building lighting would be similar to that used at the airport terminal and at the existing port facilities. Therefore, these areas would have a negligible impact on operations at Sydney Airport.</li> <li>• Roads – cut off type road lighting and low level lighting elements would be used wherever possible to minimise light spill.</li> </ul>	<p>Maximum height of the Patrick quay cranes of 107.1 m as per approval under the <i>Airports (Protection of Airspace) Regulations 1996</i> (APAR) (Ref: 12/5083) for the intrusion of three quay cranes into prescribed airspace for Sydney Airport.</p> <p>Approval was granted by Flysafe Aerodrome Precincts, Aviation and Airports Division of the Department of Infrastructure and Transport on 12 December 2012.</p> <p>Patrick's terminal lighting has been designed and installed to comply with the requirements of the Development Consent (see Development Consent clauses C2.23 and C2.24 above) Quay Cranes are fitted with obstruction lights which operate on a 24/7 basis.</p> <p>The terminal (including the buildings and roads) utilises energy efficient lighting, and the windows of the new buildings are tinted. .</p>	<b>Predicted</b>

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 30 - Operational Aviation Issues</b>			
30.5.2	<b>Mitigation Measures – Light Spill</b>		
	<ul style="list-style-type: none"> <li>lighting on board ships whilst berthed to be provided primarily by the shuttle boom quay cranes with supplementary lighting on board only being provided where necessary;</li> <li>ships to be berthed facing a specific direction (e.g. north or south) and to only use floodlights mounted on the bridge. The appropriateness of this option could be tested by CASA through a fly-over of the existing Brotherson Dock; and</li> <li>provide restrictive temporary shielding to any permanent ship mounted floodlights whilst the ship was docked.</li> </ul>	Maritime Order 32 Schedule 1 (2) lighting requires adequate lighting during loading or unloading activities. Routinely vessels will be loaded/unloaded at night and require sufficient lighting to undertake the operations. When vessels are not under stevedore operations, the Quay Crane lights (except the beacon lights) will be switched off in order to minimise the light glare or distraction to pilots.	Predicted
<b>Chapter 32 - Emergency and Incident Management</b>			
32.1	<b>Introduction</b>		
	The future operator(s) of the new terminal, with advice from Sydney Ports Corporation, would prepare an ERIMP to manage these potential emergencies prior to the new terminal commencing operations. The purpose of the ERIMP would be to provide an organised and practised response to incidents and emergency situations to protect employees, the public and the environment.	<p>An Incident Management and Investigation Procedure has been developed forms Appendix I to the Operational EMP, and the Emergency Management Plan and Emergency Response Procedures (November 2015) have been developed and attached to the Operational EMP as Appendix N and approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>The Emergency Response Plan (ERP) is available on the Patrick website - <a href="http://www.patrick.com.au/environment-management">http://www.patrick.com.au/environment-management</a></p> <p>The ERP is due for review in November/December 2017.</p>	Predicted

Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 32 - Emergency and Incident Management</b>			
32.2.4	<b>Specific Sub-Plans</b>		
	<p><b>Spill Containment and Management</b></p> <p>The proposed new terminal would be equipped with emergency response equipment typically comprising absorbent materials, absorbent pads to block drainage points and protective equipment consisting of gloves, rubber boots, eye protection etc.</p>	<p><b>Emergency Spill Kits</b> are situated in key locations around the terminal including the Maintenance Workshop.</p> <p><b>Spill Container</b> - containing additional absorbent materials, PPE and spill cleaning equipment is located in a designated location near the entrance to the quay line, accessible to maintenance and operations staff in an emergency. The spill container can also be lifted by a reach stacker and transported to the affected location.</p> <p><b>Spill Trailer</b> - located in a designated area at the entrance to the quay line in readiness to be hooked up to an ITV/Mafi trailer and transported to the affected container.</p>	<b>Predicted</b>
<b>Chapter 33 - Water and Wastewater</b>			
33.2	<b>Water Usage</b>		
33.2.2	<p><b>Operation</b></p> <p>Water used for operational activities that do not require potable water, would be sourced from treated surface water runoff stored in two 10,000 L tanks at the northern end of the new terminal. Operational reuse of this water would include maintenance activities, wash down and irrigation.</p>	<p>Patrick has installed 2 x 10,000L water storage tanks alongside the Maintenance Workshop; and 2 x 10,000 water storage tanks behind the tower/administration building. At both locations, the stored water is used for the single purpose to flush toilets/urinals.</p>	<b>Predicted</b>



Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 33 - Water and Wastewater</b>			
33.3	<b>Wastewater</b>		
33.3.2	<p><b>Operation</b></p> <p>All trade waste generated during the operation of the new terminal would discharge to the Sydney Water Corporation sewerage system under a Trade Waste Agreement. The Trade Waste Agreement would determine the level of treatment required prior to discharge.</p> <p>All areas where wash down or maintenance activities are to be undertaken would be bunded and provided with sump pits, grit traps and oil/water separators. This would also be the case for any additional bunded storage areas, such as those used for refuelling and fuel storage. Water collected in these areas would be tested and disposed to the sewerage system, or if unsuitable for disposal to sewer would be disposed offsite by a licensed waste disposal contractor.</p>	<p>Patrick has a Commercial Trade Wastewater Permit (Ref. No:24990 dated 24 June 2015).</p> <p>The plant wash-down area in the Maintenance workshop is bunded and the wastewater is collected in a separate pit with a separator unit for oil/water. The wastewater is drained to the Trade Waste treatment unit whereby the water is passed through a filtering aid before being discharged to the Sydney Water Corporation sewerage system.</p> <p>Routine monitoring and testing is carried out as per the consent.</p>	<b>Predicted</b>
33.5	<b>Water and Wastewater Management</b>		
33.5	<p>The following mitigation measures would be adopted for the proposed Port Botany Expansion:</p> <ul style="list-style-type: none"> <li>water use and wastewater discharge at the site would be subject to a Water Resources Management Plan (WRMP), which would form part of the construction and operational EMPs. These plans would include water minimisation strategies as well as monitoring and testing schedules for wastewater as required;</li> <li>clean, treated stormwater would be collected in two 10,000 L water storage tanks at the northern end of the new terminal to allow reuse for maintenance, wash down and irrigation;</li> <li>dual flushing toilets, minimal flow shower heads and regular maintenance to identify leaking or dripping taps and pipes would be implemented during construction and operation;</li> <li>monitoring and testing would be undertaken prior to discharge of treated wastewater, to ensure compliance with the site Trade Waste Agreement.</li> </ul>	<p>Patrick has installed 2 x 10,000L water storage tanks alongside the Maintenance Workshop; and 2 x 10,000 water storage tanks behind the tower/administration building. At both locations, the stored water is used for the single purpose to flush toilets / urinals.</p> <p>Dual-flushing toilets and minimal flow shower-heads have been installed. Maintenance of any leaking or dripping taps and pipes is undertaken as soon as it has been identified.</p> <p>Monitoring and testing is in line with Patrick's Commercial Trade Wastewater Permit (Ref No: 24990 dated 24 June 2015).</p> <p>The Operational EMP does not include a Water Resources Management Plan (WRMP).</p>	<b>Partially Predicted</b>



Section	PBE Environment Impact Statement - Prediction / Conclusion	Environmental Impact Assessment / Evidence	Assessment Rating
<b>Chapter 34 - Waste</b>			
34.4	<b>Waste Management and Disposal</b>		
34.4.2	<p><b>Operational Waste</b></p> <p>An Operational WMP would be developed and implemented for the new terminal in accordance with the requirements of the <i>Waste Avoidance and Resource Recovery Act 2001</i>, the <i>Protection of the Environment Operations Act 1997</i>, the EPA's <i>Environmental Guidelines: Assessment, Classification &amp; Management of Liquid &amp; Non-Liquid Wastes</i> (1999), the <i>Botany Bay DCP 29</i> and the <i>National Minimisation and Recycling Strategy</i>. The plan would be incorporated into the Operational EMP for the terminal.</p> <p><b>Domestic Waste</b></p> <p>Recycling facilities would be provided at the new terminal and in public recreation areas to maximise recycling of waste materials such as plastic and glass bottles/containers, aluminium cans and paper/cardboard. Separate bins would be provided for food waste and fish remains from fish cleaning facilities in the public recreation area. All domestic waste would be collected on a regular basis and transported off site for disposal to a licensed landfill or recycling facility as appropriate. Litter bins would be designed in accordance with the bird hazard guidelines.</p> <p><b>Maintenance Material</b></p> <p>Waste oils and fluids from maintenance activities may be classified under the POEO Act as being Hazardous, Industrial or Group A Waste. The management of these substances may need to be regulated by an EPA Environment Protection Licence which would be obtained by the terminal operator(s). It is expected that these materials would be collected and stored in proprietary facilities and either be reused onsite or removed by a licensed waste contractor. Scrap metal, used parts, components and machinery would be recycled where practicable.</p>	<p><b>Operational Waste</b></p> <p>A Waste Management Plan (WMP) has been developed and forms Appendix G of the Operational EMP. The WMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>Patrick has an Environmental Protection Licence (EPL 6962) for Chemical Storage.</p> <p><b>Domestic Waste</b></p> <p>Paper and cardboard are collected by the cleaners and placed in the appropriate recycling bins, and collected by Veolia Environmental Services.</p> <p>Patrick plans to implement a recycling program where bins are placed in the kitchen and lunchroom areas to separate plastic, glass and aluminium.</p> <p><b>Maintenance Material</b></p> <p>Waste oil and fluids collected in the plant wash-down area in the Maintenance Workshop are removed— oily rags, waste oil and fluids are pumped out from the collection units when required and transported by Cleanaway and recycled where possible .</p> <p>Scrap metal, used parts, components and machinery are recycled where practicable.</p> <p><b>Waste Transport</b></p> <p>Waste is removed from site using licensed contractors with the applicable waste transport certificate.</p>	<b>Partially Predicted</b>

Section	PBE Environment Impact Statement - Prediction / Conclusion				Environmental Impact Assessment / Evidence	Assessment Rating	
Chapter 35 - Energy							
35.3	Operational Phase						
	The estimated annual energy consumption over the operational life of the project is presented in Table 35.2:				Actual electricity consumption for 2015: 10,157,803 MWh Actual electricity consumption for 2016: 7,108,072 MWh	Predicted	
		2010	2015	2020	2025		
	Projected Throughput (TEUs)	320,000	800,000	1,000,000	1,200,000		
	Estimated consumption of electricity (MWh)	10,000	17,000	21,000	25,000		
	Estimated consumption of diesel fuel (litres)	1,462,400	3,656,000	4,570,000	5,484,000	Actual diesel fuel consumption for 2015: 3,386,315 L Actual diesel fuel consumption for 2016: 4,407,490 L	
35.4	Energy Conservation and Management						
	A key component of achieving energy conservation would be the development of an Energy Management Action Plan. This plan would be included as part of the Construction and Operational EMPs.				Patrick has initiated the development, as part of its Operational EMP, an Energy Management Plan – based on the Construction EMP.	Partially Predicted	
35.4.2	Operational Phase				Patrick has installed energy efficient systems in new buildings including low energy lighting, climate control air-conditioning with sensors in zones on each floor, external walls in the Tower and Maintenance Buildings are predominately fitted with large glass windows allowing additional light into the buildings (these glass windows are fitted with blinds and block-out blinds to control heat and light).	Predicted	
	The following mitigation measures would be implemented during site operations and would be detailed in the Operational EMP to achieve energy efficiencies: <ul style="list-style-type: none"><li>Energy Efficient Design</li><li>Energy Efficient Equipment</li><li>Energy Efficient Work Scheduling and Practice</li></ul>				Auto Strads are powered using diesel and electricity, replaced manually operated straddles which were solely fuelled by diesel.		

## 10. Compliance to EPBC DSEWPC Approvals

**Table 5A: Assessment Predicted Ratings and Compliance with EPBC 2002/543**

Term	Definition
EPBC	Environment Protection and Biodiversity Conservation Act 1999
Compliant	Complies with all requirements of the condition(s).
Non-Compliant	Does not fully comply with all requirements of the condition. These are categorised as minor or major, depending on the severity of the non-compliance.
Observation	A situation observed during the audit that provides an opportunity for improvement or is not necessarily best practice or requires further consideration.
Not Applicable	Not applicable

**Table 5B: EPBC 2002/543, Annexure 1 (3 January 2006) Audit Checklist - Predictions and Conclusions**

Annexure 1 Item	EPBC - Approval Requirement	Evidence	Assessment Rating
1	The person taking the action must construct the port expansion involving the creation of the four additional shipping berths, the provision of road, rail and terminal infrastructure and the enhancement of public and ecologically significant areas, in accordance with the site plan shown at ANNEXURE 2 of this approval.	NSW Ports received a letter (4 February 2016) from the DP&E stating the Post-Construction Completion Compliance Report for the Knuckle and Ramp D (dated 15 December 2015) was satisfactory.	Compliant
2	Prior to the commencement of construction, the person taking the action must inform the Minister how radar and air navigation issues associated with the port expansion has have been resolved to the satisfaction of Airservices Australia.	Not relevant to Patrick's operations – from Sydney Port Corporation (SPC) Audit Reports it is recorded that SPC received information from Department of Environment, Water, Heritage and the Arts (DEWHA – dated 2/07/07) this condition has been satisfactorily addressed.	Compliant

Annexure 1 Item	EPBC - Approval Requirement	Evidence	Assessment Rating
3	<p>The person taking the action must be prepare and submit for the Minister's approval a habitat enhancement plan for Penrhyn Estuary to manage impacts on listed migratory bird species during the construction and operation of the new port facilities at Port Botany. The plan must address the matters listed below and state the environmental objectives, performance criteria, monitoring, reporting, corrective action, responsibility and timing for each of these matters:</p> <ul style="list-style-type: none"> <li>a) A detailed description of habitat enhancement works including methodology and staging of works;</li> <li>b) Habitat management and maintenance measures;</li> <li>c) A habitat monitoring programme;</li> <li>d) Measures to detect and respond to issues identified in the habitat monitoring programme; and</li> <li>e) Reporting requirements that include protocols to inform the Minister of relevant issues, milestones, and the results of surveys and studies.</li> </ul> <p>The action must not commence until the plan has been approved. The approved plan must be implemented.</p>	<p>Penrhyn Estuary Habitat Enhancement Plan (PEHEP), March 2007, was implemented by Sydney Ports Corporation prior to the construction of "the Knuckle" (Port Botany Expansion) at Patrick's Terminal.</p> <p>Ongoing monitoring and reporting in accordance with the PEHEP (March 2007) can be found on the Port Authority (formerly SPC) website: <a href="https://www.portauthoritynsw.com.au/sustainability-environment/penrhyn-estuary-rehabilitation/">https://www.portauthoritynsw.com.au/sustainability-environment/penrhyn-estuary-rehabilitation/</a></p>	Compliant
4	<p>Should the person taking the action wish to amend or change the habitat enhancement plan approved under paragraph 3, a revised version of the plan must be submitted to the Minister for approval. If the Minister approves such a revised plan, the plan must be implemented in place of the plan as originally approved.</p>	<p>Not relevant to Patrick operations – no revisions have been made to the initial PEHEP, the same revision is available (March 2007).</p>	Compliant
5	<p>If the Minister believes that it is necessary or desirable for the better protection of the environment to do so, the Minister may request the person taking the action to make specified revisions to a plan or plans approved pursuant to paragraphs 3 or 4, and to submit the revised plan for the Minister's approval. The person taking the action must comply with any such request. If the Minister approves a revised plan pursuant to this condition, the person taking the action must implement that plan instead of the plan as originally approved.</p>	<p>Patrick has not received any request from the Minister to make any revisions to the plans.</p>	Compliant

Annexure 1 Item	EPBC - Approval Requirement	Evidence	Assessment Rating
6	The habitat enhancement plan required under paragraph 3 must be reviewed and resubmitted to the Minister for approval every five years or as otherwise agreed by the Minister. The resubmitted plan must incorporate the relevant results of the independent audit report required under paragraph 7.	Not relevant to Patrick operations – the PEHEP was implemented by SPC in March 2007. The same version is available on the Port Authority of New South Wales website at the time of this AEMR.	Compliant
7	After construction of the new port facilities at Port Botany has been completed, and every five years thereafter or as otherwise agreed by the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval for the new port facilities at Port Botany, and the effectiveness of measures to mitigate impacts on listed migratory bird species, is carried out. The independent auditor must be accredited by the Quality Society of Australasia, or such other similar body as the Minister may notify in writing. The audit criteria must be agreed by the Minister within six months of the fifth anniversary of completion of construction of the new port facilities at Port Botany, and within 6-months of every 5 <sup>th</sup> anniversary thereafter.	Patrick's site was deemed operation as of 4 February 2016 and as such this condition will be required to be enacted every five years after construction i.e. 2020/2021.	Not Applicable
8	By 1 July of each year after the date of this approval or otherwise agreed by the Minister, the Chief Executive Officer of Sydney Ports Corporation must provide written certification that Sydney Ports Corporation has complied with the conditions of this approval.	Not relevant to Patrick's operations. It is unknown if the Port Authority of New South Wales (formerly SPC) has provided a letter to the Minister (not publicly available).	Not Applicable
9	If, at any time after 5 years from the date of this approval, the Minister notifies Sydney Ports Corporation in writing that the Minister is not satisfied that there has been substantial commencement of construction of the action, construction of the action must not thereafter be commenced.	Not relevant to Patrick's operations. The approval was issued to the Sydney Port Corporation (SPC) on 3 January 2006 and construction of the Port Botany Expansion project commenced in May 2008 (i.e. within the 5-year time frame).	Not Applicable

## 11. Development Consent: DA-453-12-2002-i, MOD-7 approved 26 September 2013, Schedule 3

Table 6A: DA-453, Assessment Compliance Rating

Category	Definition
Compliant	Complies with all requirements of the condition.
Non-Compliant	Does not fully comply with all requirements of the condition, categorised as 'Minor' or 'Major' depending on the severity.
Observation	Observed during the assessment which provides an opportunity or is not necessarily best practice or requires further consideration.
Not Applicable	Either there are no compliance issues, was not applicable at the time of assessment, or is not the responsibility of Patrick.

Table 6B: DA-453, Schedule 3 - Compliance

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
1	<b>General</b>		
	<b>Obligation to Minimise Harm to the Environment)</b>		
1.1	The Applicant shall implement all practicable measures to prevent or minimise any harm to the environment that may result from the construction and operation of the development.	An Operational EMP was developed for Patrick's operations and was last updated in March 2015.  The Operational EMP and its appendices were approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).	Compliant

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
1	<b>General</b>		
	<b>Scope of Development</b>		
1.2	<p><sup>1</sup> The Applicant shall carry out the development generally in accordance with:</p> <ul style="list-style-type: none"> <li>a. Development application DA-453-12-2002-i by, lodged with the Department on 16 December 2002, accompanied <i>Patrick Port Botany Container Terminal Upgrade, Environmental Impact Statement</i> (three volumes), dated November 2002 and prepared by Parsons Brinckerhoff;</li> <li>b. Additional information provided in respect of development application DA-453-12-2002-i, including: <ul style="list-style-type: none"> <li>i. The letter from Parsons Brinckerhoff to Planning NSW dated 17 April 2003 titled <i>Patrick Port Botany EIS – Response to Hazard and Risk Issues</i>;</li> <li>ii. Upgrade of <i>Port Botany Container Terminal, Revised Noise Assessment</i>, dated May 2003 and prepared by Wilkinson Murray Pty Ltd;</li> <li>iii. <i>Supplementary Avifauna Survey &amp; Assessment of Impacts</i>, dated 26 May 2003 and prepared by AMBS Consulting;</li> <li>iv. The memorandum from Parsons Brinckerhoff dated 30 May 2003 and titled <i>Patrick Water Quality Assessment</i>;</li> <li>v. The amended development application submitted to the Department on 30 May 2003 and associated drawings;</li> <li>vi. The letter from Patrick Terminals to Planning NSW dated 11 June 2003 titled <i>Patrick Port Botany EIS</i>;</li> <li>vii. The memorandum from Fielders Engineers Pty Ltd to Parsons Brinckerhoff dated 20 June 2003 titled <i>Transport NSW's Comments</i>;</li> <li>viii. The letter from Qest Consulting Group to Parsons Brinckerhoff dated 3 July 2003 titled <i>Preliminary Hazard Analysis for Patrick Stevedores</i>;</li> </ul> </li> <li>c. Modification application MOD-56-6-2004-i, lodged with the Department on 28 May 2004 and accompanied by the supplementary document titled <i>Application to Modify Development Consent</i>, dated 19 May 2004;</li> <li>d. Modification application MOD-83-8-2004-i, lodged with the Department on 16 August 2004, accompanied by four plans titled <i>Proposed Staff Amenities</i> (Job No. 0400107, Revision C) numbered 01 to 04 respectively;</li> </ul>	Noted	Not Applicable

<sup>1</sup> Incorporates EPA General Terms of Approval – A1.1

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
1	<b>General</b>		
	<b>Scope of Development (continued)</b>		
1.2	<p>e. Modification application MOD-83-8-2004-i, lodged with the Department on 16 August 2004, accompanied by four plans titled <i>Proposed Staff Amenities</i> (Job No. 0400107, Revision C) numbered 01 to 04 respectively;</p> <p>f. Modification application MOD-156-10-2005-i, lodged with the Department on 6 October 2005, accompanied correspondence dated 6 October 2005 and titled <i>S96(1A) Application: Patrick Corporation – Port Botany Terminal</i> and plan titled <i>Proposed Administration Building</i> (Job No. PDS-06-38, Revision A).</p> <p>g. Modification application MOD-38-3-2006-i, lodged with the Department on 2 March 2006, accompanied correspondence dated 1 March 2006 and titled <i>S96(1A) Application: Patrick Corporation – Port Botany Terminal</i>, and plans titled <i>Proposed Administration Building</i> (Job No. PDS-06-38, Revision D);</p> <p>h. Modification application MOD-38-4-2007-i, lodged with the Department on 11 April 2007, accompanied correspondence dated 10 April 2007 and titled <i>S.96(1A) Application, Patrick Corporation – Port Botany Terminal</i>, and plans titled <i>Proposed Additional Staff Amenities</i> (Job No. PDS-07-81, Issue E);</p> <p>i. Modification application MOD-76-9-2007-i, lodged with the Department on 24 August 2007, accompanied correspondence dated 19 June 2007 and 5 November 2007 titled <i>S.96(1A) Application, Patrick Corporation – Port Botany Terminal</i>, and the following plans:</p> <ul style="list-style-type: none"> <li>i. Proposed <i>Camco Trafficgate</i> (Job No. PDS-07-84, Issue: B, Drg. No.: 01);</li> <li>ii. Proposed <i>Camco Trafficgate</i> (Job No. PDS-07-84, Issue: B, Drg. No.: 02);</li> <li>iii. Proposed <i>Camco Trafficgate</i> (Job No. PDS-07-84, Issue: B, Drg. No.: 01);</li> <li>iv. <i>Truck Portal Gate Frame Arrangement and Details</i> (Project No. SY070313, Dwg No. S5.00, Issue A);</li> <li>v. <i>Train Portal gate Frame Arrangement and Details</i> (Project No. SY070313m Dwg No. S4.00, Issue E)</li> <li>vi. <i>Train Portal Gate Frame Footing Plan and Details</i> (Project No. SY070313, Dwg No. S4.00, Issue D)</li> <li>vii. <i>Structural Notes</i> (Project No. SY070313, Dwg No. S1.00, Issue D)</li> </ul> <p>j. Modification application DA-453-12-2002-i, MOD 7, accompanied by an assessment report titled <i>Section 75W Modification Port Botany Container Terminal Environmental Assessment</i> prepared by GHD and dated June 2013; and</p> <p>k. The conditions of this consent. In the event of an inconsistency between a condition of this consent and the documents listed under (a) to (i) above, the conditions of consent shall prevail to the extent of the inconsistency.</p>	Noted	Not Applicable



No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>1</b>	<b>General</b>		
	<b>Staged Development</b>		
1.3	Under Section 80(4) of the Act, this consent applies to the development, as described in Schedule 1, only.	Noted	Not Applicable
1.4	Deleted	Not Applicable	Not Applicable
	<b>Temporary Structures</b>		
1.4A	This consent permits the erection and use of temporary staff accommodation as described in the documents listed under condition 1.2(c) of this consent.	Noted	Not Applicable
1.4B	All temporary staff accommodation erected and utilised on the site shall be completely removed from the site once the permanent accommodation is completed.	All temporary staff accommodation has been removed.	Compliant
	<b>Exceptions</b>		
1.5	The Applicant shall delete the proposed revegetation and/or rehabilitation landscaping works in the eastern portion of the boat ramp carpark, marked in red, on the Proposed Landscape Layout (Figure A9 Rev C).	Noted	Not Applicable
	<b>Provision of Documents</b>		
1.6	Where applicable, the Applicant shall provide all documents and reports required to be submitted to the Director-General under this consent in an appropriate electronic format. Provision of documents and reports to other parties, as required under this consent, shall be in a format acceptable to those parties and shall aim to minimise resource consumption. Note: At the date of this consent, an appropriate electronic format for submission to the Director General is the "portable document format" (pdf) or another format that may be readily converted to pdf.	Noted	Not Applicable

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>1</b>	<b>General</b>		
	<b>Statutory Requirements</b>		
1.7	The Applicant shall ensure that all licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals.	<p>Licences, permits and approvals relevant and up to date for Patrick including:</p> <ul style="list-style-type: none"> <li>- Sydney Water Trade Waste Consent No. 24990</li> <li>- Environmental Protection Licence 6962</li> <li>- DA-453-12-2002-i MOD7</li> <li>- DA-494-11-2002-i MOD15</li> <li>- Dangerous Goods Storage Licence</li> <li>- Patrick Terminal Lease (clauses 18, and 19 and Schedule 2)</li> <li>- EPBC - Control Action Approval 2002/543</li> <li>- PB Environmental Impact Statement</li> <li>- Port Botany Development Deed</li> </ul>	<b>Compliant</b>
	<b>Integrated Approvals</b>		
1.8	No works are to commence at the site prior to a Part 3A Permit under the <i>Rivers and Foreshores Improvement Act 1948</i> being obtained from the Waterways Authority and a Licence under the <i>Protection of the Environment Operations Act 1997</i> being obtained from the EPA. A copy of these approvals shall be submitted to the Director-General prior to the issue of the construction certificate by the Principal Certifying Authority.	<p><i>Patrick to request copies of records from DP&amp;E.</i></p> <p>It is noted that the <i>Rivers and Foreshores Improvements Act 1948</i> was repealed in 2008. This legislation relates to the construction phase so is no longer relevant to Patrick operations.</p>	<b>Observation</b>
	<b>Compliance</b>		
1.9	The Applicant shall ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent.	<p>Employees, contractors and sub-contractors are required to undertake an induction prior to commencing work on site.</p> <p>The induction content does not currently include reference to the conditions of consent.</p>	<b>Non-Compliant</b>
1.10	The Applicant shall be responsible for the environmental impacts resulting from the actions of all persons on the site, including any visitors.	<p>Visitors are required to be escorted by a Patrick employee. Responsibilities of contractors are outlined in individual agreements.</p>	<b>Compliant</b>

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>1</b>	<b>General</b>		
	<b>Compliance</b>		
1.11	Prior to the commencement of construction of the development, the Applicant shall certify in writing, to the satisfaction of the Director-General, that it has obtained all the necessary statutory approvals for the construction works, and complied with all relevant conditions of this consent and/or any other statutory requirements of this development pertaining to that aspect of the development to be constructed.	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>
1.12	Prior to the commencement of operation of the development, the Applicant shall certify in writing, to the satisfaction of the Director-General that it has obtained all the necessary statutory approvals for operations, and complied with all relevant conditions of this consent and/or any other statutory requirements for this development.	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>
1.13	Notwithstanding conditions 1.11 and 1.12 of this consent, the Director-General may require an update on compliance with all, or any part, of the conditions of this consent. Any such update shall meet the reasonable requirements of the Director-General and be submitted within such period as the Director-General may agree.	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>
1.14	The Applicant shall meet the requirements of the Director-General in respect of the implementation of any measure necessary to ensure compliance with the conditions of this consent, and general consistency with the EIS and those documents listed under condition 1.2 of this consent. The Director-General may direct that such a measure be implemented in response to the information contained within any report, plan, correspondence or other document submitted in accordance with the conditions of this consent, within such time as the Director-General may agree.	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>1</b>	<b>General</b>		
	<b>Dispute Resolution</b>		
1.15	<p>In the event that a dispute arises between the Applicant and Council or a public authority other than the Department, in relation to a specification or requirement applicable under this consent, the matter shall be referred by either party to the Director-General, or if not resolved, to the Minister, whose determination of the dispute shall be final and binding on all parties. For the purpose of this condition, "public authority" has the same meaning as provided under Section 4 of the Act.</p> <p>Note: Section 121 of the <i>Environmental Planning and Assessment Act 1979</i> provides mechanisms for resolution of disputes between the Department, the Director-General, councils and public authorities.</p>	<p><i>Patrick to request copies of records from DP&amp;E.</i></p> <p>There are no known disputes in relation to this condition.</p>	<b>Observation</b>
<b>2</b>	<b>Construction Certification</b>		
2.1	<p>In relation to the construction an occupation of the development, the Applicant shall provide to the Director-General and Council the following:</p> <ul style="list-style-type: none"> <li>(a) Written notification of the appointment of a Principal Certifying Authority prior to the commencement of construction;</li> <li>(b) Copies of all Construction Certificates issued for the development prior to the commencement of construction;</li> <li>(c) Written notification of the intention to commence construction work, to be received at least two working days prior to the commencement construction. In the event that more than one Construction Certificate is issued, notification shall be provided prior to the commencement of construction the subject of each Certificate;</li> <li>(d) Copies of all Occupation Certificates issued for the development prior to occupation; and</li> <li>(e) Written notification of the intention to occupy the development, to be received at least two working days prior to occupation. In the event that more than Occupation Certificate is issued, notification shall be provided prior to the occupation the subject of each Certificate.</li> </ul>	<p><i>Patrick to request copies of records from DP&amp;E.</i></p>	<b>Observation</b>
2.2	<p>The Application shall provide all information necessary for the Principal Certifying Authority to determine that the development will comply with:</p> <ul style="list-style-type: none"> <li>(a) The Building Code of Australia; and</li> <li>(b) All relevant provisions of the Act, including the payment of a long service levy under Section 34 of the <i>Building and Construction Industry Long Service Payments Act 1986</i>.</li> </ul>	<p><i>Patrick to request copies of records from DP&amp;E.</i></p>	<b>Observation</b>

No.	Consent DA-453 Conditions - Details				Evidence		Assessment Rating																				
3	Environmental Performance																										
	Demolition																										
3.1	All demolition work shall be carried out in accordance with AS2601-2001 The Demolition of Structures.				Patrick to request copies of records from DP&E.		Observation																				
	Hours of Operation - Construction																										
3.2	2 Construction activities associated with the development, including the delivery of material to and from the site, shall only be carried out between the following hours: (a) Between 7:00am and 6:00pm Monday to Friday inclusive; (b) Between 8:00am to 2:00pm Saturdays; and (c) At no time on a Sunday or a public holiday.				Patrick to request copies of records from DP&E.		Observation																				
	Hours of Operation - Construction																										
3.2A	Notwithstanding condition 3.2 of this consent, the Applicant may undertake construction of road pavement works required under this consent between 7:00am and 10:00pm Mondays to Fridays’ and between 8:00am and 2:00pm on Saturdays. No pavement works shall be conducted on Sundays or public holidays. All pavement works shall be undertaken to strictly comply with the noise limits specified under condition 3.3 of this consent.				Patrick to request copies of records from DP&E.		Observation																				
	Noise Limits																										
3.3	<table><tr><th rowspan="2">Location</th><th colspan="2">Day</th><th colspan="2">Evening</th><th colspan="2">Night</th></tr><tr><th>L<sub>Aeq</sub>(15 min)</th><th>L<sub>A1</sub>(1 min)</th><th>L<sub>Aeq</sub>(15 min)</th><th>L<sub>A1</sub>(1 min)</th><th>L<sub>Aeq</sub>(15 min)</th><th>L<sub>A1</sub>(1 min)</th></tr><tr><td>Most affected residential premises</td><td>55</td><td>55</td><td>43</td><td>55</td><td>43</td><td>55</td></tr></table>				Location	Day		Evening		Night		L <sub>Aeq</sub> (15 min)	L <sub>A1</sub> (1 min)	L <sub>Aeq</sub> (15 min)	L <sub>A1</sub> (1 min)	L <sub>Aeq</sub> (15 min)	L <sub>A1</sub> (1 min)	Most affected residential premises	55	55	43	55	43	55	Patrick to request copies of records from DP&E.  Operational noise from the premises is regulated under EPL 6962, Conditions L3.1 to L3.7 (31 March 2015).  Condition 3.3 is not applicable to operational noise levels and it is noted that the set limits for construction noise in this condition are higher than those in the licence.		Observation
Location	Day		Evening			Night																					
	L <sub>Aeq</sub> (15 min)	L <sub>A1</sub> (1 min)	L <sub>Aeq</sub> (15 min)	L <sub>A1</sub> (1 min)	L <sub>Aeq</sub> (15 min)	L <sub>A1</sub> (1 min)																					
Most affected residential premises	55	55	43	55	43	55																					

<sup>2</sup> Incorporates EPA General Terms of Approval – L6.6; <sup>3</sup> EPA General Terms of Approval – L6.1

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Noise Assessment Report</b>		
3.4	<p><sup>4</sup> For the purpose of condition 3.3 of this consent:</p> <p>(a) Day is defined as the period from 7.00am to 6.00pm Monday to Saturday and 8.00am to 6.00pm Sundays and Public Holidays;</p> <p>(b) Evening is defined as the period from 6.00pm to 10.00pm; and</p> <p>(c) Night is defined as the period from 10.00pm to 7.00am Monday to Saturday and 10.00pm to 8.00am Sundays and Public Holidays.</p>	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>
3.5	<p><sup>5</sup> Within six (6) months of the date of this consent, the Applicant shall submit a Noise Assessment Report to the Director-General and the EPA for approval. The report shall be prepared by a suitably qualified and experienced specialist in the field of acoustics. The report shall contain the following information:</p> <p>(a) A critical review of all measures capable of achieving a reduction in noise emitted by operation of the facility during and upon completion of the development phase including the timetable for implementation of each measure. The report shall contain sufficient information to justify the claim that all reasonable and feasible noise control measures have been incorporated into the redevelopment of the facility so that the noise limits specified in condition 3.3 of this consent, have been achieved as early as possible prior to that date;</p> <p>(b) A timetable specifying dates by which all reasonable and feasible measures will be implemented as identified in (a) above; and</p> <p>(c) Identification and timetabling of noise control measures to reduce noise from existing plant and equipment.</p>	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>
3.6	<p><sup>6</sup> Noise from the site shall be measured at the most affected point on or within the residential boundary, to determine compliance with the noise limits in condition 3.3 of this consent. Where it can be demonstrated that direct measurement of noise from the site is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the <i>NSW Industrial Noise Policy</i>. The modification factors provided in Section 4 of the <i>NSW Industrial Noise Policy</i> shall be applied to the measured noise levels where applicable.</p>	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>

<sup>4</sup> EPA General Terms of Approval – L6.2

<sup>5</sup> EPA General Term of Approval – E3.1

<sup>6</sup> EPA General Term of Approval – L6.3

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Noise Assessment Report</b>		
3.7	<sup>7</sup> Noise from the site shall be measured at 1 metre from the bedroom window to determine compliance with the LA1 (1 minute) and LA MAX noise limits in condition 3.3 of this consent.	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>
3.8	<sup>8</sup> The noise emission limits identified in condition 3.3 of this consent apply under meteorological conditions of: (a) wind speeds of up to 3 m/s at 10 metres above ground level; and (b) temperature inversion conditions of up to 3°C/100 metres.	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>
	<b>Traffic and Transport Impacts</b>		
	<b>Road Improvements</b>		
3.9	The Applicant shall fund and construct the following road works to the satisfaction of the Council and the Roads and Maritime Service: (a) Upgrade of the Botany Road / Foreshore Road / Penrhyn Road intersections to provide: i. Dual eastbound right turn lanes or a lengthened single right turn lane from Foreshore Road to Penrhyn Road; and (b) A westbound continuous slip left turn lane from Penrhyn Road to Foreshore Road. (c) Construction of a roundabout intersection at Penrhyn Road / Boat Ramp Access Road / Inter terminal Access Road. The roundabout shall be designed to accommodate a u-turn manoeuvre by a single B-double vehicle. (d) Construction of a new access road to the Penrhyn Boat Ramp.	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>
3.10	The Applicant shall complete the upgrade of the Foreshore Road / Penrhyn Road / Botany Road intersection within two (2) years of the date of this consent, unless otherwise agreed by the Director-General. Commencement of road construction works required under this consent shall not commence until the Applicant has consulted with the owner / occupier of the Caltex (within access from Penrhyn Road) and demonstrated to the satisfaction of the Director-General that the median strip closure on Penrhyn Road will not cause an access conflict at that development.	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>

<sup>7</sup> EPA General Term of Approval – L6.4

<sup>8</sup> EPA General Term of Approval – L6.5

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Road Improvements</b>		
3.11	The roadworkers in condition 3.9 of this consent shall be designed and constructed in accordance with RMS requirements and standards. Detailed design plans of the proposed road works shall be submitted to the RMS for approval prior to construction. Note: A plan checking fee and lodgement of a performance bond may be required from the Applicant prior to the release of the approved road design plans by the RMS.	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>
3.12	The shoulders of the new boat ramp access road shall be constructed with concrete edge strips.	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>
3.13	The new boat ramp access road shall be completed prior to the closure of the existing Penrhyn Road access to the boat ramp.	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>
	<b>Transport Code of Conduct</b>		
3.14	Prior to the commencement of operations, the Applicant shall submit for the Director-General's approval a Transport Code of Conduct for the development. The Code shall outline the management of traffic impacts associated with the development and minimum requirements for the movement of heavy vehicles to and from the site. The Code shall address the requirements of Council and shall include, but not necessarily be limited to: (a) restrictions to routes, where relevant; (b) restrictions to the hours of transport operations to avoid travelling through built-up areas late at night or at times of high traffic flows in those areas; and (c) minimum requirements for vehicle maintenance to address noise and exhaust emissions.	<i>Patrick to request copies of records from DP&amp;E.</i>  <i>An Operational Traffic Management Plan (Operational TMP), dated 3 March 2015 was developed for the site as Appendix E to the Operational EMP.</i>  <i>Patrick's Operational TMP as part of the Operational EMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</i>  <i>The Operational EMP and appendices are under review.</i>	<b>Observation</b>
	<b>Parking</b>		
3.15	The Applicant shall ensure that any parking spaces within the boat ramp parking area, that are required for the construction of the new access road shall be replaced with an equivalent number and size of parking spaces.	<i>This condition relates to parking during the construction period and is therefore not relevant to current Patrick operations.</i>	<b>Not Applicable</b>
3.15A	All parking associated with construction shall be temporary, provided within construction compounds and located wholly within the site.	<i>As per condition 3.15 above.</i>	<b>Not Applicable</b>



No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Parking</b>		
3.15B	The site shall provide a maximum of 333 car parking spaces within two new carparks, of the total number of spaces, at least two shall be for visitors parking and one mobility impaired space provided, located adjacent to building entries and clearly delineated. All car parking, landscaping and bicycle parking shall be provided and designed in accordance with the <i>Port Botany Development Code 2012</i> .	Car parking spaces have been provided within two new carparks with visitors parking and mobility impaired parking space provided.	Compliant
3.16	The staff and visitors carpark shall be designed to comply with <i>AS2890.1 1993 Parking Facilities – Off-Street Car Parking</i> .	Designed as per Australian Standard.	Compliant
3.17	Disable, visitor and service vehicle parking spaces shall be clearly signposted and designated in accordance with relevant Australian Standards.	Designed as per Australian Standard.	Compliant
	<b>Access and Internal Road Works</b>		
3.18	All driveways shall be clearly signposted and designed to accommodate the largest vehicle likely to use the site.	Driveways clearly posted and designed to accommodate the largest vehicle likely to use the site.	Compliant
3.19	Directional pavement arrows shall be installed on all internal roads.	Direction arrows on roadway installed.	Compliant
3.20	The design of all internal roadways shall be wide enough to accommodate through traffic and turning two-way traffic.	Through and turning two-way traffic accommodated.	Compliant
3.21	The design of the truck marshalling areas, driveways, and sight distances shall comply with <i>AS 2890.2-2002 Parking Facilities – Off-Street Commercial Vehicle Facilities</i> .	Designed as per Australian Standard.	Compliant
3.22	Vehicles associated with the development are not permitted to park, queue or stand on Penrhyn Road, Foreshore Road or the boat ramp car park and access road at any time.	Relates to construction period and is therefore no longer applicable to operations.	Not Applicable
3.23	No parking shall be permitted on the internal roadways outside the designated parking areas.	Patrick does not allow parking on internal roadways within the terminal.	Compliant
3.24	All trucks entering the development shall be wholly contained within the site before being required to stop.	Relates to construction period and is therefore no longer applicable.	Not Applicable
3.25	The use of landscaping shall not affect driver sight distance for vehicles entering or exiting the site.	Maintenance of landscaping is routinely scheduled.	Compliant

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Water Quality Impacts</b>		
	<b>Erosion and Sediment Control</b>		
3.26	<sup>9</sup> The proposed works shall be carried out so that: (a) No materials are eroded, or likely to be eroded, are deposited, or likely to be deposited, on the bed or shore or into the waters of Botany Bay; and (b) No materials are likely to be carried by natural forces to the bed or shore or into the waters of Botany Bay.	This condition relates to the construction phase of the development and is therefore not relevant to current Patrick operations.  The site is currently sealed and no erosion of the site is known to have occurred.	Not Applicable
3.27	<sup>10</sup> Any material that does enter Botany Bay shall be removed immediately.	Refer to condition 3.26 above.	Not Applicable
3.28	<sup>11</sup> The Applicant shall prepare and implement a Soil and Water Management Plan, as required by condition 6.2 (a) of this consent, to manage erosion, sedimentation and other pollutants during construction of the proposed works. The plan shall be prepared by a suitably qualified person(s). Best practice methods shall be adopted for the on-site control of runoff, sediment and other pollutants during, and post, construction. The methods employed shall be in accordance with the relevant specifications and standards contained in the Department of Housing's Managing Urban Stormwater: Soils and Construction" Manual (1998) and any other relevant Council requirements.	Refer to condition 3.26 above.	Not Applicable
3.29	<sup>12</sup> Any material that is to be stockpiled on site shall be stabilised to prevent contamination, erosion or dispersal of the material. Consideration should be given to covering stockpiles when not in use. The erosion, sediment and pollution control system shall be effectively maintained at or above design capacity for the duration of the works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.	Refer to condition 3.26 above.  No stockpiling of erodible materials is known to have occurred on the site during the reporting period.	Not Applicable
3.30	<sup>13</sup> Demolition and construction works shall be carried out in a manner that minimises the potential for materials, including sediment and other pollutants to enter Botany Bay. In this regard, a combination of temporary measures such as tarpaulins, booms, silt screens and barriers may be required when carrying out particular works.	Refer to condition 3.26 above.	Not Applicable
3.31	All soil and/or vegetation disturbed or removed from the site shall be disposed of to, or stored at, an appropriate location where it cannot be washed off the site.	This condition relates to the construction phase of the development and is therefore not relevant to current Patrick operations.	Not Applicable

<sup>9</sup> & <sup>10</sup> Waterways Authority General Terms of Approval; <sup>11</sup> Incorporates Waterways Authority and EPA General Terms of Approval - O 4.1; <sup>12</sup> & <sup>13</sup> Waterways Authority General Terms of Approval

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
3.32	All construction vehicles exiting the site, having had access to unpaved areas, shall depart via a wheel wash facility. Note: Under section 13TA of the Maritime Services Act, 1935, the Applicant is required to obtain the prior written approval of the Waterways Authority to pipe stormwater, excavate or remove soil, sand or other material from land within a distance of 10 metres from the mean high water mark. Further details regarding this approval can be obtained from the Property Services Branch (Phone 9563 8808).	As per condition 3.31 above.	Not Applicable
	<b>Pollution of Waters</b>		
3.33	<sup>14</sup> Except as may be expressly provided by a licence issued under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 shall be complied with and in connection with the carrying out of the development.	Relates to construction period and is therefore no longer applicable.	Not Applicable
	<b>Concentration Limits</b>		
3.34	<sup>15</sup> The concentration limit of a pollutant discharged at Point 1 of the existing licence, shall not exceed the concentration limits specified for that pollutant in the table in condition 3.36 of this consent.	Discharges from Point 1 are referenced in the EPL version dated 18 April 2011. Patrick requested in letter to the EPA (dated 15 April 2013) the removal of reference to Discharge Point 1 from the EPL. EPL has since been updated and the EPL applicable (dated 31 March 2015) to the period of this report has no reference to water monitoring requirements.	Not Applicable
3.35	<sup>16</sup> Where a pH quantity limit is specified in the table in condition 3.36 of this consent, the specified percentage of samples shall be within the specified ranges.	The applicable EPL (dated 31 March 2015) has no reference to water monitoring requirements.	Not Applicable

<sup>14</sup> EPA General Terms of Approval - L 1.1 and A 2.1; <sup>15</sup> EPA General Terms of Approval - L 3.1; <sup>16</sup> EPA General Terms of Approval - L 3.2

No.	Consent DA-453 Conditions - Details		Evidence	Assessment Rating												
3	Environmental Performance															
	Concentration Limits															
3.36	<sup>17</sup> To avoid any doubt, this condition does not authorise the discharge or emission of any other pollutants.  Discharge Location - Point 1 <table><thead><tr><th>Pollutant</th><th>Unit of Measure</th><th>100% Concentration Limit</th></tr></thead><tbody><tr><td>Oil and Grease</td><td>mg/L</td><td>10</td></tr><tr><td>Total Suspended Solids</td><td>mg/L</td><td>30</td></tr><tr><td>pH</td><td>pH</td><td>6.5 – 8.5</td></tr></tbody></table>		Pollutant	Unit of Measure	100% Concentration Limit	Oil and Grease	mg/L	10	Total Suspended Solids	mg/L	30	pH	pH	6.5 – 8.5	The applicable EPL (dated 31 March 2015) has no reference to water monitoring requirements.	Not Applicable
Pollutant	Unit of Measure	100% Concentration Limit														
Oil and Grease	mg/L	10														
Total Suspended Solids	mg/L	30														
pH	pH	6.5 – 8.5														
	Acid Sulfate Solids															
3.37	<sup>18</sup> In the event that acid sulfate soils are encountered during the works, all works with the potential to disturb the material are to cease. The Applicant shall notify the Waterways Authority immediately and prepare and submit an acid sulfate soils management plan to the Waterways Authority for approval prior to any work re-commencing. The management plan shall be prepared in accordance with the NSW Acid Sulfate Soils Manual.		This condition relates to excavation during the construction phase of the development and is therefore not relevant to current Patrick operations.	Not Applicable												
3.38	<sup>19</sup> The Applicant shall not cause, permit, or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing, or disposal; or any waste generated at the premises to be disposed at the premises, except as expressly permitted by a licence issued by the EPA under the <i>Protection of the Environment Operations Act 1997</i> . This condition only applies to the storage, treatment, processing, reprocessing, or disposal; or any waste generated at the premises if it requires an environment protection licence under the <i>Protection of the Environment Operations Act 1997</i> .		Patrick to request copies of records from DP&E.  It is noted EPL 6962 references waste that meets the conditions of a resource recovery exemption under Clause 92 of the Waste Regulation 2014, and any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act.	Observation												

<sup>17</sup> EPA General Terms of Approval - L 3.3; <sup>18</sup> Waterways Authority - General Terms of Approval; <sup>19</sup> EPA General Terms of Approval - L 5.1 and L 5.2

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Acid Sulfate Solids</b>		
3.39	<sup>20</sup> Except as expressly permitted by a licence issued by the EPA under the Protection of the Environment Operations Act 1997, only the hazardous and/or industrial and/or Group A waste listed below may be generated and/or stored at the premises: (a) waste oil/water, hydrocarbons/water mixtures or emulsions; and (b) grease trap waste.	No additional wastes to those listed in this condition are known to have been generated or stored at the premises during the reporting period. Wastes generated in the maintenance workshop are classified as J120 waste oil/water, hydrocarbon mixtures or emulsions.	<b>Compliant</b>
3.40	<sup>21</sup> The quantity of hazardous and/or industrial and/or Group A waste generated on the premises shall not exceed 200 tonnes per year.	<i>Patrick to request copies of records from DP&amp;E.</i>  This requirement is not included in the applicable EPL 6962 - L2 Waste (dated 31 March 2015). While the source of this condition is not known, the EPL does not set a limit for the quantity of hazardous and/or industrial and/or Group A waste generated on the premises.	<b>Observation</b>
3.41	<sup>22</sup> The quantity of hazardous and/or industrial and/or Group A waste stored on the premises shall not exceed 70 tonnes at any one time.	<i>Patrick to request copies of records from DP&amp;E.</i>  See condition 3.40 above.	<b>Observation</b>
3.42	A designated area for the storage and collection of waste and recyclable materials shall be provided on the site. Details of this shall be provided in the Waste Management Plan required under condition 6.4 (d) of this consent.	Designated waste and recycle collection bins are provided at the Maintenance Workshop / Building, and the Tower / Administration Building.  A Waste Management Plan (WMP) has been developed and forms Appendix G to the Operational EMP and was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).	<b>Compliant</b>
3.43	All wastes and material generated on the site during construction and operation shall be classified in accordance with the EPA's <i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes</i> and be disposed of to a facility that may lawfully accept the waste.	The process for waste classification and management is outlined in Table 2 and Section 3.4 of the Waste Management Plan (WMP), reviewed January 2015. Waste streams are identified in Section 3.3. An agreement is in place with Cleanaway, a licenced waste contractor, to collect used oil filters and waste oil at least monthly. Waste classifications are provided on documentation left by the designated waste contractor.	<b>Compliant</b>

<sup>20</sup> EPA General Terms of Approval - L 5.3; <sup>21</sup> EPA General Terms of Approval - L 5.4; <sup>22</sup> EPA General Terms of Approval - L 5.5

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Acid Sulfate Solids</b>		
3.44	The Applicant shall be responsible for involving and encouraging employees and contractors to minimise domestic waste production on site and to reuse/recycle where possible.	The Waste Management Plan identifies waste streams on site in section 3.2, and subsequent sections 3.2-3.5 describe Patrick's requirements for the management of waste streams, waste minimisation and avoidance, and waste receipt and handling.	Compliant
	<b>Air Quality Impacts</b>		
	<b>Dust Emissions</b>		
3.45	<sup>23</sup> The Applicant shall design, construct, operate and maintain the development in a manner which minimises or prevents the emission of dust from the site.	Controls are in place to reduce dust generation and emissions including: - street sweeping along the wharf is conducted fortnightly; - vehicles must be operated within designated speed limits (20km/h); & - the site is covered in hardstand with minimal landscaped areas. Dust controls are documented in Section 5.2.1 of the Operational EMP.	Compliant
3.46	All trafficable areas and vehicle manoeuvring areas in or on the premises shall be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind blown or traffic generated dust.	See condition 3.45 above.	Compliant
3.47	During construction of the development, the Applicant shall ensure that all vehicles entering or leaving the site, carrying a load that may generate dust, are covered at all times, except during loading and unloading. Any such vehicles shall be covered or enclosed in a manner that will prevent emissions of dust from the vehicle.	Applies to the construction phase of the project.	Not Applicable
	<b>Ventilation</b>		
3.48	The details of any mechanical ventilation and/or air conditioning for the development must be certified by a competent person, in accordance with Council's requirements, the BCA and relevant Australian Standards, and to the satisfaction of the PCA prior to commencement of any work related to those activities.	Noted	Not Applicable

<sup>23</sup> EPA General Terms of Approval - O 3.1

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Hazard and Risk Impact</b>		
3.49	The Applicant shall not store or handle Dangerous Goods of Class 2.3, toxic compressed or liquefied gases above the quantities stored or handled in 1995/96 except in accordance with recommendations 1.1 and 1.2 in the Port Botany Land Use Safety Study (1996).	<p>Class 2.3 dangerous goods are managed as per SOP - Storage &amp; Handling of Hazardous Dangerous Goods (ST-SOP-03 v3, 15 May 2015)</p> <p>Refer to Section 16 of this AEMR for the terminal's Dangerous Goods throughput for 2016 (based on Table 6.8 of the Preliminary Hazard Analysis (Rev. 7, June 2004). Review of the Dangerous Goods throughput analysis identified Class 2.3 – methyl bromide exceeded the limited number of movements for NEQ 12 tonnes (13 compared to 0). It is noted that DG movements into and out of the terminal are approved by the Port Authority of NSW.</p>	<b>Non-Compliant</b>
3.50	<p>At least two months prior to the commencement of the proposed development or within such further period as the Director-General may agree, the Applicant shall prepare and submit for the approval of the Director-General the studies set out under (a) to (d) below.</p> <p>(a) FINAL HAZARD ANALYSIS - A final hazard analysis (FHA) of the proposed development. The analysis should be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 6, "Guidelines for Hazard Analysis";</p> <p>(b) TRANSPORT OF HAZARDOUS MATERIALS -Arrangements covering the transport of hazardous materials including details of routes to be used for the movement of vehicles carrying hazardous materials to or from the proposed development. The study shall be carried out in accordance with the Department's draft "Route Selection Guidelines". Suitable routes identified in the study shall be used except where departures are necessary for local deliveries or emergencies. The study shall use the actual and projected dangerous goods movements from 1996/96 to 2016 to and from the site. In this regard particular attention is required to the future Class 2.3 toxic gases quantities, as detailed under condition 3.49 of this consent.</p>	<p><i>Patrick to request copies of records from DP&amp;E.</i></p> <p>(a) Sydney Ports Corporation – Port Botany Expansion Preliminary Hazard Analysis, revision 7, 9 June 2004.</p> <p>(b) Port Botany Expansion EIS – Appendix P, Traffic and Landside Transport Study for Proposed Port Botany Expansion (June 2002)</p> <p>An Operational Traffic Management Plan (Operational TMP), dated 3 March 2015 was developed for the site as Appendix E to the Operational EMP.</p> <p>Patrick's Operational TMP as part of the Operational EMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>The Operational EMP and appendices are under review.</p>	<b>Compliant</b>



No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Hazard and Risk Impact</b>		
3.50	<p>(c) EMERGENCY PLAN - A comprehensive emergency plan and detailed emergency procedures for the proposed development. This plan shall include detailed procedures for the safety of all people inside and outside the development who may be at risk from the development. The plan shall be in accordance with the Department's Department of Infrastructure, Planning and Natural Resources Page 19 of 39 DA-453-12-2002-i Hazardous Industry Planning Advisory Paper No. 1, "Industry Emergency Planning Guidelines"; and</p> <p>(d) SAFETY MANAGEMENT SYSTEM - A document setting out a comprehensive safety management system, covering all operations on-site and associated transport activities involving hazardous materials. The document shall clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to procedures. Records shall be kept on-site and shall be available for inspection by the Director-General upon request. The Safety Management System shall be developed in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 9, "Safety Management".</p>	<p>(c) An Incident Management and Investigation Procedure has been developed forms Appendix I to the Operational EMP, and the Emergency Management Plan and Emergency Response Procedures (November 2015) have been developed and attached to the Operational EMP as Appendix N and approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease). The Emergency Response Plan (ERP) is available on the Patrick website - <a href="http://www.patrick.com.au/environment-management">http://www.patrick.com.au/environment-management</a></p> <p>(d) The Safety Management System for the terminal is currently under revision – being upgraded to cover AS4801 and ISO14001 requirements.</p>	<b>Compliant</b>
3.51	<p>One month prior to the commencement of operation of the development, the applicant shall submit to the Director-General, a compliance report detailing compliance with conditions 3.49 and 3.50 of this consent, including:</p> <p>(a) dates of study submission, approval, and commencement of operations;</p> <p>(b) actions taken or proposed, to implement recommendations made in the studies; and</p> <p>(c) responses to each requirement imposed by the Director-General under condition 3.54 of this consent.</p>	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>



No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Incident Report</b>		
3.52	Within 24 hours of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment, a report shall be supplied to the Department outlining the basic facts. A further detailed report shall be prepared and submitted following investigations of the causes and identification of necessary additional preventive measures. That report must be submitted to the Director-General no later than 14 days after the incident or potential incident. The Applicant shall maintain a register of accidents, incidents and potential incidents. The register shall be made available for inspection at any time by the independent hazard auditor, the Director-General and Council.	<p>Operational EMP, section 4.2 Table 4 outlines the requirement for notification of environmental incidents.</p> <p>During this reporting period two incidents were reported to NSW EPA, however not notified to NSW Ports and DP&amp;E:</p> <ul style="list-style-type: none"> <li>29-Aug-16: AutoStrad leaked diesel in the Yard.</li> <li>22-Oct-16: DGs (Class 9) shipping containers were pushed over, drums came through the doors. Hazmat contacted, identified nil leaking from drums.</li> </ul> <p>Include in the updated ERP the need to notify NSW Ports &amp; DP&amp;E.</p>	<b>Non-Compliant</b>
	<b>Hazard Audit</b>		
3.53	Twelve months after the commencement of operations of the proposed development or within such further period as the Director-General may agree, the Applicant shall carry out a comprehensive hazard audit of the proposed development and within one month of the audit submit a report to the Director-General. The audit shall be carried out at the Applicant's expense by a duly qualified independent person or team Department of Infrastructure, Planning and Natural Resources Page 20 of 39 DA-453-12-2002-I approved by the Director-General prior to commencement of the audit. Further audits shall be carried out every three years or as determined by the Director-General and a report of each audit shall be submitted to the Director-General within one month of the audit. Hazard audits shall be carried out in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 5, "Hazard Audit Guidelines". The audit shall include a review of the site safety management system and a review of all entries made in the incident register since the previous audit.	<p>A Preliminary Hazard Analysis was conducted by Qest Consulting in June 2004 (revision 7).</p> <p>A Hazard Audit was conducted at the site by Planager Pty Ltd (approved by the DP&amp;E's Director-General) on 6 and 7 November 2013.</p> <p>The 2016 Hazard Audit was deferred to 2017 as approved by the DP&amp;E's Director-General.</p>	<b>Compliant</b>

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Further Requirements</b>		
3.54	The Applicant shall comply with all reasonable requirements of the Director-General in respect of the implementation of any measures arising from the reports submitted in respect of conditions 3.50 (a) to (d) inclusive, within such time as the Director-General may agree.	No requirements are known to have been set by the Director-General arising from the 2013 Hazard Audit.	Observation
3.55	<sup>24</sup> Foreshore landscaping shall be comprised of locally indigenous species, which represents the original plant communities that would have been found along the foreshore in the vicinity of the site.	Patrick to request copies of records from DP&E.	Observation
3.56	<sup>25</sup> A suitably detailed landscape plan shall be provided to the Waterways Authority prior to a Part 3A Permit being issued. The plan shall identify the location and species of trees at the site, measures to protect them from damage during the works and specific details of additional landscaping to be carried out including location and numbers of species to be planted.	Patrick to request copies of records from DP&E.	Observation
3.57	<sup>26</sup> A Vegetation Management Plan shall be prepared in accordance with condition 6.4 (b) of this consent. The Plan shall detail the proposed methods to be used to maintain the revegetated areas after completion of the works. The Plan shall be submitted to the Waterways Authority prior to a Part 3A Permit being issued.	Patrick to request copies of records from DP&E.  A Vegetation Management Plan (VMP) has been developed and forms Appendix H to the Operational EMP.  While Patrick cannot obtain evidence of submission of the VMP to the Waterways Authority, this condition may no longer be relevant as pre-dates construction commencement.	Observation
3.58	All noxious weeds, as listed under the NSW Noxious Weed Act 1993, on site shall be removed during construction and operation of the development.	The VMP includes a requirement for the removal of noxious weeds from the premises.	Compliant
3.59	Appropriate weed management for the site, especially landscaped areas, shall be undertaken for the life of the development. Details of this shall be included in the Vegetation Management Plan required under condition 6.4 (b).	Weed management requirements are included in an appendix to the VMP.	Compliant

<sup>24, 25 & 26</sup> Waterways Authority General Terms of Approval

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Further Requirements</b>		
3.60	<p>The Applicant shall install, operate and maintain an irrigation system throughout all landscaped areas. Such a system shall provide full coverage to all landscaped areas with no overspray onto hard surfaces. Details of the irrigation system proposed shall be included in the Vegetation Management Plan required under condition 6.4(b) of this consent. The system shall comply with all relevant Australian Standards.</p> <p>Note: It is recognised that some irrigation is necessary, however, the Applicant is encouraged to reduce the dependence on irrigation by planting trees and shrubs that are endemic to the area and capable of withstanding low levels of water as reflected in condition 3.60 of this consent.</p>	There is currently no irrigation system on site, and no requirement within the VMP to install an irrigation system based on the low water tolerant trees, shrubs and grasses planted.	Compliant
3.61	<p>The Applicant must ensure that all external lighting associated with the development is mounted, screened, and directed in such a manner so as not to create a nuisance to surrounding properties or roadways. The lighting shall be the minimum level of illumination necessary and shall comply with AS 4282 1997 - <i>Control of the Obtrusive Effects of Outdoor Lighting</i>.</p>	No complaints are known to have been received by the site in relation to lighting. There are no nearby residences and the site is not located close to a public road where lighting may be a nuisance issue.	Compliant

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Staff Induction</b>		
3.62	<p>The development's staff induction program shall incorporate special instructions relating to noise control and related "on the job" training, as deemed appropriate. Such training shall ensure that all staff involved in the operation of the terminal's mobile equipment, such as the straddle carriers, reach stackers and forklift trucks, and the gantry cranes and quay cranes, are aware of the need to ensure the following:</p> <ul style="list-style-type: none"> <li>(a) The correct placement and/or lowering of containers to minimise potential adverse noise impacts and specifically the control of transient impact noise;</li> <li>(b) The site's environment officer shall carry out routine inspections during the day, evening and night. Individual operations staff shall be assessed to determine the performance rating on each staff member and his or her duties; and</li> <li>(c) That each employee is made aware that one of the conditions of his or her continued employment shall be compliance with the site's noise emission goals and guidelines relating to the operational impact noise reduction. Those documented conditions will form an integral part of the project's Environmental Quality Assurance Program.</li> </ul>	<p>Employees, contractors and sub-contractors are required to undertake an induction prior to commencing work on site.</p> <p>The induction content does not currently include reference to the conditions of consent.</p>	<b>Non-Compliant</b>
	<b>Telephone Hotline</b>		
3.63	<p>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 surrounding residents.</p> <p>The aim of the complaints line is to enable any member of the action to the complaint within two hours, 24 hours per day for the duration of construction and operation of the development.</p>	<p>During the reporting period Patrick relied on the public to find a means to contact Patrick. Patrick did not have a designated telephone number for reporting complaints etc.</p>	<b>Non-Compliant</b>

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>3</b>	<b>Environmental Performance</b>		
	<b>Complaints Register</b>		
3.64	<p>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:</p> <ul style="list-style-type: none"> <li>(a) the date and time of the complaint;</li> <li>(b) the means by which the complaint was made;</li> <li>(c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;</li> <li>(d) the nature of the complaints;</li> <li>(e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and</li> <li>(f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.</li> </ul> <p>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.</p>	A complaints register is available for 2016.	Compliant
	<b>Development Consent</b>		
3.65	The payment of a Development Control fee to Council in accordance with Council's Management Plan, prior to the issue of the Construction Certificate. Development Control \$660.00	No longer applicable - construction phase	Not Applicable
<b>4</b>	<b>Utilities and Public Works</b>		
4.1	The Applicant shall, prior to construction commencing, identify (including, but not limited to the position and level of service) all public utility services on the site, roadway, nature strip, footpath, public reserve or any public areas that are associated with, and/or adjacent to the site, and/or are likely to be affected by the construction and operation of the development.	No longer applicable - construction phase	Not Applicable
4.2	The Applicant shall, prior to construction commencing, consult with the relevant provider of the utilities identified in condition 4.1 of this consent and make arrangements to adjust and/or relocate their services as required. The cost of any such adjustment and/or relocation of services shall be borne by the Applicant.	As per condition 4.1.	Not Applicable

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>4</b>	<b>Utilities and Public Works</b>		
4.3	Prior to commencement of construction, the Applicant shall provide documentary evidence from the utility providers identified in condition 4.1 of this consent, to the Director-General, confirming that their requirements have been satisfied.	As per condition 4.1.	Not Applicable
4.4	All external work carried out on public property shall be in accordance with Council's requirements, except as otherwise permitted by this consent.	As per condition 4.1.	Not Applicable
4.5	Prior to the issue of an Occupation Certificate, the Applicant shall obtain from Sydney Water a Section 73 Compliance Certificate under the Sydney Water Act 1994.	Patrick to request copies of records from DP&E.	Observation
<b>5</b>	<b>Environmental Monitoring</b>		
	<b>General Monitoring Requirements</b>		
5.1	The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol shall be recorded and retained as set out in conditions 5.2 and 5.3 of this consent.	Load calculations are not applicable according to EPL 6962. The applicable EPL (31 March 2015) only required monitoring to be conducted for noise (Condition L3). Bi-Annual Noise Monitoring Reports are submitted to EPA for June 2016 and November 2016.	Not Applicable
5.2	All records required to be kept by the licence shall be: (a) In a legible form, or in a form that can readily be reduced to a legible form (b) Kept for at least four years after the monitoring or event to which they relate took place; and (c) Produced in a legible form to any authorised officer of the EPA who asks to see them.	Noise monitoring records are kept in a legible form. Records dating back to 2004 are available on request. Bi-Annual Noise Monitoring Reports are submitted to EPA, and copies available on the Patrick website: <a href="http://www.patrick.com.au/environment-monitoring-reporting">http://www.patrick.com.au/environment-monitoring-reporting</a>	Compliant
5.3	The following records shall be kept in respect of any samples required to be collected: (a) The date(s) on which the sample was collected; (b) The time(s) at which the sample was collected; (c) The point at which the sample was taken; and (d) The name of the person who collected the sample.	Noise monitoring records are kept in a legible form. Records dating back to 2004 are available on request. Bi-Annual Noise Monitoring Reports are submitted to EPA, and copies available on the Patrick website: <a href="http://www.patrick.com.au/environment-monitoring-reporting">http://www.patrick.com.au/environment-monitoring-reporting</a>	Compliant

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating																																								
5	<b>Environmental Monitoring</b>																																										
	<b>Requirement to Monitor Concentrations of Pollutants Discharged</b>																																										
5.4	<p>The Applicant shall monitor the discharge of pollutants at monitoring location Point 2. The Applicant shall monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in column 1 of the Table below. The Applicant shall use the sampling methods, units of measure, and sample at the frequency, specified in the columns of the Table below.</p> <p><b>Monitoring Location - Point 2: Water and Land</b></p> <table border="1"> <thead> <tr> <th>POLLUTANT</th><th>UNITS OF MEASURE</th><th>FREQUENCY</th><th>SAMPLING METHOD</th></tr> </thead> <tbody> <tr> <td>Oil and Grease</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr> <td>Total Suspended Solids</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr> <td>Turbidity</td><td>NTU</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr> <td>Chemical Oxygen Demand</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr> <td>Total Organic Carbon</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr> <td>Total Petroleum Hydrocarbons</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr> <td>Lead</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr> <td>Zinc</td><td>mg/L</td><td>Special Frequency 1</td><td>Representative</td></tr> <tr> <td>pH</td><td>pH</td><td>Special Frequency 1</td><td>Representative</td></tr> </tbody> </table> <p>Special Frequency 1 means a sample must be collected and analysed not more than one hour before the commencement of any discharge on any day and a further sample of the wastes being discharged not more than one hour after the commencement of the discharge on that day.</p> <p>Note: The monitoring results collected in compliance with condition 5.4 for Point 2 can be used to determine compliance with the concentration limit specified in Condition 3.36 for discharge from Point 1.</p>	POLLUTANT	UNITS OF MEASURE	FREQUENCY	SAMPLING METHOD	Oil and Grease	mg/L	Special Frequency 1	Representative	Total Suspended Solids	mg/L	Special Frequency 1	Representative	Turbidity	NTU	Special Frequency 1	Representative	Chemical Oxygen Demand	mg/L	Special Frequency 1	Representative	Total Organic Carbon	mg/L	Special Frequency 1	Representative	Total Petroleum Hydrocarbons	mg/L	Special Frequency 1	Representative	Lead	mg/L	Special Frequency 1	Representative	Zinc	mg/L	Special Frequency 1	Representative	pH	pH	Special Frequency 1	Representative	<p>Monitoring Location Point 2 was removed from EPL 6962 as of 31 March 2015.</p> <p>The applicable EPL (dated 31 March 2015) has no reference to water monitoring requirements.</p>	Not Applicable
POLLUTANT	UNITS OF MEASURE	FREQUENCY	SAMPLING METHOD																																								
Oil and Grease	mg/L	Special Frequency 1	Representative																																								
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No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>5</b>	<b>Environmental Monitoring</b>		
	<b>Requirement to Monitor Concentrations of Pollutants Discharged</b>		
5.5	<p>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol shall be done in accordance with:</p> <p>(a) Any methodology which is required by or under the POEO Act 1997 to be used for the testing of the concentration of the pollutant; or</p> <p>(b) If no such requirement is imposed by or under the POEO Act 1997, any methodology which the general terms of approval or a condition of the licence or the protocol (as the case may be) requires to be used for that testing; or</p> <p>(c) If no such requirement is imposed by or under the POEO Act 1997 or by the general terms of approval or a condition of the licence or the protocol (as the case may be), any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</p> <p>Note: The <i>Clean Air (Plant and Equipment) Regulation, 1997</i> requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "<i>Approved Methods for the sampling and Analysis of Air Pollutants in NSW</i>".</p>	EPL 6962 (31 March 2015) applicable during the monitoring period does not require any air quality monitoring.	Not Applicable
5.6	<sup>32</sup> For each discharge point or utilisation area specified in condition 3.34 of this consent, the Applicant shall monitor the volume of liquids discharged to water or applied to the area.	EPL 6962 (31 March 2015) applicable during the monitoring period does not require any air quality monitoring.	Not Applicable

<sup>32</sup> EPA General Terms of Approval – M6.1



No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>5</b>	<b>Environmental Monitoring</b>		
	<b>Water Quality Monitoring and Compliance Reporting</b>		
5.7	<p><sup>33</sup> Within 6 months of consent being granted and every 6 months thereafter, the Applicant shall submit a report to the EPA containing the following information:</p> <p>(a) A pollutant inventory that qualifies waters discharged from the site. This shall include identification of all water pollutants likely to be discharged from each final stormwater pit on the 11 stormwater lines serving the container handling operation area within the site. The water pollutants shall include but are not limited to: total phenolics, polycyclic aromatic hydrocarbons, oil and grease, total petroleum hydrocarbons, total organic carbon, biochemical oxygen demand, chemical oxygen demand, pH, zinc, copper, lead, cobalt, chromium, manganese, cobalt, nickel and iron;</p> <p>(b) Identify all existing and potential sources of water pollutants from the areas that drain into the 11 stormwater lines serving the container handling operation area within the site;</p> <p>(c) Quantify the concentration of pollutant types identified as part of the pollutant inventory as prescribed in subclause (a) of this condition. The quantification of pollutants shall be undertaken by collecting a grab sample within the first hour of a discharge and at hourly intervals after the commencement of that discharge for at least three hours after the initial sample was taken; and</p> <p>(d) A statement of whether identification and quantification of pollutants in stormwater discharges that have been developed in accordance with the water quality objectives as specified in the Water Quality Guidelines for Fresh and Marine Waters published by Australian and New Zealand Environment and Conservation Council.</p>	<p>EPL 6962 (31 March 2015) applicable during the monitoring period has had the requirement to monitor stormwater removed.</p> <p>The EPL no longer refers to 'each final stormwater pit on the 11 stormwater lines', as per this condition.</p>	Not Applicable

<sup>33</sup> EPA General Terms of Approval – E1.1

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>5</b>	<b>Environmental Monitoring</b>		
	<b>Noise Monitoring and Compliance Reporting</b>		
5.8	<p><sup>34</sup> Within 6 months of consent being granted and every 6 months thereafter, the Applicant shall submit a report to the EPA containing the following information:</p> <ul style="list-style-type: none"> <li>(a) Identification and ranking by sound power level (in 1/3 octave bands for any source with potentially undesirable noise character) all significant noise sources on site. This is to include container impact noise(s), audible alarms, all significant plant and equipment;</li> <li>(b) Identification of all noise sensitive receivers that may be affected by the operation, and select an appropriate number of representative receiver locations to represent all sensitive receivers;</li> <li>(c) The results of all noise measurements undertaken to assess compliance with condition 3.3 of this consent;</li> <li>(d) A statement of whether noise levels from all activities at the site comply with the specified noise limits at the representative receiver locations. The statement shall take into account tonal, impulsive and short duration noises originating from the facility;</li> <li>(e) Where noise levels have been assessed to exceed licence limits, a statement explaining the reason why this has taken place; and</li> <li>(f) A statement of what feasible and reasonable additional measures may be implemented to further reduce noise levels below that specified in the licence.</li> </ul>	Bi-Annual Noise Monitoring Reports are submitted to EPA following completion of each monitoring report i.e. June 2016 and November 2016.	Compliant
<b>6</b>	<b>Environmental Management</b>		
	<b>Construction Environmental Management Plan (CEMP)</b>		
6.1	<p>The Applicant shall prepare and implement a Construction Environmental Management Plan (CEMP) to outline environmental management practices and procedures to be followed during the construction of the development. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>(a) a description of all activities to be undertaken on the site during construction of the development, including an indication of stages of construction, where relevant;</li> </ul>	<p><i>Patrick to request copies of records from DP&amp;E.</i></p> <p>Not applicable within the reporting period- relates to construction phase of the development.</p>	Not Applicable

<sup>34</sup> EPA General Terms of Approval – E1.1

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>6</b>	<b>Environmental Management</b>		
	<b>Construction Environmental Management Plan (CEMP) <i>Continued</i></b>		
6.1	<p>(b) statutory and other obligations that the Applicant is required to fulfil during construction, including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;</p> <p>(c) specific consideration of measures to address any requirements of the Department, EPA, Waterways Authority and Council during construction;</p> <p>(d) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;</p> <p>(e) a description of the roles and responsibilities for all relevant employees involved in the construction of the development;</p> <p>(f) the Management Plans listed under condition 6.2 of this consent.</p> <p>The CEMP shall be submitted for the approval of the Director-General prior to the commencement of construction of the development. Construction shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the CEMP to the EPA, Waterways Authority and Council as soon as practicable.</p>	<p><i>Patrick to request copies of records from DP&amp;E.</i></p> <p>Not applicable within the reporting period- relates to construction phase of the development.</p>	<b>Observation</b>
	<b>Soil and Water Management Plan</b>		
6.2a	A Soil and Water Management Plan to detail measures to minimise erosion during construction of the development. The Plan shall include, but not necessarily be limited to...:	<p><i>Patrick to request copies of records from DP&amp;E.</i></p> <p>Not applicable within the reporting period- relates to construction phase of the development.</p>	<b>Observation</b>
	<b>Construction Noise Management Plan</b>		
6.2b	A Construction Noise Management Plan to outline measures to minimise impacts from the construction of the development on local noise levels. The Plan shall include, but not necessarily be limited to...:	<p><i>Patrick to request copies of records from DP&amp;E.</i></p> <p>Not applicable within the reporting period- relates to construction phase of the development.</p>	<b>Observation</b>

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>6</b>	<b>Environmental Management</b>		
	<b>Traffic Management Plan</b>		
6.2c	A Traffic Management Plan (TMP) shall be prepared to the satisfaction of the Director-General and submitted at least two weeks prior to the commencement of construction of, or the modification to, of the truck and rail portals. The TMP shall specifically address the management of construction traffic and the alternate arrangements for truck/rail movements around the Terminal during construction.	<i>Patrick to request copies of records from DP&amp;E.</i>  Not applicable within the reporting period- relates to construction phase of the development.	<b>Observation</b>
	<b>Operational Environmental Management Plan (OEMP or Operational EMP)</b>		
6.3	<p>The Applicant shall prepare and implement an Operation Environmental Management Plan (OEMP) to detail an environmental management framework, practices and procedures to be followed during the operation of the development. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. identification of all statutory and other obligations that the Applicant is required to fulfil in relation to operation of the development, including all consents, licences, approvals and consultations;</li> <li>ii. a description of the roles and responsibilities for all relevant employees involved in the operation of the development;</li> <li>iii. overall environmental policies and principles to be applied to the operation of the development;</li> <li>iv. standards and performance measures to be applied to the development, and a means by which environmental performance can be periodically reviewed and improved;</li> <li>v. management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent;</li> <li>vi. the Management Plans listed under condition 6.4 of this consent; and</li> <li>vii. the environmental monitoring requirements outlined under section 5 (Environmental Monitoring) of this consent, inclusive.</li> </ul> <p>The OEMP shall be submitted for the approval of the Director-General no later than one month prior to the commencement of operation of the development, or within such period as otherwise agreed by the Director-General. Operation shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall supply a copy of the OEMP to the EPA, Waterways Authority and Council as soon as practicable.</p>	<i>Patrick to request copies of records from DP&amp;E.</i>  An Operational EMP was developed for Patrick terminal operations and was last updated in March 2015.  The Operational EMP and its appendices were approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).	<b>Compliant</b>

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>6</b>	<b>Environmental Management</b>		
6.4	As part of the OEMP for the development, required under condition 6.3 of this consent, the Applicant shall prepare and implement the following Management Plans:	Noted	Not Applicable
	<b>Stormwater Management Plan</b>		
6.4a	<p>A Stormwater Management Plan to outline environmental management practices and procedures to be followed during the operation of the development in order to control and manage site drainage and stormwater. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. detailed plans showing the design of the stormwater control infrastructure;</li> <li>ii. demonstration that the stormwater control infrastructure will conform with, or exceed all relevant Council requirements and guidelines;</li> <li>iii. description of the procedures for the installation, inspection and maintenance of the stormwater control infrastructure, including stormwater pollution control devices; and</li> <li>iv. description of the procedures to be undertaken if any non-compliance is detected.</li> </ul>	<i>Patrick to request copies of records from DP&amp;E.</i>	Compliant
	<b>Vegetation Management Plan</b>		
6.4b	<p>A Vegetation Management Plan to outline measures to ensure appropriate development and maintenance of landscaping on the site and revegetation in the vicinity of the boat ramp access road. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. details of all landscaping to be undertaken on the site and revegetation in the boat ramp access road area, including details of additional features such as soil and mulch details, irrigation details, retaining wall details, fencing details, details of hard surfaces, and any other landscape elements in sufficient detail to fully describe the proposed landscape works;</li> <li>ii. details of existing and proposed utilities, as they relate to the development;</li> <li>iii. maximisation of flora species endemic to the locality in landscaping the site;</li> <li>iv. details of the proposed weed management system;</li> <li>v. identification and details of staff recreation areas;</li> <li>vi. details of car parking and measures to prevent vehicle encroachment onto landscaped areas; and</li> <li>vii. a program to ensure that all landscaped and revegetated areas are maintained in a tidy, healthy state.</li> </ul>	<i>Patrick to request copies of records from DP&amp;E.</i>	Compliant

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>6</b>	<b>Environmental Management</b>		
	<b>Transport Management Plan</b>		
6.4c	<p>A Transport Management Plan to outline management of traffic conflicts associated with the operation of the development. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. details of measures that would be implemented to minimise noise and amenity impacts on residential areas resulting from heavy vehicle movements;</li> <li>ii. outlines the monitoring procedures for major truck routes inbound and outbound from the site through the City of Botany Bay, as well as destinations within the City of Botany Bay;</li> <li>iii. procedures for monitoring the effectiveness and suitability of these measures, particularly the periodic and random monitoring of heavy vehicle routes; and</li> <li>iv. details of additional measures that would be implemented should be non-compliance be detected.</li> </ul>	<p><i>Patrick to request copies of records from DP&amp;E.</i></p> <p>An Operational Traffic Management Plan (Operational TMP), dated 3 March 2015 was developed for the site as Appendix E to the Operational EMP.</p> <p>Patrick's Operational TMP as part of the Operational EMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>The Operational EMP and appendices are under review.</p>	<b>Compliant</b>
	<b>Waste Management Plan</b>		
6.4d	<p>A Waste Management Plan to outline measures to manage resource consumption resulting from the operation of the development. The Plan shall meet the requirements of Council, should there be any. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. identification of the type and quantities of waste that would be generated;</li> <li>ii. description of measures and actions to be taken to minimise waste generated by the operation of the development;</li> <li>iii. description of how waste would be handled and stored during operation, and reused, recycled and, if necessary, appropriately treated and disposed of in accordance with the EPA's guidelines Assessment, Classification and Management of Liquid and Non-Liquid Waste; and</li> <li>iv. details of programs for involving and encouraging employees and contractors to minimise domestic waste production on the site and reuse/recycle where possible.</li> </ul>	<p><i>Patrick to request copies of records from DP&amp;E.</i></p> <p>A Waste Management Plan (WMP) has been developed and forms Appendix G to the Operational EMP and was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>The Operational EMP and appendices are under review.</p>	<b>Compliant</b>

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>6</b>	<b>Environmental Management</b>		
	<b>Operational Noise Management Plan</b>		
6.4e	<p>An Operational Noise Management Plan to outline measures to minimise impacts from the operation of the development on local noise levels. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. identification of all major sources of noise that may be emitted as a result of the operation of the development;</li> <li>ii. specification of the noise criteria as it applies to the particular activity;</li> <li>iii. procedures for the monitoring of noise emissions;</li> <li>iv. protocols for the minimisation of noise emissions;</li> <li>v. description of procedures to be undertaken if any non-compliance is detected;</li> <li>vi. application of appropriate noise control measures to all the lifting equipment (gantry cranes, forklift trucks, etc.) that are proposed to be used on the site; and</li> <li>vii. the powering-down of locomotives standing on the rail sidings on the site until such time as the train is about to depart the site.</li> </ul>	<p><i>Patrick to request copies of records from DP&amp;E.</i></p> <p>An Operational Noise Management Plan (Operational NMP), dated 15 January 2015 was developed for the site, and is attached to Patrick's Operational EMP, Appendix D.</p> <p>Patrick's Operational NMP as part of the Operational EMP was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>The Operational EMP and appendices are under review.</p>	<b>Compliant</b>
6.5	<p>Within three years of the commencement of operation, and at least every three years thereafter, the Applicant shall undertake a formal review of the OEMP required under condition 6.3 of this consent. The review shall ensure that the OEMP is up-to-date and all changes to procedures and practices since the previous review have been fully incorporated into the OEMP. The Applicant shall notify the Director-General of completion of each review, and shall supply a copy of the updated OEMP to the Director-General, EPA, Waterways Authority and Council on request.</p>	<p>The last formal review of the Operational EMP was conducted on 3 March 2015 (Version 0.7). The Operational EMP and appendices are under review.</p>	<b>Compliant</b>

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>6</b>	<b>Environmental Management</b>		
	<b>Annual Compliance Report</b>		
6.6	<p>Within twelve months of the date of this consent, and annually thereafter, unless the Director-General directs otherwise, the Applicant shall submit a Compliance Report to the Director-General. The Compliance Report shall:</p> <ul style="list-style-type: none"> <li>(a) Identify all the standards, performance measures, and statutory requirements the development is required to comply with, including the conditions of this consent;</li> <li>(b) Review the environmental performance of the development to determine whether it is complying with these standards, performance measures, and statutory requirements.</li> <li>(c) Identify all the occasions during the previous year when these standards, performance measures, and statutory requirements have not been complied with;</li> <li>(d) Include a copy of the Complaints Register for the preceding twelve month period and indicate what actions were taken (or are being taken) to address complaints;</li> <li>(e) Include the detailed reporting from any monitoring requirements, and identify any trends in the monitoring over the life of the project; and</li> <li>(f) Where non-compliance is occurring, describe what actions will be taken to ensure compliance, who will be responsible for carrying out these actions, and when these actions will be implemented.</li> <li>(c) The Director-General may require the Applicant to address certain matters identified in the Annual Compliance Report. Any action required to be undertaken shall be completed within such period as the Director-General may agree. The Applicant shall provide a copy of the Annual Compliance Report to the EPA and Council. The report shall be made available to the public on request.</li> </ul>	<p>This annual environmental report (D-494, C4.2) covers this condition to submit an annual compliance report. This being the first AEMR prepared for Patrick (2016) it has been prepared more than 12 months after the commencement of operation.</p>	<b>Non-Compliant</b>



No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>6</b>	<b>Environmental Management</b>		
	<b>Independent Environmental Audit</b>		
6.7	<p>Within 12 months of commissioning the development and every three years thereafter, unless the Director-General directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit. The Independent Environmental Audit shall:</p> <ul style="list-style-type: none"> <li>(a) Be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General;</li> <li>(b) Be consistent with ISO 14010 – Guidelines and General Principles for Environmental Auditing, and ISO 14011 – Procedures for Environmental Auditing, or updated versions of these guidelines/manuals;</li> <li>(c) Assess the environmental performance of the development, and its effects on the surrounding environment;</li> <li>(d) Assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;</li> <li>(e) Review the adequacy of the Applicant’s Environmental Management Plan, and Environmental Monitoring Program; and, if necessary</li> <li>(f) Recommend measures or actions to improve the environmental performance of the plant, and/or the environmental management and monitoring systems.</li> </ul>	The initial independent environmental audit due 12 months of commissioning (for compliance purposes the site was operation as of 4 February 2016) was due 12-months thereafter and consequently 3 years following i.e. 2019 onwards.	<b>Non-Compliant</b>
6.8	Within 2 months of commissioning the audit, the Applicant must submit a copy of the audit report to the Director-General. After reviewing the report, the Director-General may require the Applicant to address certain matters identified in the report. The Applicant must comply with any reasonable requirements of the Director-General.	As per condition 6.7 - an Independent Environmental Audit had not been undertaken for the site.	<b>Non-Compliant</b>

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>6</b>	<b>Environmental Management</b>		
	<b>EPA Annual Return</b>		
6.9	<p>The Applicant shall provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the Applicant shall:</p> <ul style="list-style-type: none"> <li>(a) report on the annual monitoring undertaken (where the activity results in pollutant discharges);</li> <li>(b) provide a summary of complaints relating to the development;</li> <li>(c) report on compliance with licence conditions; and</li> <li>(d) provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable.</li> </ul> <p>If load based fees apply to the activity the Applicant will be required to submit load based fee calculation worksheets with the return.</p>	<p>Annual Returns for the site and records dating back to 2005/2006 are maintained on the company's drive.</p> <p>The FY15/16 Annual Return for the period 1 April 2015 - 31 May 2016, and submitted to the EPA on 20 May 2016, within the timeframe specified by this condition.</p>	<b>Compliant</b>
6.10	Where standards, guidelines or other documents are referred to in the conditions, the latest version of these standards, guidelines or documents shall apply, unless otherwise agreed by the Director-General.	<b>Noted</b>	<b>Not Applicable</b>

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>7</b>	<b>Requirements of Botany Bay Council</b>		
	<b>Vibration</b>		
7.1	The construction and use of the premises shall not give rise to transmission of vibration at any affected premises that exceeds the vibration in buildings criteria outlined in the NSW EPA Environmental Noise Control Manual.	<i>Patrick to request copies of records from DP&amp;E.</i>  Patrick reports there are no affected premises within the vicinity of the site.	Observation
7.2	All machinery shall be installed and/or housed in such a manner as to minimise the emission of noise and transmission of vibration outside the premises.	Maintenance machinery is located inside a closed workshop.	Compliant
7.3	Vibration levels induced by the use of the premises or any equipment or service associated with the premises shall not exceed 1mm/sec peak particle velocity when measured at the footing of any adjoining occupied building.	<i>Patrick to request copies of records from DP&amp;E.</i>  Patrick reports there are no occupied buildings adjoining the site that would be affected by vibration. A documented vibration assessment is not known to have been conducted for the site.	Observation
	<b>Storage of Chemicals / Dangerous Goods (Other than Shipping Containers)</b>		
7.4	The storage and handling of flammable and combustible liquids for use on the site (other than shipping containers) shall be in accordance with <i>Australian Standard AS1940-1993 The Storage and Handling of Flammable and Combustible Liquids</i> .	<i>Patrick to request copies of records from DP&amp;E.</i>  The redevelopment of the Maintenance Building and Workshop storage and handling of flammable and combustible liquids were upgraded.	Observation
	<b>Storage of Waste Oil</b>		
7.5	Waste oil shall be stored in a covered and bunded area prior to offsite recycling/disposal. Copies of receipts for the recycling of oil shall be kept onsite and made available to Council on request.	Waste oil is collected and stored inside the Maintenance Workshop in either a bunded area or on a bunded pallet.  Dockets from Cleanaway (licenced waste contractor) are maintained on site. Patrick receives a copy of the Waste Transport Certificate with the invoice.	Compliant

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>7</b>	<b>Requirements of Botany Bay Council</b>		
	<b>Fuel Tanks and Fuel Filling Areas</b>		
7.6	The fuel tank and fuel filling area shall be designed and operated in accordance with the Code of Practice for the Design, Installation and Operation of Underground Petroleum Storage Systems by the Australian Institute of Petroleum (CP4-1998) and AS1940: 1993 <i>The Storage and Handling of Flammable and Combustible Liquids</i> .	Patrick reports there are no underground fuel storage tanks located on the site.	Not Applicable
	<b>Fuel Bowsers</b>		
7.7	Fuel bowsers and service areas shall comply with the EPA's Environmental Guideline: Surface Water Management On The Covered Forecourt Areas Of Service Stations.	Patrick to request copies of records from DP&E.	Observation
	<b>Bunding – Multiple Containers (Excluding Shipping Containers)</b>		
7.8	The area used for the storage of chemicals/liquids in containers (other than shipping containers) shall be banded. The bund (walls and floor) shall be constructed of impervious materials. The bund walls shall be a minimum of 100 mm high, and be of a sufficient volume to contain 25% of the maximum volume of liquids likely to be stored within the bund. The bund shall be designed and installed in accordance with AS1940-1993 The Storage And Handling Of Flammable And Combustible Liquids.	Patrick to request copies of records from DP&E.	Observation
	<b>Bunding - Tank</b>		
7.9	The area used for the storage of chemicals/liquids in tanks shall be banded. The bund (walls and floor) shall be constructed of impervious materials and shall be of sufficient volume to contain at least 110% of the volume of the tank(s). The bund shall be designed and installed in accordance with AS1940-1993 The Storage And Handling Of Flammable And Combustible Liquids.	Patrick to request copies of records from DP&E. Two 65,000L diesel trans-tanks are located within a designated banded area.	Observation

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>7</b>	<b>Requirements of Botany Bay Council</b>		
	<b>Maintenance of Bunded Areas</b>		
7.10	Bunded areas shall be properly maintained and all spillages and/or wastes within the bunded areas cleaned up as soon as practicable and disposed of in a manner that does not pollute waters.	Bunded areas are routinely inspected and if needed spills are cleaned up without polluting waters.	Observation
	<b>Traffic Bund</b>		
7.11	All service entries to workshop areas shall be provided with a trafficable bund with a minimum height of 100 mm to prevent any spillage exiting the workshop area and entering the stormwater system.	Redevelopment of the Maintenance Workshop included sloping the floor to a grated drain running the width of the workshop. Spill kits are located on either side of the workshop and contain absorbent materials for cleaning up any spills/leaks.	Observation
	<b>Spill Clean-up</b>		
7.12	Sufficient supplies of appropriate absorbent materials shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods, by placing absorbent material on the spill, and sweeping or shovelling the material into a secure bin. Absorbent materials used to clean up spills shall be disposed of to an appropriately licensed waste facility.	<p><b>Emergency Spill Kits</b> are situated in key locations around the terminal including the Maintenance Workshop.</p> <p><b>Spill Container</b> - containing additional absorbent materials, PPE and spill cleaning equipment is located in a designated location near the entrance to the quay line, accessible to maintenance and operations staff in an emergency. The spill container can also be lifted by a reach stacker and transported to the affected location.</p> <p><b>Spill Trailer</b> - located in a designated area at the entrance to the quay line in readiness to be hooked up to an ITV/Mafi trailer and transported to the affected container.</p> <p><b>Disposal</b> – Absorbent materials used to clean up spills are collected and disposed of by licenced waste contractors.</p>	Compliant

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>7</b>	<b>Requirements of Botany Bay Council</b>		
	<b>Emergency Spill Response Management Plan</b>		
7.13	<p>The Applicant shall develop an Emergency Response and Incident Management Plan in consultation with the EPA and Council. The Plan must be approved by the Director-General prior to the commencement of operations and shall include the following:</p> <ul style="list-style-type: none"> <li>(a) list of chemicals and maximum quantities to be stored at the site;</li> <li>(b) identification of potentially hazardous situations;</li> <li>(c) procedure for incident reporting;</li> <li>(d) details of spill stations and signage;</li> <li>(e) containment and clean-up facilities and procedures; and</li> <li>(f) the roles of all staff in the Plan and details of staff training.</li> </ul>	<p><i>Patrick to request copies of records from DP&amp;E.</i></p> <p>An Incident Management and Investigation Procedure has been developed forms Appendix I to the Operational EMP, and the Emergency Management Plan and Emergency Response Procedures (November 2015) have been developed and attached to the Operational EMP as Appendix N and approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>The Emergency Response Plan (ERP) is available on the Patrick website - <a href="http://www.patrick.com.au/environment-management">http://www.patrick.com.au/environment-management</a></p> <p>The ERP is currently under review.</p>	<b>Compliant</b>

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>7</b>	<b>Requirements of Botany Bay Council</b>		
	<b>Automotive / Workshop</b>		
7.14	All servicing, mechanical repairs and detailing shall be conducted in a covered, bunded work area. All work areas, including workshops and lube bays, shall be graded into collection sumps and/or grated drains such that surface effluent generated within the workshop area is directed into a dedicated drainage system and disposed of to sewer in accordance with a Trade Waste Agreement from Sydney Water or collected for reuse/disposal by an EPA licensed waste contractor.	<p>The workshop is covered and bunded. All servicing, mechanical repairs and detailing are conducted in this area. Where mechanical equipment has to be worked on in-situ and likely to take some time automotive fluid is drained and stored in a bunded area.</p> <p>Runoff from within the workshop is directed to a sump with oil/water separator and treated via the Auto Batch Unit. The waste water removed is disposed of via the sewer regulated under the Sydney Water Trade Waste Consent No. 24990. Waste oil and filter aid (ex the Auto Batch Unit) is collected and disposed via a licenced waste contractor.</p>	<b>Compliant</b>
	<b>Storage of Mechanical Parts</b>		
7.15	Automotive parts in contact with any automotive fluid shall be stored in a covered, bunded area that is graded into collection sumps and/or grated drains which are directed into a dedicated drainage system and disposed to sewer in accordance with a Trade Waste Agreement from Sydney Water or collected for reuse/disposal by an EPA licensed waste contractor.	As per condition 7.14.	<b>Compliant</b>
7.16	All spray painting is to being carried out in a spray booth constructed and ventilated in accordance with AS 1668.2-2002 – The Use of Mechanical Ventilation and Air-Conditioning in Buildings. Exhausts from the spray booth shall be discharged through a single stack with a minimum height of 3 metres above the ridge of the building. The stack shall be located not less than 6 metres from any fresh air intake or openable able window. Disposal of waste water from wet scrubbing shall be disposed of in accordance with Sydney Water's Trade Waste Policy and Management Plan.	Spray painting is not known to have been conducted on site during the reporting period.	<b>Not Applicable</b>

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>7</b>	<b>Requirements of Botany Bay Council</b>		
	<b>Spray Painting</b>		
	<b>Maintenance of Filters</b>		
7.17	All spray booth filters shall be regularly maintained to ensure emissions of air pollutants are minimised.	There is no spray booth on site.	Not Applicable
	<b>Stormwater</b>		
	<b>Vehicle Wash Bay</b>		
7.18	Washing of vehicles shall be conducted in a wash bay that is roofed and bunded to exclude rainwater. The wash bay shall be installed in accordance with Sydney Water's requirements. A Permission to Discharge Trade Wastewater permit shall be obtained from Sydney Water before discharge to sewer commences. The wash bay shall be regularly cleaned and maintained. Alternative water management and disposal options may be appropriate where water is recycled, minimised or re-used on the site.	Two wash bays are located within a roofed and bunded area within the maintenance workshop. The wash bays are operated under the conditions of Sydney Water Trade Waste Consent No. 24990.	Compliant
	<b>Signage on Stormwater Drains</b>		
7.19	Signs shall be displayed adjacent to all stormwater drains on the premises indicating that only clean water is allowed to enter these drains. Examples of possible signage include: 'Clean Rainwater Only', 'Clean water only - NO waste' or 'H <sub>2</sub> O only'.	Signs have previously been installed next to stormwater drains, however due to the nature of the straddle movements these have been rubbed off. As the straddles operate in a secure automated yard there is considered little need to sign post the stormwater signs. Stormwater drains outside the AutoYard have had stormwater only signs painted next to them. Opportunity to include in the routine environmental inspection.	Observation



No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>7</b>	<b>Requirements of Botany Bay Council</b>		
	<b>Maintenance of Stormwater Treatment Devices</b>		
7.20	All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the devices shall be disposed of in a manner that does not pollute waters.	Stormwater drains wardens and purceptors have been included into the Maintenance scheduling system (Maximo).	Compliant
	<b>Stormwater</b>		
	<b>Wastewater Recycling for Vehicle Washing</b>		
7.21	<p>All vehicle washing bays that recycle filtered and treated wastewater for re-use for vehicle washing shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>(a) Have an appropriate method for the removal of contaminants such as grease, oil, sediment and cleaning agents before reuse of the wastewater and have an appropriate method for the disposal of wastewater contaminants. Have a floor that is sealed and graded to an internal drainage point, so that all wastewater and surface spillage is directed and drains to the approved treatment point;</li> <li>(b) Is roofed and bunded so that all uncontaminated stormwater from the roof areas and uncovered areas, are directed away from the bay;</li> <li>(c) At a minimum the bay constructed with a minimum 20 mm bund around the perimeter of the bay;</li> <li>(d) At a minimum the bay should be protected from the entry of external surface waters, by either; a minimum 2% change in grade; or combination of a minimum 2% grade change and a grated drainage system;</li> <li>(e) At a minimum the bay should have a roof that has a minimum height of 2.5m;</li> <li>(f) All uncontaminated stormwater/rainwater must be directed to the dedicated stormwater drainage systems;</li> <li>(g) Ensure all contaminants removed from the recycled wastewater are disposed of appropriately;</li> <li>(h) Have an appropriately designed wastewater/recycled water storage tank;</li> <li>(i) All contaminants and gross solids removed from the recycled water are disposed of appropriately;</li> <li>(j) Ensure that the wastewater recycling system is functioning as intended; and</li> <li>(k) Ensure that all wastewater is retained within the recycling system.</li> </ul>	<p>Patrick has installed 2 x 10,000L water storage tanks alongside the Maintenance Workshop; and 2 x 10,000 water storage tanks behind the tower/administration building. At both locations, the stored water is used for the single purpose to flush toilets/urinals.</p> <p>Recycled water has not been used for vehicle wash bays.</p>	Not Applicable

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>7</b>	<b>Requirements of Botany Bay Council</b>		
	<b>Stormwater</b>		
	<b>Removal Off-Site by an Authorised Liquid Waste Disposal Contractor</b>		
7.22	<p>All vehicle washing bays that will have all wastewater removed off site shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>(a) Have a floor that is sealed and graded to an internal drainage point, so that all wastewater and surface spillage is directed and drains to the approved treatment and disposal point;</li> <li>(b) Roofed and bunded so that all uncontaminated stormwater from the roof areas and uncovered areas, are directed away from the bay;</li> <li>(c) At a minimum the bay should be constructed with a minimum 20 mm bund around the perimeter of the bay;</li> <li>(d) At a minimum the bay should be protected from the entry of external surface waters, by either; a minimum 2% change in grade; or combination of a minimum 2% grade change and a grated drainage system;</li> <li>(e) At a minimum the bay should have a roof that has a minimum height of 2.5 m;</li> <li>(f) All uncontaminated stormwater/rainwater must be directed to the dedicated stormwater drainage systems;</li> <li>(g) Have an appropriate capacity storage tank designed to hold all wastewater;</li> <li>(h) Keep and retain records for a period of five years, of when and how much water was removed by the authorised liquid waste disposal contractor when this occurs, on an annual basis. Provide a copy of the records to Council on request; and</li> <li>(i) That the water storage tank is maintained so that there are no leaks and is functioning as intended.</li> </ul>	<p>Wastewater from the two vehicle wash bays is collected and treated through the Auto Batch Unit and the treated water discharged to sewer under the Sydney Water Trade Waste Consent No. 24990.</p> <p>The wash bays are located inside the Maintenance Workshop, which is roofed and bunded. The floor is sealed and graded toward an internal drainage point.</p>	Not Applicable

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>7</b>	<b>Requirements of Botany Bay Council</b>		
	<b>Discharge to the Sewer via Appropriate Pre-Treatment</b>		
7.23	<p>All vehicle washing bays that discharge to sewer shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>(a) Discharges into the sewer requires a Permission to Discharge Trade Wastewater certificate issued by Sydney Water;</li> <li>(b) Have a floor that is sealed and graded to an internal drainage point, so that all wastewater and surface spillage is directed and drains to the approved treatment and disposal point;</li> <li>(c) Is roofed and bunded so that all uncontaminated stormwater from the roof areas and uncovered areas, are directed away from the bay;</li> <li>(d) At a minimum the bay should have a roof that has a minimum height of 2.5 m;</li> <li>(e) Have a roof that has a minimum height of 2.5 m;</li> <li>(f) Be constructed with a minimum 20 mm bund around the perimeter of the bay;</li> <li>(g) Be protected from the entry of external surface waters, by either; a minimum 2% change in grade; or combination of a minimum 2% grade change and a grated drainage system;</li> <li>(h) All uncontaminated stormwater/rainwater must be directed to the dedicated stormwater drainage systems;</li> <li>(i) Have a 1000 L general purpose pit; and</li> <li>(j) Carry out appropriate inspections and maintenance of the General Purpose Pit. The thickness of the sediment and oil levels, and outflow oil concentrations to be logged quarterly and submitted to Council. The pit is to be pumped out at least every 12 months or at more frequent interval as nominated by Council.</li> </ul>	<p>Wastewater from the two vehicle wash bays is collected and treated through the Auto Batch Unit and the treated water discharged to sewer under the Sydney Water Trade Waste Consent No. 24990.</p> <p>The wash bays are located inside the Maintenance Workshop, which is roofed and bunded. The floor is sealed and graded toward an internal drainage point.</p>	<b>Compliant</b>

No.	Consent DA-453 Conditions - Details	Evidence	Assessment Rating
<b>7</b>	<b>Requirements of Botany Bay Council</b>		
	<b>Disposal of Wastewater to Land Incorporating Appropriate Treatment Devices</b>		
7.24	<p>All vehicle washing bays that discharge wastewater shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>(a) The Applicant shall prove that the environmental conditions of the site are appropriate and provide appropriate professional site assessment information on the presence of environmentally sensitive areas on the building site, in the adjoining areas or within the downstream catchment;</li> <li>(b) Soil characteristics including soil permeability, depth to bedrock/hardpan, depth to high episodic water table, % coarse fragments; electrical conductivity; sodicity, cation exchange capacity, phosphorous absorption and any other Council requirement;</li> <li>(c) Site flood potential, exposure to sun and wind, slope, erosion potential, drainage, plant growth conditions;</li> <li>(d) Buffer distances from permanent surface waters, domestic groundwater wells, other waters, property boundaries, driveways, swimming pools and buildings; and</li> <li>(e) (e) Other site assessment details as required by Council.</li> </ul>	<p>Wastewater from the two vehicle wash bays is collected and treated through the Auto Batch Unit and the treated water discharged to sewer under the Sydney Water Trade Waste Consent No. 24990.</p> <p>The wash bays are located inside the Maintenance Workshop, which is roofed and bunded. The floor is sealed and graded toward an internal drainage point.</p>	<b>Complaint</b>
	<b>Energy Efficiency Report</b>		
7.25	An Energy Efficiency Compliance Report shall be prepared within 15 months of the issuing of the occupation certificate. The Report shall certify that energy efficiency measures have been installed and verify that the building's energy performance complies with Councils Energy Efficiency DCP. A copy of the Report shall be made available to Council on request.	<i>Patrick to request copies of records from DP&amp;E.</i>	<b>Observation</b>

## 12. Environmental Protection Licence – EPL 6962

Table 7A: EPL, Assessment Rating

Category	Definition
Compliant	Complies with all requirements of the condition.
Non-Compliant	Does not fully comply with all requirements of the condition, categorised as 'Minor' or 'Major' depending on the severity.
Observation	Observed during the assessment which provides an opportunity or is not necessarily best practice or requires further consideration.
Not Applicable	Either there are no compliance issues, was not applicable at the time of assessment, or is not the responsibility of Patrick.

Table 7B: EPL 6962 (date 31 March 2015)

Condition No.	EPL 6962 Conditions - Detail	Evidence	Assessment Rating
<b>1</b>	<b>Administrative Conditions</b>		
<b>A1</b>	<b>What the licence authorises and regulates</b>		
A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.</p> <p>Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p> <ul style="list-style-type: none"> <li>- Schedule Activity: Chemical Storage</li> <li>- Fee Based Activity: General chemicals storage</li> <li>- Scale: 0-5000 kL stored</li> </ul>	Noted	Not Applicable
<b>A2</b>	<b>Premises or plant to which this licence applies</b>		
A2.2	<p>The licence applies to the following premises:</p> <p>Patrick Port Botany Container Terminal, Penrhyn Road, Randwick NSW 2031 (LOT 202 DP 1183399, LOT 203 DP 1183399)</p>	Noted	Not Applicable

Condition No.	EPL 6962 Conditions - Detail	Evidence	Assessment Rating
<b>1</b>	<b>Administrative Conditions</b>		
<b>A3</b>	<b>Other activities</b>		
A3.1	This licence applies to all other activities carried on at the premises, including: <ul style="list-style-type: none"> <li>Ancillary Activities: Shipping Facilities</li> </ul>	Noted	Not Applicable
<b>A4</b>	<b>Information supplied to the EPA</b>		
A4.1	Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to: <ol style="list-style-type: none"> <li>the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</li> <li>the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</li> </ol>	Noted	Not Applicable
<b>2</b>	<b>Discharges to Air and Water and Applicable Land</b>		
<b>P1</b>	<b>Location of monitoring / discharge points and areas</b>		
P1.1	The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.	A table is not provided in P1.1.	Not Applicable

Condition No.	EPL 6962 Conditions - Detail	Evidence	Assessment Rating
<b>3</b>	<b>Limit Conditions</b>		
<b>L1</b>	<b>Pollution of waters</b>		
L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> .	<p>Maintenance activities are completed in the roofed and bunded workshop.</p> <p>Plant and equipment is stored outside in some areas of the terminal (e.g. crane spreaders). Storage of these items without controls in place presents an environmental risk, e.g. leaking of hydraulic fluid resulting in potential land and/or water contamination.</p> <p>The bund for the diesel tank storage area collects rainwater (and excess diesel from bowzers during refuelling), which is diverted to a 'Purceptor' for treatment before discharge.</p> <p>Drain wardens are fitted in stormwater drains on the container terminal.</p>	<b>Compliant</b>

Condition No.	EPL 6962 Conditions - Detail				Evidence	Assessment Rating															
3	Limit Conditions																				
L2	Waste																				
L2.1	<p>The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled “Waste” and meeting the definition, if any, in the column titled “Description” in the table below.</p> <p>Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled “Activity” in the table below. Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled “Other Limits” in the table below. This condition does not limit any other conditions in this licence.</p> <table><tr><th>Code</th><th>Waste</th><th>Description</th><th>Activity</th><th>Other Limits</th></tr><tr><td>NA</td><td>General or Specific exempted waste</td><td>Waste that meets all the conditions of a resource recovery exemption under Clause 92 of the Protection of the Environment Operations (Waste) Regulation 2014</td><td>As specified in each particular resource recovery exemption</td><td>NA</td></tr><tr><td>NA</td><td>Waste</td><td>Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time</td><td>-</td><td>NA</td></tr></table>				Code	Waste	Description	Activity	Other Limits	NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 92 of the Protection of the Environment Operations (Waste) Regulation 2014	As specified in each particular resource recovery exemption	NA	NA	Waste	Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time	-	NA	<p>Cargo received on the terminal, including hazardous waste shipments are managed on a case by case basis. Patrick and the Owner of the waste (or their shipper) separately approach the Port Authority and NSW Ports and seek approval for the storage and shipment of the designated waste. When the shipping line has approval from the Port Authority to use a specific vessel to carry the waste, and Patrick has approval to store the waste on the terminal and load the approved vessel, the Port Authority liaises with the Police and Hazmat to cover off any specific community related issues.</p> <p>Once approvals have been received (via email), the shipping line / agent work with Patrick to make plans for the waste to be received into the terminal and loaded onto the designated vessel within the agreed dwell times etc.</p> <p>Patrick to document the process.</p>	Observation
Code	Waste	Description	Activity	Other Limits																	
NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 92 of the Protection of the Environment Operations (Waste) Regulation 2014	As specified in each particular resource recovery exemption	NA																	
NA	Waste	Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time	-	NA																	



Condition No.	EPL 6962 Conditions - Detail				Evidence						Assessment Rating																																																																																																																																																																															
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L3.1	Noise from the premises must not exceed the noise limits presented in the Table below. Note the limits represent the noise contribution at the nominated receiver locations in the table.					Noise monitoring is conducted six-monthly by Rodney Stevens Acoustics. The noise emissions from Patrick have been estimated via calculation (worst case scenario is detailed below).						Compliant																																																																																																																																																																														
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Condition No.	EPL 6962 Conditions - Detail	Evidence	Assessment Rating
<b>3</b>	<b>Limit Conditions</b>		
<b>L3</b>	<b>Noise Limits</b>		
L3.3	<p>For the purposes of Conditions L3.1 and L3.2:</p> <ul style="list-style-type: none"> <li>- <i>Day</i> is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays.</li> <li>- <i>Evening</i> is defined as the period from 6pm to 10pm on any day.</li> <li>- <i>Night</i> is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.</li> </ul>	<p>Periods for Day, Evening and Night are defined in noise monitoring reports and align with periods required by this licence condition.</p> <p>Noise monitoring reports (June 2016 and November 2016) are provided to the NSW EPA and a copy of the reports have been uploaded to the Patrick website: <a href="http://www.patrick.com.au/environment-monitoring-reporting">http://www.patrick.com.au/environment-monitoring-reporting</a></p>	<b>Compliant</b>
L3.4	For the purposes of Condition L3.1, noise from the premises must be measured or computed at the most affected point on or within the residential boundary.	<p>Ambient noise monitoring is undertaken at the nearest potentially affected receivers in the vicinity of the site (i.e. Chelmsford Ave, Dent St, Jennings St, Botany Rd, Australia Ave, and Military Rd). Results from the unattended and attended noise monitoring are reported.</p> <p>Reference to this EPL condition is made in the bi-annual noise monitoring reports.</p>	<b>Compliant</b>
L3.5	For the purposes of Condition L3.1, if a residential dwelling is located more than 30m from the residential boundary, noise from the premises must be measured or computed at the most affected point within 30m of the dwelling.	Reference to this EPL condition is made in the bi-annual noise monitoring reports.	<b>Compliant</b>
L3.6	Noise from the premises must be measured at 1m from the dwelling façade to determine compliance with the LA1(1minute) noise limits at Condition L3.2.	Reference to this EPL condition is made in the bi-annual noise monitoring reports.	<b>Compliant</b>
L3.7	<p>The noise limits specified at Condition L3.1 and L3.2 apply under the following meteorological conditions:</p> <ul style="list-style-type: none"> <li>a) wind speeds up to 3 m/s at 10 metres above ground level; and</li> <li>b) temperature inversion conditions of up to 1.5 degrees C/100m.</li> </ul>	<p>Reference to this condition is made on Page 6 of the noise monitoring reports, though reference is to 3 degrees rather than 1.5 degrees.</p> <p>Patrick to consult with Rodney Stevens Acoustics and update reference on Page 6 of the Noise Monitoring Reports to read '1.5 degrees' rather than '3 degrees' in accordance with EPL Condition L3.7.</p>	<b>Observation</b>

Condition No.	EPL 6962 Conditions - Detail	Evidence	Assessment Rating
<b>4</b>	<b>Operating Conditions</b>		
<b>O1</b>	<b>Activities must be carried out in a competent manner</b>		
O1.1	<p>Licensed activities must be carried out in a competent manner. This includes:</p> <ul style="list-style-type: none"> <li>a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and</li> <li>b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.</li> </ul>	<p>The Patrick Landside Manager is responsible for implementing the Storage &amp; Handling of Hazardous/Dangerous Goods SOP. The Port Authority conduct random inspections. The process for collecting, storing and disposing of waste oil is:</p> <ul style="list-style-type: none"> <li>• There are 4 collection stations inside the workshop – 2x located in the North Bay and 2x located at the South Bay.</li> <li>• The waste oil is pumped to designated 2x5,000L storage tanks located in the North and South (photos sighted).</li> <li>• An agreement is in place with 3<sup>rd</sup> party contractors (e.g. Cleanaway) to collect used oil filters and waste oil fortnightly at nil cost (copy of Collection Advice sighted). Waste oil is recycled as energy source. Note: used rags are no longer collected due to contamination of waste stream.</li> <li>• Volumes of waste oil are not recorded by Patrick (invoices are kept by Purchasing Manager).</li> <li>• Designated bins are located in the Maintenance workshop for used oil filters.</li> </ul>	<b>Compliant</b>
<b>O2</b>	<b>Maintenance of plant and equipment</b>		
O2.1	<p>All plant and equipment installed at the premises or used in connection with the licensed activity:</p> <ul style="list-style-type: none"> <li>a) must be maintained in a proper and efficient condition; and</li> <li>b) must be operated in a proper and efficient manner.</li> </ul>	<p>A preventative maintenance program is scheduled and carried out using Maximo for all plant and equipment.</p> <p>Patrick to review the system to ensure inclusion of environmental protection equipment (e.g. puraceptor and drain wardens).</p>	<b>Observation</b>

Condition No.	EPL 6962 Conditions - Detail	Evidence	Assessment Rating
<b>4</b>	<b>Operating Conditions</b>		
<b>O3</b>	<b>Dust</b>		
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	<p>A street sweeper is utilised on site at least monthly and more often if needed. The majority of the site is sealed with concrete and bitumen, reducing the likelihood of dust generation and emissions.</p> <p>Control measures for dust are included in the Operational EMP. Speed limits are set on the site to minimise the risk of dust generation within the Terminal.</p>	<b>Compliant</b>
<b>O4</b>	<b>Processes and management</b>		
O4.1	The licensee must ensure that any liquid and/or non liquid waste generated at the premises is assessed and classified in accordance with the EPA Waste Classification Guidelines as in force from time to time.	<p>The process for waste classification and management is outlined in Table 2 and Section 3.4 of the Waste Management Plan (WMP), reviewed January 2015. Waste streams are identified in Section 3.3.</p> <p>A Waste Register Template is provided in Appendix A to the WMP. Patrick uses the tax invoice provided by the licensed contractor to identify waste type (classification) and quantity.</p> <p>Patrick receives a copy of the Waste Transport Certificate with the invoice. Dockets from Veolia and Cleanaway (licensed waste contractors) are maintained on site.</p> <p>Patrick to confirm location and appropriate licensing of waste receiving facilities, and obtain licenses for waste transporters to keep on file.</p> <p>Waste classified as J120 (waste oil/water, hydrocarbons) is generated via the wastewater treatment process in the maintenance workshop.</p>	<b>Compliant</b>
O4.2	The licensee must ensure that waste identified for recycling is stored separately from other waste.	Waste oil is recycled and stored separately from other waste in the maintenance department. A recycling program for paper/cardboard, co-mingled items etc. has not yet been implemented at the site.	<b>Compliant</b>

Condition No.	EPL 6962 Conditions - Detail	Evidence	Assessment Rating
<b>5</b>	<b>Monitoring and Recording Conditions</b>		
<b>M1</b>	<b>Monitoring records</b>		
M1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	Noise monitoring is the only monitoring required by the applicable EPL (31 March 2015). Compliance with noise monitoring has been addressed in Conditions L3.1-L3.7 above.	Compliant
M1.2	All records required to be kept by this licence must be: a) in a legible form, or in a form that can readily be reduced to a legible form; b) kept for at least 4 years after the monitoring or event to which they relate took place; and c) produced in a legible form to any authorised officer of the EPA who asks to see them.	Monitoring records are maintained in report format provided by Rodney Stevens Acoustics.  Records are accessible on the internal Patrick drive and submitted to NSW EPA with the Annual return.	Compliant
M1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence: a) the date(s) on which the sample was taken; b) the time(s) at which the sample was collected; c) the point at which the sample was taken; and d) the name of the person who collected the sample.	Noise monitoring data is recorded by Rodney Stevens Acoustics. Noise Monitoring Reports comply with this condition and submitted to NSW EPA with the Annual return.	Compliant
<b>M2</b>	<b>Recording of pollution complaints</b>		
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.	The process for managing noise complaints is documented in the Patrick Operational Noise Management Plan. The number of complaints received (0) is included in the Annual Return to the EPA for 1 April 2015 to 31 March 2016.  A Register for recording of pollution complaints has been included in this AEMR, refer to Section 12  The complaints handling process is outlined in Table 4 of the Operational EMP (includes the requirement for a Complaints Register).	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence	Assessment Rating
<b>5</b>	<b>Monitoring and Recording Conditions</b>		
<b>M2</b>	<b>Recording of pollution complaints</b>		
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.	As per M2.1 above.	Compliant
M2.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	Operational EMP, Appendix P – Complaints Management Process details the retention period for complaint records.	Compliant
M2.4	The record must be produced to any authorised officer of the EPA who asks to see them.	Records for this reporting period are available on site.	Compliant
<b>M3</b>	<b>Telephone complaints line</b>		
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.	During the reporting period Patrick relied on the public to find a means to contact Patrick. Patrick did not have a designated telephone number for reporting complaints etc.	Non-Compliant
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 knows how to make a complaint.	As per M3.1 above.	Non-Compliant
M3.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Noted	Not Applicable



Condition No.	EPL 6962 Conditions - Detail	Evidence	Assessment Rating
<b>6</b>	<b>Reporting Conditions</b>		
<b>R1</b>	<b>Annual returns documents</b>		
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: a) a Statement of Compliance; and b) a Monitoring and Complaints Summary At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.	Annual Return documents are prepared and submitted to the EPA by the Patrick. Annual Returns include a Statement of Compliance and a Monitoring and Complaints Summary, as required by this condition (Ref: Annual Returns 2005/2006 to present).	Compliant
R1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	The FY15/16 Annual Return for the period 1 April 2015 - 31 May 2016, and submitted to the EPA on 20 May 2016, within the timeframe specified by this condition.	Compliant
R1.3	Where this licence is transferred from the licensee to a new licensee: a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.	The EPA Licensee has always been Patrick, but the signatories have changed over time, which does not affect compliance with this condition.	Not Applicable
R1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on: a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.	The licence is not known to have been surrendered by the licensee or revoked by the EPA or Minister.	Not Applicable

Condition No.	EPL 6962 Conditions - Detail	Evidence	Assessment Rating
<b>6</b>	<b>Reporting Conditions</b>		
R1.5	The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	The most recent annual return was for the period 1 April 2016 to 31 March 2017 was submitted to the EPA on 20 May 2016, within the time frame specified by this condition.	Compliant
R1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	Patrick completes Annual Returns for the site and records dating back to 2005/2006 are available on the company drive.	Compliant
R1.7	<p>Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:</p> <p>a) the licence holder; or</p> <p>b) by a person approved in writing by the EPA to sign on behalf of the licence holder.</p> <p>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</p> <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>	The Statement of Compliance was certified, and the Monitoring and Complaints Summary signed by the licence holder in the Annual Return for FY15/16 and reporting period 1 April 2015 to 31 May 2016.	Compliant
<b>R2</b>	<b>Notification of environmental harm</b>		
R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	Notifications to the EPA are made using the Environment Line service on 131 555.	Compliant

Condition No.	EPL 6962 Conditions - Detail	Evidence	Assessment Rating
<b>R2</b>	<b>Notification of environmental harm</b>		
R2.2	<p>The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.</p> <p>Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.</p>	<p>Operational EMP, section 4.2 Table 4 outlines the requirement for notification of environmental incidents.</p> <p>During this reporting period two incidents were reported to NSW EPA, however not notified to NSW Ports and DP&amp;E:</p> <ul style="list-style-type: none"> <li>29-Aug-16: AutoStrad leaked diesel in the Yard.</li> <li>22-Oct-16: DGs (Class 9) shipping containers were pushed over, drums came through the doors. Hazmat contacted, identified nil leaking from drums.</li> </ul> <p>Include in the updated ERP the need to notify NSW Ports &amp; DP&amp;E.</p>	<b>Non-Compliant</b>
<b>R3</b>	<b>Written report</b>		
R3.1	<p>Where an authorised officer of the EPA suspects on reasonable grounds that:</p> <p>a) where this licence applies to premises, an event has occurred at the premises; or</p> <p>b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.</p>	<p>Written reports for the two incidents were reported to the EPA.</p>	<b>Compliant</b>

Condition No.	EPL 6962 Conditions - Detail	Evidence	Assessment Rating
<b>6</b>	<b>Reporting Conditions</b>		
<b>R3</b>	<b>Written report</b>		
R3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	As per condition R3.1 above.	Compliant
R3.3	The request may require a report which includes any or all of the following information: a) the cause, time and duration of the event; b) the type, volume and concentration of every pollutant discharged as a result of the event; c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort; e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants; f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and g) any other relevant matters.	As per condition R3.1 above.	Compliant
R3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	As per condition R3.1 above.	Compliant
<b>7</b>	<b>General Conditions</b>		
<b>G1</b>	<b>Copy of licence kept at the premises or plant</b>		
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	EPL6962 is kept on the Patrick's Intranet, Safety folder. The Patrick intranet was under development during the reporting period. The EPL will be uploaded to the intranet once live.	Observation

Condition No.	EPL 6962 Conditions - Detail		Evidence	Assessment Rating															
7	General Conditions																		
G1	Copy of licence kept at the premises or plant																		
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.		The licence is available on site as per Condition G1.1 above.	Compliant															
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.		As per condition G1.1 above.	Compliant															
G2	Other general conditions																		
G2.1	<div>Completed Pollution Studies and Reduction Programs (PRPs)</div> <table><thead><tr><th>PRP</th><th>Description</th><th>Completed Date</th></tr></thead><tbody><tr><td>Submit detailed report proposing options and a pre</td><td>Submit to the EPA a detailed report proposing options and a preferred option to prevent pollution of waters from activities undertaken on the site.</td><td>15-Oct-01</td></tr><tr><td>Stormwater Risk Assessment</td><td>To identify any potential risks to stormwater or local marine receiving environments posed by operation of the premises, and provide recommendations for addressing any such identified risks.</td><td>01-Apr-13</td></tr><tr><td>Stormwater Improvement Action Plan</td><td>Prepare a plan detailing the actions and timeframes that will be undertaken by the licensee to improve the quality of stormwater discharges to meet licence conditions.</td><td>23-May-13</td></tr><tr><td>Stormwater Improvement</td><td>Provide a report outlining the stormwater improvements undertaken by the licensee.</td><td>31-Dec-13</td></tr></tbody></table>		PRP	Description	Completed Date	Submit detailed report proposing options and a pre	Submit to the EPA a detailed report proposing options and a preferred option to prevent pollution of waters from activities undertaken on the site.	15-Oct-01	Stormwater Risk Assessment	To identify any potential risks to stormwater or local marine receiving environments posed by operation of the premises, and provide recommendations for addressing any such identified risks.	01-Apr-13	Stormwater Improvement Action Plan	Prepare a plan detailing the actions and timeframes that will be undertaken by the licensee to improve the quality of stormwater discharges to meet licence conditions.	23-May-13	Stormwater Improvement	Provide a report outlining the stormwater improvements undertaken by the licensee.	31-Dec-13	<div>The Pollution Studies and Reduction Programs listed in this licence condition relate to historic studies and programs which have been completed (e.g. wastewater treatment plant treating water from the maintenance forecourt, which has since been covered).</div> <div>Details of the studies and programs have been previously submitted to the EPA.</div>	Not Applicable
PRP	Description	Completed Date																	
Submit detailed report proposing options and a pre	Submit to the EPA a detailed report proposing options and a preferred option to prevent pollution of waters from activities undertaken on the site.	15-Oct-01																	
Stormwater Risk Assessment	To identify any potential risks to stormwater or local marine receiving environments posed by operation of the premises, and provide recommendations for addressing any such identified risks.	01-Apr-13																	
Stormwater Improvement Action Plan	Prepare a plan detailing the actions and timeframes that will be undertaken by the licensee to improve the quality of stormwater discharges to meet licence conditions.	23-May-13																	
Stormwater Improvement	Provide a report outlining the stormwater improvements undertaken by the licensee.	31-Dec-13																	

Condition No.	EPL 6962 Conditions - Detail	Evidence	Assessment Rating
<b>8</b>	<b>Special Conditions</b>		
<b>E1</b>	<b>Noise Monitoring and Compliance Reporting</b>		
E1.1	<p>The licensee must undertake noise monitoring as follows:</p> <ul style="list-style-type: none"> <li>a) The noise monitoring must be undertaken within 6 months of the commencement of operations on the new extension - Lot 202, DP 1183399; and</li> <li>b) The noise monitoring must verify the assumptions and the noise limits as outlined in the Port Botany Container Terminal Expansion Noise Assessment (2003), part of the Environment Impact Assessment submitted in accordance with the Environmental Planning and Assessment Act 1979 for the approved container terminal development.</li> </ul>	<p>Noise Monitoring Reports (Rodney Stevens Acoustics) reference EPL Condition E1 (Page 6). Conditions E1.1 and E1.2 are also referenced in the noise monitoring report (Section 3 EPL (Noise)).</p> <p>The Port Botany Container Terminal Expansion Noise Assessment (2003) is also referenced in the Noise Monitoring Reports.</p>	<b>Compliant</b>
E1.2	<p>Every 6 months after the commencement of operations of the new extension - Lot 202, DP 1183399, the Licensee must undertake a periodic noise monitoring program consisting of the attended and unattended monitoring and provide a report within one month after the completion of the monitoring to the EPA's Manager, Sydney Industry at PO Box 668 Parramatta NSW 2124 containing the following information:</p> <ul style="list-style-type: none"> <li>a) Unattended monitoring data for a continuous period of no less than two weeks;</li> <li>b) Attended monitoring data during the period outlined in subsection (a);</li> <li>c) Monitoring data from locations specified in Conditions L3.1 and L3.2;</li> <li>d) An assessment of the noise levels against Condition L3 including trend analysis; and</li> <li>e) Details of any feasible and reasonable noise mitigation measures that have been or are proposed to be implemented further reduce noise levels below the limits prescribed in this licence.</li> </ul>	<p>Noise monitoring reports (June 2016 and November 2016) are provided to the NSW EPA and a copy of the reports have been uploaded to the Patrick website: <a href="http://www.patrick.com.au/environment-monitoring-reporting">http://www.patrick.com.au/environment-monitoring-reporting</a></p>	<b>Compliant</b>

### 13. Trade Waste Consent – 24990

Table 8A: Trade Waste Consent, Assessment Rating

Category	Definition
Compliant	Complies with all requirements of the condition.
Non-Compliant	Does not fully comply with all requirements of the condition, categorised as 'Minor' or 'Major' depending on the severity.
Observation	Observed during the assessment which provides an opportunity or is not necessarily best practice or requires further consideration.
Not Applicable	Either there are no compliance issues, was not applicable at the time of assessment, or is not the responsibility of Patrick.

Table 8B: Trade Waste Consent 24990 (Issued 24 June 2015)

No.	TW Consent 24990 Conditions - Detail	Evidence	Assessment Rating
	<b>SCHEDULE 1 - Trade Wastewater which May be Discharged</b>		
1	<b>Trade wastewater substances</b>		
	<p>(a) The Customer may discharge trade wastewater into the sewer in a manner whereby the substance characteristics of the trade wastewater are of a type and discharged at a rate, level or concentration equal to or less than that described in this schedule.</p> <p>(b) The Customer must not discharge trade wastewater into the Sewer in a manner whereby the trade wastewater discharged;</p> <p>i. contains, possesses or produces a substance characteristic not provided in, or which may be determined as being contrary to that described in this schedule.</p> <p>ii. is at or of a rate, level, or concentration not provided in, or which may be determined as being contrary to, that described in this schedule.</p> <ul style="list-style-type: none"> <li>BOD: LTADM: 15kg/day, MDM: 27kg/day (Standard: -)</li> <li>Suspended Solids: LTADM: 1.4kg/day, MDM: 4.8kg/day (Standard: 600kg/day)</li> <li>Grease: LTADM: 0.8kg/day, MDM: 3.5kg/day (Standard: 110kg/day)</li> <li>Volatile Halocarbons: LTADM: 0.00265kg/day, MDM: 0.014kg/day (Standard: 1kg/day)</li> <li>Petroleum Hydrocarbons (Flammable C6-C9): (Standard: 10kg/day)</li> </ul>	<p>Patrick Stormwater (s.4) and Waste Management Plans (s3.4.1, 4.3) include procedures for the management of trade waste at the site.</p> <p>Chain of Custody (CoC) records from Eurofins were sighted for October and December 2016. Samples were submitted for the analysis of the parameters required by the consent. Laboratory Certificates of Analysis were also provided for review.</p>	Compliant

No.	TW Consent 24990 Conditions - Detail	Evidence	Assessment Rating
	<b>SCHEDULE 1 - Trade Wastewater which May be Discharged</b>		
1	<b>Trade wastewater substances</b>		
	<p><b>RECONCILIATION PROCEDURES:</b></p> <p><b>LONG TERM AVERAGE DAILY MASS:</b></p> <p>The Long Term Average Daily Mass is a 12 month arithmetic average of ALL daily mass discharges as calculated for each composite sample. The Daily Mass discharges is to be calculated for each of the above substances, and checked against the Long Term Average Daily Mass (kg/day) on the basis of average concentrations of substances discharges (mg/L) over any 24 hour period as determined from composite samples, obtained by either the Customer (in accordance with Schedule 2) or Sydney Water, or a combination of sample results by both.</p> <p>This average concentration (mg/L) is to be multiplied by the total discharge (kL) as recorded by the Customer's discharge flow meter over the 24 hour period in order to calculate the Daily Mass of substances discharged (kg). Exceeding the Long Term Average Daily Mass does not constitute a Breach.</p>	Include the requirement to calculate the LONG TERM AVERAGE DAILY MASS in the appropriate Patrick procedure.	Non-Compliant
	<p><b>ACCEPTANCE STANDARD:</b></p> <p>The Composite Sample Concentration is to be determined for each of the above substances, and checked against the above Acceptance Standard (mg/L) for each sample obtained. Exceeding the Acceptance Standard constitutes a breach and will also incur an increased Quality Charge as detailed in Schedule 3.</p> <p>The Discrete Sample Concentration is to be determined for each of the substances identified at Schedule 2, 2(b) and checked against the above Acceptance Standard (mg/L) for each sample obtained. Exceeding the Acceptance Standard constitutes a Breach.</p>	Conducted by the Eurofins (engaged by Patrick to manage trade waste sampling and collection etc) e.g. analytical results reports.	Compliant
	<p><b>MAXIMIM DAILY MASS:</b></p> <p>The Daily Mass discharged is to be calculated for each of the above substances, and checked against the above Maximum Daily Mass (kg/day) on the basis of average concentrations of substances discharged (mg/L) over any 24 hour period as determined from composite samples, obtained by either the Customer (in accordance with Schedule 2) or Sydney Water, or a combination of sample results by both.</p> <p>This average concentration (mg/L) is to be multiplied by the total discharge (kL) as recorded by the Customer's discharge flow meter over the 24 hour period in order to calculate the Daily Mass of substances discharged (kg). Exceeding the Maximum Daily Mass constitutes a Breach.</p>	Check with Eurofins (engaged by Patrick to manage trade waste sampling and collection, and analytical results reports) to ensure maximum daily mass is calculated and reported.	Non-Compliant



No.	TW Consent 24990 Conditions - Detail		Evidence	Assessment Rating											
	SCHEDULE 1 - Trade Wastewater which May be Discharged														
2	The trade wastewater discharge must at all times have the following properties														
	<table><tr><td>Temperature:</td><td>Not to exceed 38 degrees Celsius</td></tr><tr><td>Colour:</td><td>Determined on a system specific basis</td></tr><tr><td>pH:</td><td>Within the range 7.0 -10.0</td></tr><tr><td>Fibrous material:</td><td>None which could cause an obstruction to Sydney Water’s sewerage system</td></tr><tr><td>Gross solids (other than faecal):</td><td>A maximum linear dimension of less than 20mm, a maximum cross section dimension of 6mm and a quiescent settling velocity of less than 3m/h</td></tr><tr><td>Flammability:</td><td>Where flammable and/or explosive substances may be present, Patrick must demonstrate that there is no possibility of explosions or fires occurring in the sewerage system, to the satisfaction of Sydney Water. The flammability of the discharge must never exceed 5% of the Lower Explosive Limit (LEL) at 25 degrees Celsius.</td></tr></table>	Temperature:	Not to exceed 38 degrees Celsius	Colour:	Determined on a system specific basis	pH:	Within the range 7.0 -10.0	Fibrous material:	None which could cause an obstruction to Sydney Water’s sewerage system	Gross solids (other than faecal):	A maximum linear dimension of less than 20mm, a maximum cross section dimension of 6mm and a quiescent settling velocity of less than 3m/h	Flammability:	Where flammable and/or explosive substances may be present, Patrick must demonstrate that there is no possibility of explosions or fires occurring in the sewerage system, to the satisfaction of Sydney Water. The flammability of the discharge must never exceed 5% of the Lower Explosive Limit (LEL) at 25 degrees Celsius.	Conducted by the Eurofins (engaged by Patrick to manage trade waste sampling and collection etc) e.g. analytical results reports.	Compliant
Temperature:	Not to exceed 38 degrees Celsius														
Colour:	Determined on a system specific basis														
pH:	Within the range 7.0 -10.0														
Fibrous material:	None which could cause an obstruction to Sydney Water’s sewerage system														
Gross solids (other than faecal):	A maximum linear dimension of less than 20mm, a maximum cross section dimension of 6mm and a quiescent settling velocity of less than 3m/h														
Flammability:	Where flammable and/or explosive substances may be present, Patrick must demonstrate that there is no possibility of explosions or fires occurring in the sewerage system, to the satisfaction of Sydney Water. The flammability of the discharge must never exceed 5% of the Lower Explosive Limit (LEL) at 25 degrees Celsius.														
3	Rate of discharge of waste to sewer:														
	(a) Instantaneous maximum rate of gravitated discharge 1.00 litres per second (b) Maximum daily discharge 50.0 kilolitres (c) Average daily discharge 23.0 kilolitres	Noted	Compliant												
	RECONCILIATION PROCEDURE: The data obtained by following the above procedures relating to trade wastewater is to be checked by the interface of a chart recorder to the flow metering equipment or by the installation of flow metering equipment by Sydney Water for a minimum of 7 days.	Noted	Compliant												
	SCHEDULE 2 – Sampling, Analysis, Flow Rates and Volume Determination														
1	The Customer must provide and make available for the purpose of sampling and analysis:														
	(a) Sampling point located at gauging pit/tank, incl. domestic sewage prior to the point of connection to the Sewer. (b) Equipment necessary to allow collection of composite automatic samples on either a flow proportional or time basis.	Location of sampling point and automatic sampler as specified by Sydney Water.	Compliant												

No.	TW Consent 24990 Conditions - Detail	Evidence	Assessment Rating
	<b>SCHEDULE 2 – Sampling, Analysis, Flow Rates and Volume Determination</b>		
2	<b>The Customer is to undertake collection and analysis of samples in accordance with the schedule detailed below:</b>		
	<p>(a) Composite samples are to be obtained:</p> <ol style="list-style-type: none"> <li>over one full production day by combining equal volumes taken at 1 kL intervals. The volumes are to be such that at least 5,000mL are obtained over the full day. The reading of the Flowmeter is to be obtained at the commencement and conclusion of the sampling day.</li> <li>On 27 August 2015 and every 60 days thereafter, if trade wastewater is not discharged on this day, then the sample is to be taken on the next day that trade wastewater is discharged. Trade wastewater includes all non-domestic wastewater discharged to sewer from the premises, including cleaning waste.</li> </ol>	<p>Eurofins (Environmental Testing Australia Pty Ltd) obtains composite samples on behalf of Patrick, and arranges laboratory analysis.</p> <p>Confirm with Eurofens how this process (the practice of banking TW in readiness of the 60 day TW sampling) will be managed to satisfy the conditions of the consent should sampling not be possible for the 60day period.</p>	Compliant
	<p>(b) Discrete samples are to be obtained as detailed below, and analysed according to the procedures and methods specified in Sydney Water's published analytical methods, to determine the concentrations or levels of the following substance characteristics:</p> <ul style="list-style-type: none"> <li>pH: at the start and finish of each sample day</li> <li>Petroleum Hydrocarbons (Flammable C6-C9): at the finish of each sample day</li> <li>Volatile Hydrocarbons: at the finish of each sample day</li> </ul>	<p>Eurofins obtains discrete samples on behalf of Patrick, and arranges laboratory analysis.</p>	Compliant
	<p>(c) Composite samples are to be analysed according to the procedures and methods specified in Sydney Water's published analytical methods, or methods otherwise agreed to and detailed hereunder, to determine the concentration or levels of the following substance characteristics:</p> <ul style="list-style-type: none"> <li>Biological Oxygen Demand (BOD)</li> <li>Suspended Solids (SS)</li> <li>Grease</li> <li>Volatile Hydrocarbons.</li> </ul>	<p>Confirm with Eurofin's that their testing laboratory uses procedures/methods specified in Sydney Water's published analytical methods or those agreed to for BOD, SS, Grease &amp; Volatile Hydrocarbons.</p>	Compliant
	<p>(d) The Customer, or the laboratory contracted by the customer, is to submit results of analyses to Sydney Water within 21 days from the date the sample was taken. All analysis results are to be submitted on the sample analysis report provided as appendices 1 and 2 to this Consent OR in such format as may be specified from time to time by Sydney Water.</p>	<p>Eurofins sends a copy of the results to Sydney Water and Patrick.</p>	Compliant

No.	TW Consent 24990 Conditions - Detail	Evidence	Assessment Rating
	<b>SCHEDULE 2 – Sampling, Analysis, Flow Rates and Volume Determination</b>		
	(e) All data requested on the sample analysis report must be provided.	Eurofins' sample analysis report includes all the data requested by Sydney Water's Trade Waste Consent.	Compliant
	(f) Sydney Water must be notified in writing within 7 days of: <ul style="list-style-type: none"> <li>i. any failure to obtain samples in accordance with the provisions of Schedule 2; or</li> <li>ii. any loss of any analytical data.</li> </ul> Where data is unavailable, lost or not provided, the Quality Charge, as detailed in Schedule 3, will be assessed on the basis of the highest Composite Sample concentration recorded in the 12 months prior to the date of the missing sample data.	Eurofins reports to Sydney Water any failure to obtain samples or loss of any analytical data.	Compliant
<b>3</b>	<b>Volume of Wastewater Discharged, Flow Metering System</b>		
	The volume of wastewater discharged must be obtained from the reading of the total flow on the Customer's flow metering system. The rate of waste discharged is to be obtained by the reading of the instantaneous flow rate indicator on the Customer's flow metering system, or from any chart recorder interfaced to the Customer's flow metering system.	Consult with Eurofins to arrange for inclusion of the rate of waste discharged in sampling results, as required by this condition.	Non-Compliant
	The flow metering system is to be calibrated at least annually at the Customer's expense, by a person or company approved by Sydney Water and a copy of the calibration certificates supplied to Sydney Water within one month of such certificate being received by the Customer.	The flow meter system is scheduled in Maximo for annual calibration.	Compliant
	If the Customer's flow metering system fails to record data for any period, Sydney Water is to be advised in writing by the Customer within 7 days of any such failure becoming known by the Customer. An estimate of any data not recorded is to be made as follows: Average of the waste discharges, registered for the four weeks before and/or after the failure to record.	Include documented process for managing a failure to record event.	Observation
	<b>SCHEDULE 3 - Payments</b>		
	Nil conditions	Noted	Not Applicable

No.	TW Consent 24990 Conditions - Detail	Evidence	Assessment Rating
<b>SCHEDULE 4 – Additional Requirements</b>			
<b>1</b>	<b>Effluent Improvement Program</b>		
	N/A	Noted	Not Applicable
<b>2</b>	<b>Waste Management Program</b>		
	The existing pre-treatment will result in the generation of 42.0 tonne per annum of waste substances in the form of a sludge containing generally solids. The waste substances are, and will continue to be disposed of, in compliance with the requirements of the EPA.	<p>A Waste Management Plan (WMP) has been developed and forms Appendix G of the Operational EMP and was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>Patrick engages licensed waste transport providers to remove any hazardous waste generated at the site (e.g. Maintenance department).</p> <p>Hazardous wastes are disposed of at appropriately licensed facilities.</p>	Compliant
<b>3</b>	<b>Waste Management Program</b>		
3.1	Backflow Containment Device must be installed and maintained at the water meter outlet property boundary in line with Sydney Water's Connected Customer Policy.	A Backflow Protection (a sealed unit) Device is in place and tested annually by Matic Plumbing (approved by Sydney Water) and the results forwarded directly to Sydney Water.	Compliant
3.2	Backflow individual/zone protection is required on any tap located within 5m of the trade waste apparatus.	No taps are located within 5 m of the trade waste system.	Compliant
<b>SCHEDULE 5 – Apparatus, Plant and Equipment</b>			
<b>1</b>	<b>Existing</b>		
	1 x Danfos Magflo Meter 1 x 1,000L Batch Tank 1 x 1,000L Line Transfer Tank 1 x 40L Caustic Tank with Low Level Alarm 1 x Auto Batch 500 with Indexing Belt and Filter Paper Roll 1 x 200,000L Holding Tank with Pumps	The apparatus, plant and equipment listed is present.	Compliant
	<b>Proposed</b>		
	N/A		Not Applicable

No.	TW Consent 24990 Conditions - Detail	Evidence	Assessment Rating
	<b>SCHEDULE 6 – Special Conditions</b>		
<b>1</b>	<b>Dangerous Discharges</b>		
	<p>In this Schedule, the term 'may pose a danger to the environment, the Sewer or workers at a sewage treatment plant':</p> <p>(a) means an occurrence whereby matter is discharged to the Sewer which either alone or in conjunction with other matter discharged cannot be adequately treated or may cause corrosion or a lockage, explosion or the production of dangerous gases in the Sewer or may adversely affect the operation of a sewer or sewage treatment plant; and</p> <p>(b) includes, but not so as to restrict the generality of paragraph (a), matter or substances, which is or are:</p> <ul style="list-style-type: none"> <li>i. toxic or corrosive;</li> <li>ii. petroleum hydrocarbons;</li> <li>iii. heavy metals;</li> <li>iv. volatile solvents;</li> <li>v. phenolic compounds;</li> <li>vi. organic compounds.</li> </ul>	<p>A Waste Management Plan (WMP) has been developed and forms Appendix G of the Operational EMP and was approved by the Director-General on 25 March 2015 (refer to letter from Ms Karen Jones, NSW Department of Planning and Environment to Mr Paul Jerogin, Lend Lease).</p> <p>Patrick engages licensed waste transport providers to remove any hazardous waste generated at the site (e.g. Maintenance department).</p> <p>Hazardous wastes are disposed of at appropriately licensed facilities.</p>	<b>Compliant</b>
<b>2</b>	<b>Unintended Discharges</b>		
	<p>(a) For purposes of avoiding unintended discharges to the Sewer or the stormwater drainage system, all matter and substances on the Premises must be processed, handled, moved and stored in a proper and efficient manner.</p>	<p>Spill kits are readily available with absorbent material to reduce the risk of entering sewer or the stormwater drainage system. Drain wardens are located in key stormwater drains so that in an event of a spill/leak they can be turned from open to closed.</p>	<b>Compliant</b>
<b>2</b>	<b>Unintended Discharges</b>		
	<p>(b) Any substance on the Premises which, if discharged to the Sewer, may pose a danger to the environment, the Sewer or workers at a STP or may harm any sewage treatment process must be handled, moved and stored in areas where leaks, spillages or overflows cannot drain by gravity or by automated or other mechanical means to the Sewer or the stormwater drainage system.</p>	<p>Fuel and chemical storage is stored in bunded areas. Any potential spills or leaks have limited potential to enter the sewer or the stormwater drainage system. Spill kits are readily available with absorbent material to reduce the risk of entering sewer or the stormwater drainage system. Drain wardens are located in key stormwater drains so that in an event of a spill/leak they can be turned from open to closed.</p>	<b>Compliant</b>

No.	TW Consent 24990 Conditions - Detail	Evidence	Assessment Rating
	<b>SCHEDULE 6 – Special Conditions</b>		
<b>3</b>	<b>Notification</b>		
	In the event of a discharge of matter to the sewer that poses or may pose a danger to the environment, the sewer workers at a STP the Customer must immediately notify: (a) Malabar STP Control Room TEL: (02) 9931 8319 FAX: (02) 9931 8366 (b) Business Customer Services (8am to 5pm Mon to Fri) TEL: 1300 985 227 (c) Business Customer Services Emergency Contact (24 Hours) TEL: (02) 8849 5029	Noted	Compliant
<b>4</b>	<b>Provision of Safe Access</b>		
	The Customer shall provide safe access to Sydney Water employees visiting the site. In the event that unsafe conditions are identified the Customer must take reasonable steps to correct unsafe conditions and create safe access.	Visitors to site are signed in at the Gate House (B110) and when on the terminal escorted by a Patrick employee unless the visitor is already inducted. Before any inspections / sampling is carried out the work area is inspected and any hazards identified controlled.	Compliant
<b>5</b>	<b>Electronic Reporting of Sample Analysis Results</b>		
	Sydney Water reserves the right to vary this consent to specify the option of reporting by electronic mail as outlined in Schedule 2, 2 (d)).	Noted	Compliant
	<b>SCHEDULE 7 (Location Details)</b>		
	Nil conditions	Noted	Not Applicable
	<b>SCHEDULE 8 – Notices and Communication Addresses</b>		
	Nil conditions	Noted	Not Applicable
	<b>SCHEDULE 9 – Authorised Officers</b>		
	Nil conditions	Noted	Not Applicable
	<b>SCHEDULE 10 – Nominated Representatives</b>		
	Nil conditions	Noted	Not Applicable

## 14. Complaints Register

Table 9: Complaints Register: 1 January 2016 to 31 December 2016

No.	Date of Notification	Time of Notification	Direct or Indirect Feedback	Method (Means)	Type of Feedback	Details of Complainant (if none "nil")	Nature of Complaint / Feedback	Details of enquiry / concern of feedback	Action taken by Patrick	Follow up by Patrick
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## 15. Management of Key Performance Areas

Table 10: Key Performance Areas, Indicators, Goals and Results: 1 January 2016 to 31 December 2016

Key Performance Area	Key Performance Indicator	KPI Goals	Results
Air Quality	Dust and odour complaints, expressed as the number of community complaints per 100,000 TEU	Zero per 100,000 TEU	0
Aviation Operational Impacts	Airport-related complaints including light-spill, radar interference; expressed as the number of <b>aviation complaints per 100,000 TEU</b>	Zero per 100,000 TEU	0
	The number of times problem birds need to be actively managed at the Patrick's terminal, expressed as the number of <b>bird hazard management events per 100,000 TEU</b>	Zero per 100,000 TEU	0
Noise and Complaints	Noise disturbance, expressed as the number of <b>community complaints or exceedances of the noise limits specified in Development Consent Condition C 2.6 during monitoring per 100,000 TEU</b>	Zero per 100,000 TEU	0
Operational Traffic	Traffic noise disturbance and traffic impacts such as congestion or trucks parking in residential streets, expressed as the number of <b>traffic-related community complaints per 100,000 TEU</b>	Zero per 100,000 TEU	0
Water Quality	Number of times the Pollutant Concentration Limit is exceeded, expressed as <b>pollution events per 100,000 TEU</b>	Zero per 100,000 TEU	0
Dangerous Goods and Hazardous Substances Cargo Management	Number of liquid spills or gas leaks during the handling of dangerous goods and hazardous substances, expressed as the <b>number of incidents per 100,000 TEU</b>	Zero per 100,000 TEU	0.20 / 100,000 TEU There was 1 actual spill/leak
	<b>Number of exceedances of the DG throughput limits specified in Development Consent Condition C 2.17 per 100,000 TEU</b> (Note: The DG throughput limits are those specified in Table 6.8 of the Preliminary Hazard Analysis, rev. 7, June 2004; and reproduced in Section 14 of this report)	Zero per 100,000 TEU	1.3 / 100,000 TEU There were 13 movements of DG above throughput limits



Table 10: Key Performance Areas, Indicators, Goals and Results: 1 January 2016 to 31 December 2016 - Continued

Key Performance Area	Key Performance Indicator	KPI Goals	Results
Waste Generation	Amount of solid waste generated and the amount of waste recycled expressed as <b>cubic metres of solid waste generated per TEU*</b> and <b>cubic metres of solid waste recycled per TEU*</b>	TBA	<b>Solid Waste recycled =</b> 552 m <sup>3</sup> 00056 m <sup>3</sup> recycled / TEU
	Amount of liquid waste generated and the amount of liquid waste recycled expressed as <b>litres of liquid waste generated per TEU*</b> and <b>litres of liquid waste recycled per TEU*</b>	TBA	<b>Total Liquid Waste =</b> 56400 L 0.06 L recycled / TEU
Native and feral animal management	The <b>number of shorebird management events per 100,000 TEU</b>	Zero per 100,000 TEU	0
	The <b>number of feral animal management events per 100,000 TEU</b>	Zero per 100,000 TEU	0
Water	<b>The amount of potable water</b> (including potable water supplied to other businesses) used per TEU, expressed in <b>kilolitres per TEU*</b>	TBA	<b>Total water used =</b> 61,723 kL 0.06 kL / TEU
Energy	Fuel consumption expressed in <b>litres per TEU*</b>	TBA	<b>Total fuel =</b> 4,047,490 L 4.09 L / TEU
	Electricity Consumption, expressed in <b>kilowatt hours per TEU*</b>	TBA	<b>Total electricity consumption =</b> 7,108,072 KWh, 7.18 KWh / TEU
	Carbon emissions, expressed in <b>kilograms of CO<sub>2</sub> emitted per TEU*</b>	TBA	<b>Total carbon emissions =</b> 6,113,000 kg CO <sub>2</sub> -e 6.18 kg CO <sub>2</sub> -e / TEU

\* Preliminary KPI goals, additional operational data required to set goals.

## 16. Dangerous Goods Throughput Analysis

**Table 11: Dangerous Goods, Unit Size and Number of Movements: 1 January 2016 to 31 December 2016**

DG Class	Description	Representative Material	Unit Size and Number of Movements						Findings
			NEQ <1 tonne		NEQ 2 tonnes		NEQ 12 tonnes		
			Limit	Actual	Limit	Actual	Limit	Actual	
1	Explosives	TNT	screened out	N/A	83	4	63	7	Compliant
			NEQ <= 0.5 tonne		NEQ 0.5 tonne		NEQ 20 tonnes		
			Limit	Actual	Limit	Actual	Limit	Actual	
2.1	Flammable Gases	Propane (1075)	screened out	N/A	screened out	N/A	111	3	Compliant
2.2	Non-Flammable Gases		screened out	N/A	screened out	N/A	screened out	N/A	N/A
2.3	Toxic Gases	Chlorine (1017)	screened out	N/A	0	0	0	0	Compliant
		Sulphur Dioxide (1079)	screened out	N/A	12	0	0	0	Compliant
		Ammonia (1005)	screened out	N/A	105	2	0	0	Compliant
		Methyl Bromide (1062)	40	8	0	0	0	13 <small>Note 1</small>	Non-Compliant
3	Flammable Liquids	Acrylonitrile (1093)	screened out	N/A	screened out	N/A	screened out	N/A	N/A
4.1	Flammable Solids	As per Class 3	screened out	N/A	screened out	N/A	screened out	N/A	N/A
4.2	Spontaneously Combustible		screened out	N/A	screened out	N/A	screened out	N/A	N/A
4.3	Dangerous When Wet	As per Class 3	screened out	N/A	screened out	N/A	screened out	N/A	N/A
			NEQ <= 0.5 tonne		NEQ > 0.5 tonne				
			Limit	Actual	Limit	Actual			
5.1	Oxidising Materials	Ammonium Nitrate (1942)	screened out	N/A	3056	11			
			NEQ <= 0.5 tonne		NEQ 0.5 tonne		NEQ 20 tonnes		
			Limit	Actual	Limit	Actual	Limit	Actual	
5.2	Organic Peroxides		screened out	N/A	screened out	N/A	screened out	N/A	N/A
6.1	Toxic Materials		screened out	N/A	screened out	N/A	screened out	N/A	N/A
7	Radioactive Materials		Please refer to qualitative analysis						Compliant (0)
8	Corrosive Materials	Hydrogen Fluoride (1052)	screened out	N/A	11	0	23	4	Compliant
9	Miscellaneous Materials		screened out	N/A	screened out	N/A	screened out	N/A	N/A

Note 1 – Dangerous Goods movements into and out of the terminal are approved by Port Authority NSW