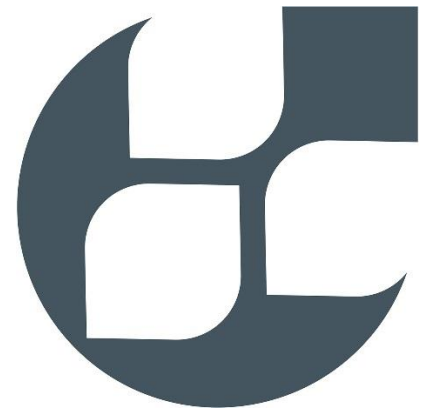
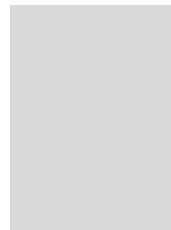


Independent Environmental Compliance Audit 2018



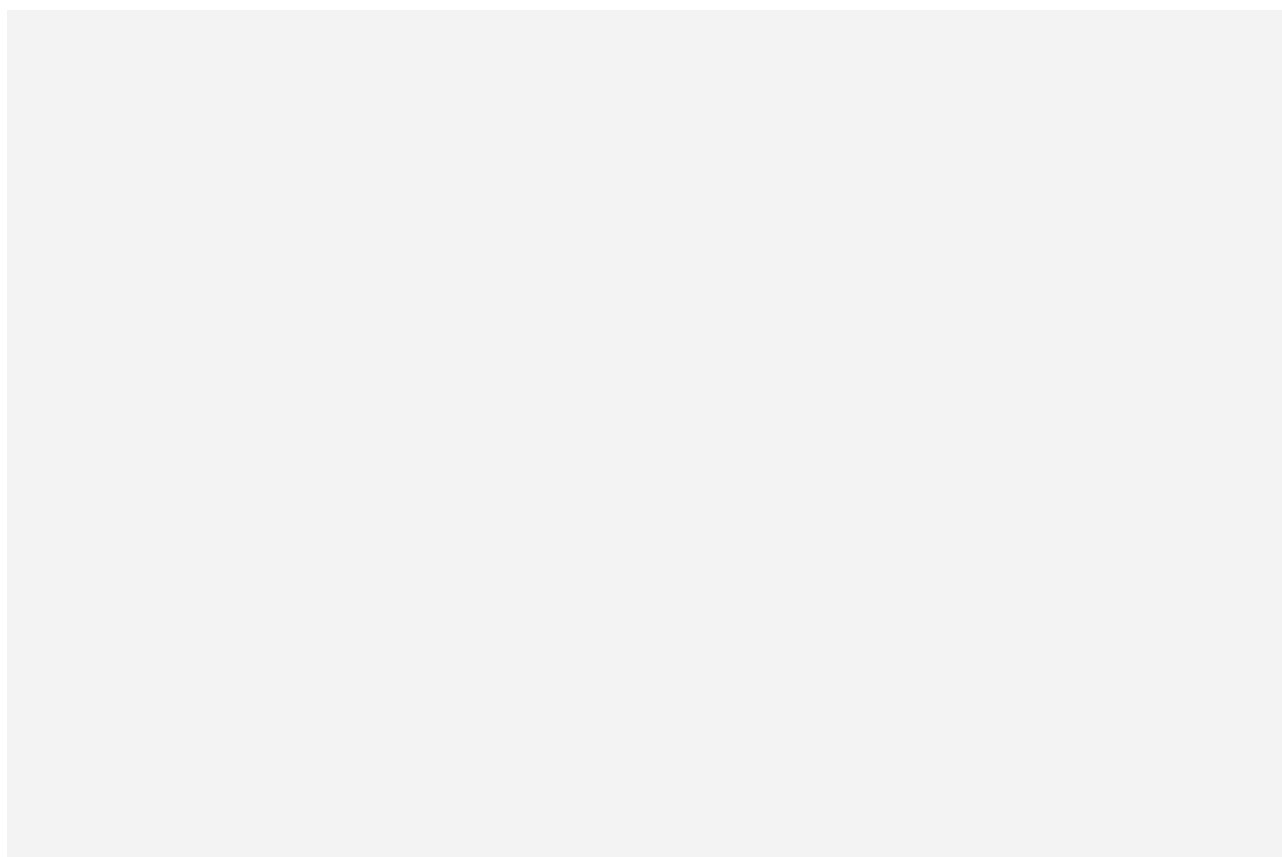
PATRICK TERMINAL PORT BOTANY
DA 494 (Port Botany Expansion)
DA 453 (Patrick Port Botany Redevelopment)



 wolfpeak

Document History

Revision	Date	Prepared By	Reviewed By	Description
V0	31/01/2019	Steve Fermio	Client	1 st draft report
Final	13/02/2019	Steve Fermio	D Low	Final audit report



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Cover photo: Patrick Terminal quay line, 17 January 2019.

Executive Summary

The purpose of this audit was to undertake the independent environmental compliance audit for 2018 of Patrick Stevedore's Port Botany Terminal operations. These operations are being carried out under two separate development consents, namely DA 494, Port Botany Expansion Project and DA 453, Patrick Port Botany Redevelopment.

Specifically, this audit is required to satisfy Condition 6.7 of DA 453 and Condition C4.5 of DA 494. DA 494 requires an independent operational environmental audit to be carried out every 12 months (for the Port Botany Expansion Project area), whereas DA 453 requires such an audit 12-months after commissioning and then every 3 years. This audit coincides with the 3rd anniversary post commissioning of the Port Botany Redevelopment Project area (4 February 2016).

This report covers the 2018 calendar year and assesses compliance with the operational conditions of both DAs and the effectiveness of implementation of Patrick's Port Botany Terminal Operational Environmental Management Plan (OEMP) that applies to all of its operations at the Terminal. There was also a strong focus on the status of previous audit findings covering the 2017 calendar year.

Summary of findings:

- One new non-compliance in relation to the conditions of the DAs (related to energy efficiency certification)
- One new non-compliance in relation to the conditions of the Environment Protection Licence (EPL) for Patrick's Terminal caused by a minor oil spill that is likely to have entered waters
- One new observation in relation to the conditions of DA 453 (automatically triggered by non-compliance with the EPL)
- No new non-compliances or observations in relation to the management measures in the OEMP or sub plans
- Of the 23 findings made in the 2017 audit report, 16 have been closed and 7 are still in progress

As noted in the 2017 audit report, a high priority needed to be given to the development of more contemporary information and training on the proper storage of fuels and chemicals and operation of the stormwater collection and treatment system within the Terminal. This has been achieved in relation to training and the site inspection on 17 January 2019 confirmed that the storage of fuels and chemicals has been significantly improved since the last audit. The Stormwater Management Plan was in the process of being updated at the time of this audit and will be finalized by the end of March 2019.

As noted in the 2017 audit the Patrick Terminal (comprising the redeveloped terminal area, and as part of the Port Expansion Project - The Knuckle and Ramp D) is now operated as a single integrated site. Having two planning approvals applying to the same area creates a complex compliance regime, particularly when there are inconsistencies between approval conditions covering the same aspects, or conditions having been superseded by changes to the site over the last decade. In addition to the two approvals is an EPL, which is more up to date with current operating conditions. As a result, the current EPL is also inconsistent with several approval conditions.

Accordingly, it is recommended that the regulatory conditions under the two approvals and EPL be reviewed at the earliest opportunity for consistency and relevance to current operations and facilities at the Patrick Terminal. I understand there may be such an opportunity to revisit the planning approvals should a proposed upgrade of the Port's rail infrastructure be undertaken in the future which would potentially trigger the need for a modification to the approval/s.

There has been a significant effort made over the 12 months since the last audit to enhance the environmental content and relevance of induction and training materials, update the environmental management plans and also make practical improvements on site to the storage of liquid chemicals, fuels and oils. As a result, the majority of the audit findings from 2017 have been closed out or are scheduled to be closed out within the first quarter of this year.

Only three new compliance related findings were made as a result of this audit and no new findings related to environmental performance made. The presentation and condition of the site being excellent in all respects. The auditee should be commended for these outcomes.

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1.0 Introduction

1.1 The works

Patrick Stevedores Operations Pty Ltd (Patrick) operates an international shipping container terminal (the Terminal) on NSW Ports land at Brotherson Dock, Port Botany. The Terminal loads and unloads containers from ships berthed at the dock and has temporary container storage capabilities for its customers. The Terminal facilitates the transfer of goods between land and sea. Road and rail access to the site enables trucks and trains to transport containers to and from the Terminal, where the containers are transferred to and from ships.

As part of the Port Botany Expansion Project the Terminal underwent a major redevelopment, including the development and incorporation of the 'Knuckle' area and 'Ramp D' into operations, as well as the procurement of Auto Strads™ (Automated Straddle Carriers) and associated infrastructure. The redevelopment has increased the total area, quay line and Twenty-Foot Equivalent Unit (TEU) capacity of the Patrick Terminal.

The Patrick Terminal operations are covered by two separate development consents. The development of Patrick's the Knuckle and Ramp D were completed in accordance with development consent Port Botany Expansion (DA 494) issued to the Sydney Ports Corporation (subsequently transferred to NSW Ports). The existing area of the Patrick Terminal was redeveloped under a separate development consent specific to the Patrick Terminal (DA 453) issued to Patrick. The main features of the Terminal are:

- 62 hectares of land;
- 1400 metres of quay line;
- 4 vessel berths;
- 9 quay cranes;
- 47 Autostrads;
- 4 reach stackers; and
- 1.49 kilometres of rail siding (2 parallel lines of 745 metres each)

A general overview of the Port Botany Terminal is presented in Figures 1 & 2.



Figure 1: Terminal locations at Port Botany



Figure 2: Patrick Stevedores site at Port Botany showing areas covered by DA 453 (original terminal) & DA 494 (The Knuckle)

1.2 Approval requirements

Project Approval for DA 494 (Port Botany Expansion) was granted by the Minister for Planning on 10 October 2005 pursuant to section 80 (4) and (5) of the Environmental Planning and Assessment Act 1979 subject to a number of Minister's Conditions of Approval (CoA). This audit is being carried out in accordance with the annual requirements of CoA C4.5.

In addition to the above, Project Approval for DA 543 (Patrick Port Botany Redevelopment) was granted by the Minister for Planning under the Act on 27 October 2003, subject to a number of CoA. This audit is being carried out under that approval in accordance with the requirements of CoA 6.7 (as the 3rd year audit).

DA 494 - CoA C4.5 – Environmental Auditing requires that:

"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". The audits would be made publicly available and would:

- *be carried out in accordance with ISO 14010 – Guidelines and General Principles for Environmental Auditing and ISO14011 – Procedures for Environmental Auditing;*
- *Assess compliance with the requirement of this consent, other licences/ approvals that apply to the Development;*

- Assess the construction against the predictions made and conclusions drawn in the development application, EIS, additional information and Commission of Inquiry material and:
- Review the effectiveness of environmental management of the development, including any environmental impact mitigation works.

DA 453 - CoA 6.7- Independent Environmental Audit requires that:

"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:

- a) Be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General;*
- 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;*
- c) Assess the environmental performance of the development, and its effects on the surrounding*
- d) environment;*
- e) Assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;*
- f) Review the adequacy of the Applicant's Environmental Management Plan, and Environmental Monitoring Program; and, if necessary*
- g) Recommend measures or actions to improve the environmental performance of the plant, and/or the environmental management and monitoring systems"*

1.3 Purpose

The purpose of this audit was to undertake the necessary assessment and review of compliance with approvals and licences and the implementation and effectiveness of environmental management and mitigation measures under the OEMP for Patrick's operations at its Port Botany Terminal.

1.4 Scope

The scope of this audit included the CoA relevant to operations, Patrick's Environment Protection Licence (EPL) No 6962 and implementation and effectiveness of its OEMP for the Port Botany Terminal. Construction related CoA are not included in this audit. Commonwealth Approval – EPBC 2002/543 is relevant to NSW Ports but generally not applicable to Patrick's operations at Terminal 3.

CoA C4.5 (3rd bullet point) refers to an assessment of *construction* against predictions made and conclusions drawn in the development application, EIS (Environmental Impact Statement), additional information and Commission of Inquiry material. A review of this particular requirement has not been included in the audit as construction of The Knuckle was completed in February 2015 as evidenced in the Construction Completion Compliance Report, Patrick Terminal Port Botany Redevelopment Project, and The Knuckle December 2015 (WolfPeak).

Verifying the on-ground implementation of specific site-based conditions and mitigation measures in the OEMP was undertaken during a site inspection of the Terminal on 17 January 2019. Publicly

available information on the Patrick's website, site-based records and information provided to me by Patrick's before and after the site inspection were also used to verify compliance.

1.5 Methodology

This audit was conducted in accordance with ISO 19011 - which replaces ISO 14010 and ISO 14011 (the latter two standards are referred to in the Project Approvals). The audit was undertaken by Steve Fermio, an Exemplar certified environmental auditor, approved by the Department of Planning and Environment in correspondence dated 13 October 2017.

This audit included an on-site inspection and interviews with Patrick's management and environmental personnel on 17 January 2019. The audit attendee lists for the opening and closing meetings of the audit are attached at Appendix C.

The checklists in Appendices A and B were used to assess compliance against the:

- Operational CoA for DA 494 (Appendix A); and
- Operational CoA for DA 453 (Appendix B);

A review of Patrick's EPA Licence (EPL No. 6962), Incidents Register, along with publicly available information on Patrick's website, site-based records and observations made during the site inspection on 17 January 2019 have been used to verify compliance with the EPL conditions.

Given the number of findings made in the 2017 audit, a significant effort was made in this audit to determine the current status of actions made against these findings and to review site environmental controls and processes identified in the 2017 audit as requiring improvement.

In relation to findings against conditions:

- **Compliant:** Complies with all requirements of the condition(s)
- **Observation:** A situation observed during the audit that provides an opportunity for improvement, requires further consideration or could lead to a non-compliance or environmental impact if not addressed.
- **Corrective Action Request:** Observation warranting the issue of a Corrective Action Request as a result of the finding.
- **Non-compliance:** 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.
- **Not Applicable:** There were either no compliance issues related to the condition, is a future required action, was not applicable at the time of the audit or was not related to a Patrick responsibility.

2.0 Audit Findings

Table 1 provides a summary of the findings of this audit and actions proposed or completed in response to the findings.

The Audit Checklists provided in Appendices A & B include details of all the evidence collected, observed and provided in support of compliance, publicly available information on NSW Ports or Patrick's websites. Blue highlighted text indicates a finding.

2.1 Compliance Status

There was one new non-compliance with the Conditions of the Project Approvals (Item 2/2018 in Table 1 below). There are four non-compliances from the 2017 audit that are still pending close out (Items 18/2017, 19/2017, 21/2017 & 23/2017 in Table 1 below). It is understood these will have been addressed by the end of March 2019.

There was one non-compliance with Condition L1.1 of the Environment Protection Licence (EPL). This condition requires Patrick Stevedores to comply with section 120 of the Protection of the Environment Operations Act 1997 which prohibits the pollution of waters, unless otherwise permitted under the EPL (this has also been recorded as an observation against condition 7.25 of DA 453). As there are no discharge points under the EPL the minor spill into Botany Bay reported as an incident to the EPA, NSW Ports and DPE on 9 September 2018 constitutes a breach of Condition L1.1. It is noted, however, that the EPA has not yet taken any regulatory action in relation to this incident.

There were no new non-compliances with the mitigation measures in the OEMP. There are four non-compliances from the 2017 audit that are still pending close out (Items 18/2017, 19/2017, 21/2017 & 23/2017 in Table 1 below). It is understood that these will have been addressed by the end of March 2019.

2.2 Observations & Corrective Action Requests

There was one new observation made during this audit. This is related to a condition of DA 453 that is automatically triggered by any non-compliance with the EPL related to the pollution of waters (refer Item 1/2018 in Table 1).

There are three Observations from the 2017 audit with approval or EPL conditions (some relate to the same issue) that are still open (Items 3/2017, 11/2017 & 16/2017 in Table 1 below). All of these will be closed out by March 2019 with the exception of 11/2017 which requires the involvement of others (e.g. NSW Ports) in order to be addressed.

2.3 Effectiveness of environmental management & mitigation measures

Evidence observed during the site inspection on 17 January 2019 (see Plates 1 to 11) indicate a high level of site environmental controls and management are in place. It was also evident from interviews with key management personnel during the site inspection and opening / closing meetings of the audit that there is a high level of management buy in and support for good

environmental practice. This was also evidenced by the close out of a significant majority of findings from the 2017 audit report which required across the board effort and coordination by the wider management team.

2.4 Environmental performance of the development

There was no evidence available that would suggest that during the reporting period (2018) the environmental performance of the Patrick Terminal at Port Botany was having a detrimental impact on the surrounding environment. The draft Annual Environmental Monitoring Report for 2018 was made available to me during the audit and I note the following entries in relation to environmental performance monitoring:

- No visible dust emissions were reported during 2018
- Other than a minor discharge of oil to the Port on 9 September 2019 (see below), there were no other uncontrolled discharges or spills to waters during 2018

The above statements are also consistent with my observations made during the site inspection on 17 January 2019 during which a very clean and well-kept site was observed.

I also reviewed the noise monitoring reports prepared by Rodney Stevens Acoustics in May and November 2018 which indicate that Patrick's operations are considered to comply with the EPL's day, evening and night-time noise limits.

There were 38 incidents classified by Patrick's as 'environmental' in nature during 2018, of which 8 were reported to DPE/EPA. A small oil spill is likely to have occurred on 9 September 2018 as a result of gantry crane hydraulic hose rupture. Spill clean-up equipment including absorbent booms were deployed into the water and a small amount of oil collected. The incident was reported to EPA and DPE. The remaining incidents were contained within the terminal area and cleaned up without any discharge to the environment and have been classified by Patrick as 'near misses'.

There were three environmental related complaints from the community during 2018 regarding activities at Port Botany which were made either to NSW Ports or the EPA and then redirected to Patrick and other stevedoring operators at Port Botany for response. None of these complaints could be directly attributed to any of Patrick's operations at the Port.

I am not aware of any environmental regulatory actions taken during 2018 against Patrick Stevedore's operations at Port Botany or any that are proposed to be taken.

This audit has not made any findings in relation to Patrick's environmental performance at the Port during 2018.

In light of:

- only one environmental incident with minor offsite impacts

- a lack of regulatory actions by environmental agencies against Patrick Stevedores' Port Botany operations
- independent noise monitoring results indicating compliance with EPL noise limits
- statements made in the draft 2018 AEMR indicating no dust emissions offsite
- the small number (three) of community complaints during 2018 (none of which could be directly attributable to Patrick Stevedores' operations)

the available objective evidence would indicate that the environmental performance of Patrick's at the Port Botany development was very good during the 2018 period.

3.0 Audit Conclusions

This 2018 Audit has made the following findings:

- One new non-compliance in relation to the conditions of the DAs (related to energy efficiency certification, this finding was previously noted in Patrick's AMER 2017)
- One new observation in relation to the conditions of DA 453 (related to a non-compliance with the Environment Protection Licence (EPL))
- One new non-compliance in relation to the conditions of the EPL caused by a minor oil spill
- No new non-compliances or observations in relation to the management measures in the OEMP or sub plans
- Of the 23 findings made in the 2017 audit report, 16 have been closed and 7 are still in progress

In the 2017 audit report, it was noted a high priority needed to be given to the development of more contemporary information and training on the proper storage of fuels and chemicals and operation of the stormwater collection and treatment system within the Terminal. I found that this has been achieved in relation to training and the storage of fuels and chemicals has been significantly improved since the 2017 audit.

I was pleased to find evidence that the OEMP and a key sub plan (Stormwater Management Plan) were in the latter stages of being updated and are scheduled to be finalized by the end of March 2019.

As noted in the 2017 audit the Patrick Terminal (comprising the redeveloped terminal area, and as part of the Port Expansion Project - The Knuckle and Ramp D) is now operated as a single integrated site. Having two planning approvals applying to the same area creates a complex compliance regime, particularly when there are inconsistencies between approval conditions covering the same aspects, or conditions having been superseded by changes to the site over the last decade. In addition to the approvals is an EPL, which is more up to date with current operating conditions. As a result, the current EPL is also inconsistent with several approval conditions.

I reiterate my 2017 recommendation of the desirability of having the conditions of the approvals and EPL being made more consistent and relevant to current operations at the Patrick Terminal. I understand there may be an opportunity to revisit the planning approvals should a proposed upgrade of the Port's rail infrastructure be undertaken in the future which would potentially trigger the need for a modification to the approval/s.

I note the auditee has made a significant effort in the 12 months since the last audit to enhance the environmental content and relevance of induction and training materials, update the environmental management plans and also make practical improvements on site to the storage of liquid chemicals, fuels and oils. As a result, the majority of the audit findings from 2017 have been closed out or are scheduled to be closed out within the first quarter of this year.

Only three new compliance related findings were made as a result of this audit and no new findings related to environmental performance made. The presentation and condition of the site being excellent in all respects. The auditee should be commended for these outcomes.



Plate 1: Appropriate storage of liquid oil and lubricant drums on spill pallets at Workshop



Plate 2: Double skinned bulk diesel storage tanks with spill kits near filling areas, bund (foreground) surrounds the forecourt area where diesel tankers park



Plate 3: Drain warden device (under grate) at stormwater inlet near access road way adjacent to Gate B110



Plate 4: Fully stocked spill kits in Workshop



Plate 5: Drip tray under engine oil couplings at Workshop



Plate 6: Litter bins near Terminal operations parking area



Plate 7: Litter bin near truck driver waiting / rest area



Plate 8: Straddle carriers parked in banded area



Plate 9: Purpose built spill trailer for moving leaking shipping containers



Plate 10: Recycled plastic being used to gradually replace timber stringers along the edge of the wharf

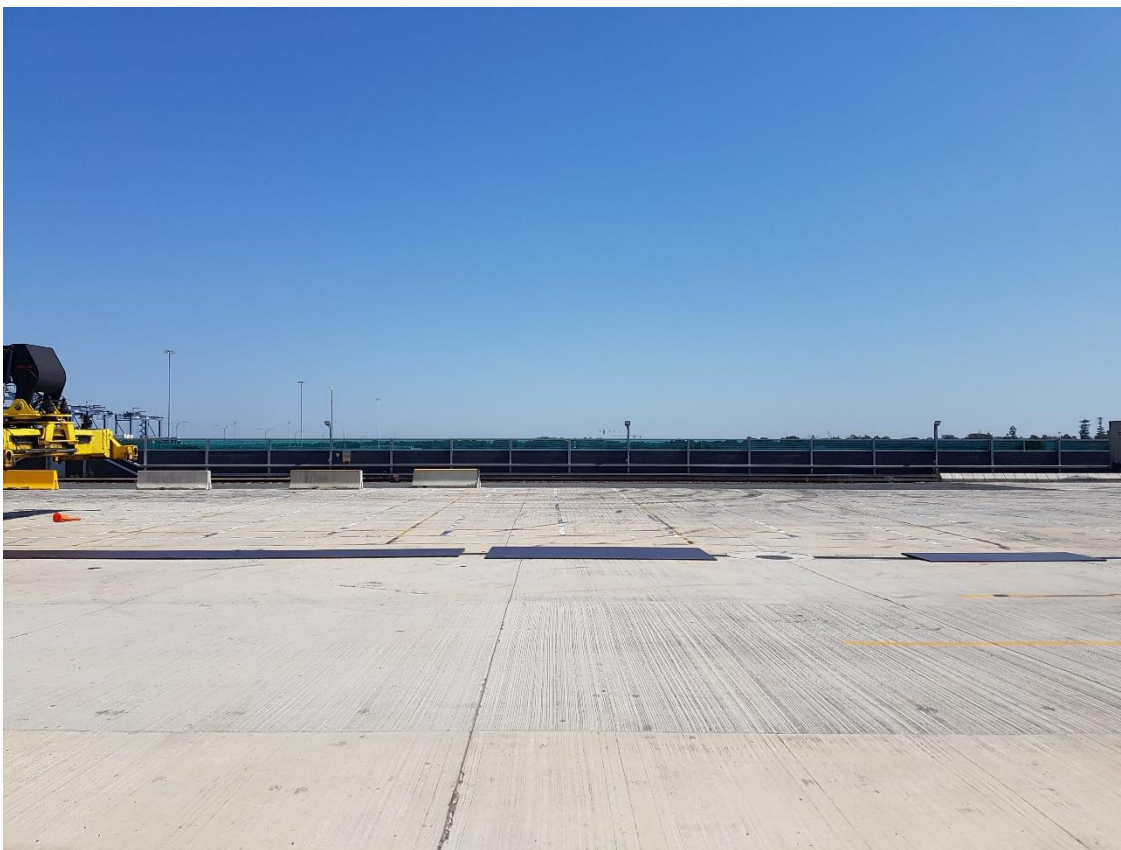


Plate 11: Noise wall (in Hutchison Ports area) is positioned between Hutchison's rail siding and the Penrhyn Estuary

Table 1: AUDIT ACTION LIST

Item No	Cond. No	Details of Condition / Requirement	Comments, observations, discussion, evidence, supporting documentation	Type	Proposed or Completed Action	Who By	When
DA 453 – PATRICK PORT BOTANY REDEVELOPMENT APPROVAL: 2018 Findings							
1/2018	3.33	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.	A minor water pollution incident on 9 September 2018 was reported to the EPA and DPE. It is understood that the EPA has not yet taken any regulatory action in response to this incident. <i>NB: I have recorded this as a non-compliance against Condition L1.1 of the EPL (Item 3/2018 below) hence have not duplicated as an NC against DA conditions</i>	O	For noting, no further action required	NA	NA
2/2018	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.	In Patrick's 2017 AEMR it was observed that a copy of the Energy Efficiency Report could not be located. An action has been assigned to have the Report either located or repeated/undertaken (email evidence sighted) by 31 Mar 2019.	NC	Report to be located or repeated / undertaken by 31 Mar 2019.	ESC Mgr, M. Gibbs	31-Mar-19
DA 494 – PORT BOTANY EXPANSION APPROVAL: 2018 Findings							
THERE WERE NO FINDINGS MADE AGAINST THE CONDITIONS OF DA 494 DURING THIS AUDIT							
EPA LICENCE No 6962							
3/2018	L1.1	Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997	A small oil spill is likely to have occurred on 9 September 2018 as a result of gantry crane hydraulic hose rupture. Spill clean-up equipment including absorbent booms were deployed into the water and a small amount of oil collected. The incident was reported to EPA and DPE.	NC	Note.	NA	NA

Item No	Cond. No	Details of Condition / Requirement	Comments, observations, discussion, evidence, supporting documentation	Type	Proposed or Completed Action	Who By	When
DA 453 – PATRICK PORT BOTANY REDEVELOPMENT APPROVAL: 2017 Findings							
1/2017	1.9	The Applicant shall ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent.	The Site Induction contains only a brief environmental component and does not address this requirement specifically	NC	Revised induction dated June 2018 addresses this finding.	ESC Mgr, M. Gibbs	CLOSED
2/2017	3.23	No parking shall be permitted on the internal roadways and outside the designated parking areas.	Trucks observed parked on Ramp D during audit inspection.	O	Agreed with auditee that this finding is not relevant to DA 453 as Ramp D is actually covered by the Port Botany Expansion approval which permits such parking	ESC Mgr, M. Gibbs	CLOSED
3/2017	3.33	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.	The stormwater collection and treatment system serving the Patrick Terminal needs to be better documented and the capability of critical controls (e.g. Drain Safe, Purceptor, GPT etc.) better understood. It is recommended that a figure / plan of the system be prepared and key personnel inducted into the working of the system.	O	Stormwater Management Plan currently being updated. Sighted draft plan with updates in progress.	ESC Mgr, M. Gibbs	31-Mar-19
4/2017	3.40	The quantity of hazardous and/or industrial and/or Group A waste generated on the premises shall not exceed 200 tonnes per year.	No records were available in relation to this requirement although it is noted the EPL does not set any similar limit on such wastes	O	Sighted Waste Management Register. Records of waste oil (likely main hazardous waste generated from site) kept in register and total amount generated for 2018 was approximately 40 tonnes	Auditor	CLOSED
5/2017	3.41	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.	No records were available in relation to this requirement although it is noted the EPL does not set any similar limit on such wastes	O	According to Waste Register the most waste oil stored on site was approximately 11 tonnes in March 2018 which is well under the limit	Auditor	CLOSED

Item No	Cond. No	Details of Condition / Requirement	Comments, observations, discussion, evidence, supporting documentation	Type	Proposed or Completed Action	Who By	When
6/2017	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.	Site Induction does not address recycling however site inspection indicates practical implementation of this requirement is being achieved on site (Plate 9)	O	This is covered in revised June 2018 induction	ESC Mgr, M. Gibbs	CLOSED
7/2017	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).	Compliance with this condition is difficult to assess and role of Ports Authority is also unclear.	O	From Sep 2017 to Aug 2018 there were 253 tonnes of DG transited through Patrick's terminal which is well under the 825-tonne limit required under this condition	ESC Mgr, M. Gibbs	CLOSED
8/2017	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...	Incidents on 23 February 2018 and 30 September 2018 reported to EPA but not DPE in accordance with this condition	NC	Enviro Incident Register sighted includes details of incidents on 24 Jan 2018 and 9 Sep 2018 that were reported (among others) to DPE. Internal communications sighted indicate that daily incident reports are made by ESC Mgr to management	ESC Mgr, M. Gibbs	CLOSED
9/2017	3.60	The Applicant shall install, operate and maintain an irrigation system throughout 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. 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.	Landscaping under Ramp D is in need of rejuvenation and possibly irrigation to maintain its viability over the long term (Plate 10)	O	The area of land under Ramp D (also known as The Undercroft) has been transferred from Patricks to NSW Ports and is now under the latter organisation's control	ESC Mgr, M. Gibbs	CLOSED

Item No	Cond. No	Details of Condition / Requirement	Comments, observations, discussion, evidence, supporting documentation	Type	Proposed or Completed Action	Who By	When
10/2017	3.62	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...	The Site Induction does not include special noise control training.	NC	Revised site induction dated June 2018 now includes noise control measures	ESC Mgr, M. Gibbs	CLOSED
11/2017	5.7	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: (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.....	This and other redundant conditions of the approvals should be removed if possible. This would benefit and assist the compliance task by simplifying and streamlining the conditions that really matter to protecting the environment and community from what is now an integrated Terminal operation.	O	Modification discussed internally and in brief with NSW Ports and DPE. Patrick has prepared a draft proposed consolidation document and is now waiting for details of potential major upgrade to rail area which may necessitate modification to approval conditions that could also address this finding in a consolidated manner.	ESC Mgr, M. Gibbs	Ongoing
12/2017	6.7	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...	This audit report was finalised in March 2018 but as it was due to be commissioned in Feb 2018 the project was non-compliant with this requirement for the reporting period	NC	Closed with submission of the audit report	Auditor	CLOSED Mar 18
13/2017	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 Australian Standard AS1940-1993 The Storage and Handling of Flammable and Combustible Liquids.	Site inspection identified inconsistencies in the storage of chemicals and fuels – sometimes in bunded areas, sometimes not (Plates 1-5)	O	Appropriate bunding of liquids observed during site inspection on 17 Jan 2019 (Plate 1).	ESC Mgr, M. Gibbs	CLOSED
14/2017	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.	see 7.4 above (Plate 5)	O	Oil and other chemicals stored in The Undercroft have been	ESC Mgr, M. Gibbs	CLOSED

Item No	Cond. No	Details of Condition / Requirement	Comments, observations, discussion, evidence, supporting documentation	Type	Proposed or Completed Action	Who By	When
					removed and this area handed back to NSW Ports.		
15/2017	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 'H2O only'.	This requirement was not evident during the 30 January 2018 site inspection. Patrick has trialled various options but due to vehicles/mobile plant moving over the area paint is worn off and raised signs can cause damage to tyres etc.	NC	Trial of stencil signage is currently underway (see Plate 3).	ESC Mgr, M. Gibbs	CLOSED
DA 494 – PORT BOTANY EXPANSION APPROVAL: 2017 findings							
16/2017	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.	The stormwater collection and treatment system serving the Patrick Terminal needs to be better documented and the capability of critical controls (e.g. Drain Safe, Purceptor, GPT etc.) better understood by key personnel. It is recommended that a figure / plan of the system be prepared and key personnel inducted into the working of the system	O	As per item 3/2017 above.	ESC Mgr, M. Gibbs	31-Mar-19
17/2017	C4.1	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	Incidents on 23 February 2018 and 30 September 2018 reported to EPA but not DPE in accordance with this condition	NC	Addressed as per item 8 above	ESC Mgr, M. Gibbs	CLOSED
18/2017	C4.4	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	Environmental management is covered only very briefly in the Site Induction. No evidence was provided of more specific environmental training, toolbox talks or	NC	Site induction has been significantly revised in June 2018 and draft Toolbox Training Talks covering key issues such as noise, littering	ESC Mgr, M. Gibbs	28-Feb-19

Item No	Cond. No	Details of Condition / Requirement	Comments, observations, discussion, evidence, supporting documentation	Type	Proposed or Completed Action	Who By	When
		equipment, including pollution control equipment, where relevant. The Program shall include, but not necessarily be limited to:	similar covering topics such as bunding, spill response, noise mitigation etc.		and spills were sighted. These Talks are to be rolled out in Feb 2019		
IMPLEMENTATION OF OEMP							
19/2017	Section 4.4 of OEMP	The training of personnel on the requirements of the OEMP and associated sub-plans occurs during the general terminal induction where an outline of environmental issues is delivered to all new workers or contractors. This training is completed online prior to the new worker or contractor arriving at the terminal. Initial training is further reinforced through regular toolbox talks and prestart meetings. Specific activity training is provided to staff as required.	Environmental requirements are only very briefly (1 slide) covered in the Sydney Autostrad Terminal - Contractor Induction 1 and similarly in the new employee Site Induction. This is not consistent with section 4.4 – Environmental Training – of the OEMP. I note that a new presentation (Environmental Safeguards PowerPoint slides dated 21 Jan 2018) is being developed by Patrick’s Environment, Sustainability & Compliance Manager and would highly recommend that this (or similar) material be included within the new employee and relevant contractor inductions. No evidence of environmental training being provided at toolbox talks or prestart meetings as required under section 4.4 – Environmental Training – of the OEMP, was provided.	NC	As per 18 above.	ESC Mgr, M. Gibbs	28-Feb-19
20/2017	Table 8 of OEMP	All servicing, mechanical repairs and detailing of vehicles and plant shall be conducted in a covered and bunded area. The area shall be graded such that surface runoff is directed to the wastewater treatment plant.	Servicing / repairs of Kalmar Straddle Carriers in an uncovered and unbunded area at The Knuckle (Plates 7 & 8) and evidence of oil spills directly onto the terminal pavement is not consistent with the requirements of Table 8 – Vehicle and Plant Servicing – of the OEMP	CAR NC	The Kalmar Straddle Carriers have been relocated to a bunded area nearer to the main workshop (Plate 8).	ESC Mgr, M. Gibbs	CLOSED
21/2017	Various OEMP & ONMP	Annual review required under section 6.4 of OEMP and provisions of ONMP regarding non-tonal reversing alarms on customers trucks	The storage of some fuels, chemicals and oils (Plates 1-5) is not consistent with the EPA’s most recent guidance found at http://www.environment.nsw.gov.au/water/bundingspill.htm or the mitigation	CAR	All containers of waste oils, fuels and other liquids at Ramp D are to be placed in bunded areas as soon as possible <i>Closed – action was</i>	Closed	CLOSED

Item No	Cond. No	Details of Condition / Requirement	Comments, observations, discussion, evidence, supporting documentation	Type	Proposed or Completed Action	Who By	When
			<p>measures in Appendix C of the OEMP or the requirements of Tables 7 and 8.</p> <p>a. An annual review of the OEMP and as required in section 6.4 has not occurred. The OEMP and ONMP contain redundant or difficult to implement provisions that should be deleted or amended. The following are two examples of such provisions:</p> <p>b. Section 3.2.2 of the ONMP requires Patrick to encourage its customers to fit broadband type reversing alarms to their trucks (this has not occurred to date and tonal reversing alarms on customers trucks were noted during the site inspection)</p>	NC	<p><i>completed prior to the issue of the 2017 report.</i></p> <p>Review of the OEMP and all of its sub plans is scheduled for completion by 31 March 2019 which is also a requirement of DA 453.</p>	ESC Mgr, M. Gibbs	OPEN
22/2017	ONMP Section 3.2.4	The noise attenuation wall erected alongside the entire length of the rail siding minimises noise emanating from trains and rail activities	Section 3.2.4 of the ONMP requires a noise attenuation wall to be erected along the entire length of the rail siding (this wall has not been constructed)	O	Noise (acoustics) wall is located within Hutchison Ports rail site (Plate 11) - positioned between Hutchison's rail siding and the Penrhyn Estuary	ESC Mgr, M. Gibbs	CLOSED
23/2017	SMP	Various provisions	The current map of the Terminal Stormwater Drainage System and (TSDS) provisions of the SMP are in need of urgent review. The TSDS is a critical component of the Terminal's environmental protection hardware and the current SMP is in need of major refreshing and inclusion of more information regarding the management and capabilities of operational controls such as the GPTs, Purceptor and other devices. Labelling of drains has not occurred as required by the SMP and the current map is difficult to understand and interpret at a practical level. Training of key	NC	In progress as per item 3 above.	ESC Mgr, M. Gibbs	31-Mar-19

Item No	Cond. No	Details of Condition / Requirement	Comments, observations, discussion, evidence, supporting documentation	Type	Proposed or Completed Action	Who By	When
			personnel in the management of the TSDS is also needed				

Appendix A. PROJECT APPROVAL CONDITIONS DA 494 – PORT BOTANY EXPANSION

DEVELOPMENT CONSENT CONDITIONS: DA-494-11-2003-i – Sydney Ports Corporation (Port Botany Expansion)

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
		SCHEDULE A: OVERALL SCOPE OF DEVELOPMENT WORKS AND GENERAL PROVISIONS					
A1		GENERAL					
		Scope of Development					
A1.1	NSW Ports/ Patrick Stevedores	<p>The approved aspects of the development shall be carried out generally in accordance with:</p> <ul style="list-style-type: none"> a) Development Application DA-494-11-2003-i, lodged with Department on 26 November 2003. b) Port Botany Expansion: Environmental Impact Statement (ten volumes), prepared by URS and dated Nov 2003; c) Port Botany Expansion Commission of Inquiry – Primary Submission (two volumes), prepared by URS dated May 2004 d) Port Botany Expansion Commission of Inquiry – Supplementary Submission to Environmental Impact Statement, prepared by URS and dated August 2004 e) Port Botany Expansion Environmental Impact Statement – Supplementary Submission (two volumes), prepared by URS and dated October 2004; f) modification application MOD-107-9-2006-i, accompanied by <i>Port Botany Expansion, Section 96(1A) Application: Modification of Consent Conditions</i>, prepared by SPC and dated September 2006; g) modification application MOD-134-11-2006-i, accompanied by <i>Port Botany Expansion, Section 96(1A) Modification – Wharf Structure Design</i>, prepared by SPC and dated November 2006; h) modification application MOD-149-12-2006-i, accompanied by <i>Port Botany Expansion, Section 96(1A) Modification – Application to Modify Conditions B2.9 and B2.22 of the Port Botany Consent</i>, prepared by SPC and dated 1 December 2006; 	Compliance with these requirements is verified through this independent audit process, compliance reports etc.	C			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
		<p>i) modification application MOD-78-9-2007-i, accompanied by <i>Port Botany Expansion – Modification of Conditions C2.20 & C2.25</i>, prepared by SPC, dated July 2007;</p> <p>j) modification application MOD-60-9-2008, accompanied by <i>Port Botany Expansion – Modification of Conditions B2.46 & C2.25</i>, prepared by SPC, dated 27 August 2008;</p> <p>k) modification application MOD-68-12-2008, accompanied by a letter from SPC dated December 2008;</p> <p>l) modification application MOD-08-03-2009, accompanied by a letter from Sydney Ports Corporation dated 16 February 2009 and assessment report titled <i>Port Botany Expansion – Rail Operations Section 96(1A) Modification</i> dated February 2009</p> <p>m) modification application DA-494-11-2003-I MOD 8, accompanied by an assessment report titled <i>“Port Botany Expansion – Ship Turning Area Dredging Section 96 (1A) Modification</i> dated May 2009;</p> <p>n) modification application DA-494-11-2003-I MOD 9 accompanied by an assessment report titled <i>“Port Botany Expansion – Additional High Spot Dredging off Molineux Point Section 96 (1A) Modification”</i> dated May 2009.</p> <p>o) modification application DA-494-11-2003-I MOD 10, accompanied by an assessment within the letter titled <i>“Port Botany Expansion – Section 96(1A) Modification – Additional Ship Turning Area Dredging”</i> dated 8 July 2009;</p> <p>p) modification application DA-494-11-2003-i MOD 11, accompanied by an assessment report titled <i>“Sydney Port Botany Terminal No. 3 PKG-17.1 Planning Section 75W Modification Operations Building and Maintenance Building”</i> dated 14 September 2011; and</p>					

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
		<p>q) modification application DA-494-11-2003-i MOD 12, accompanied by an assessment report titled "Sydney Port Botany Terminal No. 3 PKG-17.1 Planning Section 75W Modification to Stormwater First Flush System" dated 15 February 2012 and supplementary advice provided on 6 June 2012 in relation to other proprietary SQID devices; and</p> <p>r) modification application DA-494-11-2003-i MOD 13, accompanied by an assessment report titled "Project No. 231658 Section 75W Modification to Stormwater Management System for Southern Expansion Area" dated 31 October 2012;</p> <p>s) modification application DA-494-11-2003-i MOD 14, accompanied by assessment reports titled "Port Botany Expansion – Section 75W Modification 14 to DA-494-11-2003i for Temporary Uses at northern tip of Hayes Dock", dated January 2013; and "Port Botany Expansion, Cumulative Construction Traffic Impact Assessment, Terminal Operations Infrastructure (March 2013 – March 2014)", dated April 2013; and</p> <p>t) modification application DA-494-11-2003-i MOD 15, accompanied by assessment report titled 'SICTL Quay Crane Operations', prepared by HPH and dated 20 March 2013; and</p> <p>u) modification application DA-494-11-2003-I MOD 16, accompanied by assessment report titled 'Port Botany Expansion Modification Application 16 to DA-494-11-2003i Permanent Uses Hayes Dock Services Area and Administrative Changes to Some Conditions', prepared by LendLease for NSW Ports and dated September 2016; and</p> <p>v) the conditions of this consent.</p> <p>Insofar as they relate to the approved development.</p>					
		Statutory Requirements					

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
A1.3	NSW Ports/ Patrick Stevedores	All licences, permits and approvals shall be obtained and maintained as required throughout the life of the development. No condition of this consent removes the obligation to obtain, renew or comply with such licences, permits or approvals.	The Federal EPBC Approval 2002/543 and EPL 6962 remain valid. Sydney Water Trade Waste Consent No. 24990 is current. A number of other permits, licences and approvals, as issued by various government authorities, have been obtained for the operation of the terminal and are listed in Section 2.2 of the OEMP which is available on the website: http://www.patrick.com.au/environment-sustainability	C			
A1.4	NSW Ports/ Patrick Stevedores	Port throughput capacity generated by operations in accordance with this consent shall be consistent with the limits specified in the EIS, that is, a maximum throughput capacity at the terminal of 1.6 million TEUs per annum and a total throughput at Port Botany of 3.2 million TEUs. These limits may not be exceeded by the development without further environmental assessment and approval. Sydney Ports Corporation shall prepare, or have prepared on its behalf, such further environmental assessment for the determination of the Minister	Trade bulletins published on NSW Ports website indicate these limits are being met at present.	C			
		SCHEDULE C: TERMINAL OPERATIONS					
C1		GENERAL					
		Application of Schedule					
C1.1	Patrick Stevedores	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. See detailed input below.	C			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
C1.2	Patrick Stevedores	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. Patrick Stevedores is a Terminal operator and has commissioned this Audit to assess compliance against these conditions with respect to its own operations				
Operation Environmental Management Plan							
C1.3	Patrick Stevedores	<p>The Applicant shall prepare an Operation 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"> - 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; - describe any relevant staging or phasing of the commencement of operations within the terminal envelope and any relevant timeframes; - 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; - include a description of the roles and responsibilities for all key employees involved in the operation of the development; - include overall environment policies and principles to be applied to the operation of the facility; - include specific consideration of measures to address any requirements of DOP, DEC, and the Council during operation; - 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; - detail management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent; 	<p>The 'Patrick Port Botany Terminal Operational Environmental Management Plan' (OEMP) – Version 0.7 (03/03/2015) has been prepared to satisfy this condition and is available on the Operators website: http://www.patrick.com.au/environment-sustainability</p>	C			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
		<ul style="list-style-type: none"> - include the Management Plans relevant to operation, include the environmental monitoring requirements relevant to operation; and - be made available for public inspection after approval of the Director General. 					
Compliance Certification							
C1.4	Patrick Stevedores	<p>Prior to each of the events listed from a) to b) 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</p> <p>b) commencement of each stage or phase of operations</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 & Environment to Mr Trevor Brown, NSW Ports).	C			
C1.5	NSW Ports/ Patrick Stevedores	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	The Department of Planning & Environment (DPE) requested (22 December 2017) a copy of the Action Plan addressing the findings detailed in Patrick's 2016 Annual Environmental Management Report (section 7). This was provided to the DPE on 5 January 2018. The DPE requested (4 June 2018) an updated audit Action List for the 2017 AEMR. This was provided to the DPE on 18 June 2018.	C			
Air quality management							
C2.1	Patrick Stevedores	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	No offensive odours were detected during the audit site inspection on 17 January 2019 and no complaints from parties external to the site regarding odours have been received.	C			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
C2.2	Patrick Stevedores	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 implanted such that emissions of visible dust cease	No dust emissions were detected during the audit site inspection on 17 January 2019 and no complaints from parties external to the site regarding dust emissions have been received	C			
C2.3	Patrick Stevedores	All trafficable and vehicle manoeuvring areas shall be maintained at all times in a condition that minimises the generation and emission of dust	Surfaces are paved and no loose materials were noted during site inspection	C			
C2.4	Patrick Stevedores	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	Vast majority of vehicles entering or leaving site are carrying shipping containers which are sealed	C			
		Noise Management					
C2.5	Patrick Stevedores	<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"> - identify general activities that will be carried out and associated noise sources; - assess operation noise impacts at the relevant receivers; - a primary objective of achieving the operational noise limits outlined in this consent; - provide details of overall management methods and procedures that will be implemented to control noise from the development; 	<p>Plan available as part of OEMP on website. http://www.patrick.com.au/environment-sustainability</p> <p>The Operational Noise Management Plan (V0.5, 2015) has been prepared in consultation with the relevant stakeholders and addresses the requirements of this condition.</p> <p>Biannual Noise Compliance Monitoring Reports have been completed for May and November 2018 and are available on the website at: http://www.patrick.com.au/environment-monitoring-reporting</p>	C			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key																				
				C	O	NC	NA																	
		<ul style="list-style-type: none"> - 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; - detail noise monitoring, reporting and response procedures consistent with the requirements of DEC; - provide for internal audits of compliance of all plant and equipment; - indicate site establishment timetabling to minimise noise impacts; - include procedures for notifying residents of operation activities likely to affect their noise amenity; - address the requirements of DEC; - 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; - identify opportunities to reduce operational noise levels including, but not necessarily limited to, selection of equipment, engineering noise controls and shore based power; and, - be approved by the Director-General prior to the commencement of operation 																						
C2.6	Patrick Stevedores	<p>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.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Most affected residential Location</th> <th>Day</th> <th>Evening</th> <th colspan="3">Night</th> </tr> <tr> <th>LAeq(15 minute)</th> <th>LAeq(15 minute)</th> <th>LAeq(15 minute)</th> <th>LAeq,9hrs</th> <th>LA1(1 minute)</th> </tr> </thead> <tbody> <tr> <td>Chelmsford Avenues</td> <td>40</td> <td>40</td> <td>40</td> <td>38</td> <td>53</td> </tr> </tbody> </table>	Most affected residential Location	Day	Evening	Night			LAeq(15 minute)	LAeq(15 minute)	LAeq(15 minute)	LAeq,9hrs	LA1(1 minute)	Chelmsford Avenues	40	40	40	38	53	<p>Biannual noise monitoring reports are available on Patrick Stevedores website. Each report has been prepared by Rodney Stevens Acoustics. The reports conclude that 'operational noise is considered to comply with EPL 6962 day, evening and night-time noise limits'.</p> <p>It is noted that noise limits within the EPL are equal to or more stringent than those quoted in this Condition.</p>	C			
Most affected residential Location	Day	Evening		Night																				
	LAeq(15 minute)	LAeq(15 minute)	LAeq(15 minute)	LAeq,9hrs	LA1(1 minute)																			
Chelmsford Avenues	40	40	40	38	53																			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement						Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key					
									C	O	NC	NA		
		Dent Street	45	45	45	43	59							
		Jennings Street	36	36	36	35	55							
		Botany Rd (nth of golf club)	47	47	47	45	59							
		Australia Ave	35	35	35	35	57							
		Military Road	42	42	42	40	60							
		<p>For the purpose of this condition;</p> <ul style="list-style-type: none"> Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays, Evening is defined as the period from 6pm to 10pm Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays 												
C2.7	Patrick Stevedores	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						Noise reports referred to above satisfy this requirement		C				
C2.8	Patrick Stevedores	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						As above		C				
C2.9	Patrick Stevedores	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						Refer C2.7 & 2.8 above		C				

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
C2.10	Patrick Stevedores	The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable	Noise report referred to above satisfies this requirement	C			
C2.11	Patrick Stevedores	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 reports referred to above satisfies this requirement	C			
Operational Traffic Management Plan							
C2.12	Patrick Stevedores	<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"> - identification of preferred routes to minimise noise impacts on the surrounding community; - physical and operational measures (including signage) to mitigate noise impacts from vehicles accessing and leaving the terminal; - measures to limit the impact of traffic noise on Foreshore Road and Botany Road; - driver education and information to promote driver habits to minimise noise; and - timetabling, scheduling and details of vehicle booking systems. <p>The plan must be submitted and approved by the Director-General prior to the commencement of operations</p>	<p>Plan available as part of OEMP on website. http://www.patrick.com.au/environment-sustainability</p> <p>The Operational Traffic Management Plan (V0.5, 2015) has been prepared in consultation with the relevant stakeholders and addresses the requirements of this condition.</p>	C			
Waste Management on Site							
C2.13	Patrick Stevedores	Management of waste must be in accordance with the environment protection licence issued by EPA under the Protection of the Environment Operations Act 1997	A Waste Management Plan (V0.4, 2015) is available as part of OEMP on website.	C			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
			http://www.patrick.com.au/environment-sustainability EPL 2669 Condition L2 allows Patrick Stevedores to receive types of waste at the premises.				
C2.13A	Patrick Stevedores	The management of waste for uses and activities not subject to an Environmental Protection licence, shall be managed and disposed of in accordance with the Protection of the Environment Operation (Waste) Regulation 2005 and the Waste Classification Guidelines (DECCW 2009), 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	Records of waste oils and filters, transporters and waste oil receipt locations are maintained in a Waste Register.	C			
Water and Wastewater Management							
C2.14	Patrick Stevedores	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.	No water quality monitoring is required by the EPL (6962) and there are no licenced discharge points. NB: A minor water pollution incident on 9 September 2018 reported to the EPA, NSW Ports and DPE was related to the area regulated under DA 453.	C			
C2.15	Patrick Stevedores	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 discharge points in EPL.				NA
Hazards and Risk Management							
C2.16	Patrick Stevedores	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	The Emergency Management Plan and Emergency Response Plan, Appendix N of the Operational EMP was developed to meet the expectation of the DP&E's Major Hazards Unit i.e. to ensure the actions of Patrick when dealing with an emergency involving	C			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
			Class 2.3 or Class 6 dangerous goods did not increase the off-site risk described in the Preliminary Hazard Analysis.				
C2.17	NSW Ports Patrick Stevedores	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	From Sep 2017 to Aug 2018 there were 253 tonnes of DG transited through Patrick's terminal which is well under the 825 tonne limit required under this condition	C			
C2.18	Patrick Stevedores	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).	As above.	C			
Emergency Incident Management							
C2.20	Patrick Stevedores	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: <ul style="list-style-type: none"> - terminal security and public safety issues; - effective spill containment and management; - effective firefighting capabilities; - effective response to emergencies and critical incidents; and 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.	The Emergency Management Plan (Rev 10, 2015) is available as part of OEMP on website. http://www.patrick.com.au/environment-sustainability	C			
Aviation Operational Impacts							

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
C2.21	Patrick Stevedores	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	Patrick has obtained approval under the Airports (Protection of Airspace) Regulations 1996 (APAR) (Ref: 12/5083) for the intrusion of three quay cranes into prescribed airspace for Sydney Airport. Approval was granted by Flysafe Aerodrome Precincts, Aviation and Airports Division of the Department of Infrastructure and Transport on 12 December 2012.	C			
C2.22	Patrick Stevedores	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	As above	C			
C2.23	Patrick Stevedores	The Applicant shall ensure design specifications of the terminal lighting conform to the requirements of Regulation 94 of the Civil Aviation regulations 1988	Patrick has obtained approval under the Airports (Protection of Airspace) Regulations 1996 (APAR) (Ref: 12/5083) for the intrusion of three quay cranes into prescribed airspace for Sydney Airport. Approval was granted by Flysafe Aerodrome Precincts, Aviation and Airports Division of the Department of Infrastructure and Transport on 12 December 2012.	C			
C2.24	Patrick Stevedores	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: <ul style="list-style-type: none"> - minimising ship board lighting while berthed; - orientating ships in a specific direction; and or - providing temporary shielding on the ship mounted floodlights while docked 	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. 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	C			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
			"open" with comments about consultation with relevant parties				
C2.25	Patrick Stevedores	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	The Bird Hazard Management Plan is available as part of OEMP on website. http://www.patrick.com.au/environment-sustainability	C			
COMMUNITY INFORMATION, INVOLVEMENT AND CONSULTATION							
C3.1	Patrick Stevedores	The Applicant must meet the following requirements in relation to community consultation and complaints management: <ul style="list-style-type: none"> - all monitoring, management and reporting documents required under the development consent shall be made publicly available; - provide means by which public comments, inquiries and complaints can be received, and ensure that those means are adequately publicised; and - includes details of a register to be kept of all comments, inquiries and complaints received by the above means, including the following register fields: <ul style="list-style-type: none"> - the date and time, where relevant, of the comment, inquiry or complaint; - the means by which the comment, inquiry or complaint was made (telephone, fax, mail, email or in person); - any personal details of the commenter, inquirer or complainant that were provided, or if no details were provided, a note to that effect; - the nature of the complaint; - 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 if no action was taken by the Applicant in relation to the comment, inquiry or complaint, the reason(s) why no action was taken. 	Documentation including management plans and monitoring reports are available on Patrick Stevedores website. http://www.patrick.com.au/environment-monitoring-reporting Contact details and complaints line are available at: http://www.patrick.com.au/environment-sustainability Patrick Stevedores Quarterly Community Feedback Reports are available on its website and contain the information and details required by this condition.	C			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
		-Provide quarterly reports to the Department and DEC, where relevant, outlining details of complaints received					
C3.2	NSW Ports Patrick Stevedores	<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"> · 2 representatives from the Applicant, including the person responsible for environmental management; · 1 representative from Botany Bay City Council; and · at least 3 representatives from the local community, whose appointment has been approved by the Director-General in consultation with the Council; <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>Minutes of the meetings are on NSW Ports website at: PB CCC</p> <p>Meetings have been attended by Patrick Stevedores representative</p>	C			
C3.3	NSW Ports Patrick Stevedores	<p>The Applicant shall, at its own expense:</p> <p>(a) ensure that 2 of its representatives attend the Committee's meetings;</p> <p>(b) provide the Committee with regular information on the environmental performance and management of the development;</p>	As above.	C			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
		(c) provide meeting facilities for the Committee; (d) arrange site inspections for the Committee, if necessary; (e) take minutes of the Committee's meetings; (f) make these minutes available on the Applicant's website within 14 days of the Committee meeting, or as agreed to by the Committee; (g) respond to any advice or recommendations the Committee may have in relation to the environmental management or performance of the development; and (h) 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					
		ENVIRONMENTAL MONITORING AND AUDITING					
C4.1	Patrick Stevedores	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	The Register Environment – Community Complaints was sighted includes details of incidents on 24 Jan 2018 and 9 Sep 2018 that were reported (among others) to the EPA, NSW Ports DPE. Internal communications sighted indicate that daily incident reports are made by ESC Manager to management.	C			
C4.2	Patrick Stevedores	The Applicant must prepare an Annual Environmental Management Report for the development. The Annual Environmental Management Report must: <ul style="list-style-type: none"> - 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; 	2017 AEMR on website. http://www.patrick.com.au/environment-sustainability 2018 AEMR currently in preparation and due to be submitted to NSW Ports and DPE by 28 February 2019.	C			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
		<ul style="list-style-type: none"> - 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 operation, and every twelve months thereafter; - be approved by the Director-General each year; and - be made available for public inspection 					
C4.3	Patrick Stevedores	<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"> - the primary contact point in relation to the environmental performance of the terminal operations; - responsible for all Management Plans and Monitoring Programs required under this consent, in relation to the terminal operations; - 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; 	<p>Patrick's Environment, Sustainability & Compliance Manager, Marie Gibbs, has been approved by DPE on 3 October 2017 as the ER.</p> <p>Evidence - including emails, management updates and briefings that were sighted - indicate that Marie Gibbs is performing the role of the ER as required under this condition.</p>	C			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
		<ul style="list-style-type: none"> - 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; - required to facilitate an induction and training program for relevant persons involved with the terminal operations; and - 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. 					
C4.4	Patrick Stevedores	<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"> a) identification of relevant employment positions associated with the development that have an operational or management role related to environmental performance; b) details of appropriate training requirements for relevant employees c) a program for training relevant employees in operational and/ or management issues associated with environmental performance; and d) a program to confirm and update environmental training and knowledge during employment of relevant persons 	<p>Site induction has been significantly revised in June 2018 and draft Toolbox Training Talks covering key issues such as noise, littering and spills were sighted. These Talks are to be rolled out in Feb 2019</p>	C			
C4.5	Patrick Stevedores	<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. The audits would be made publicly available and would:</p>	<p>This audit</p>	C			

CoA No	Auditee NSW Ports/ Patrick Stevedores	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome* See footer for key			
				C	O	NC	NA
		<ul style="list-style-type: none"> - be carried out in accordance with ISO 14010 – Guidelines and General Principles for Environmental Auditing and ISO 14011 – Procedures for Environmental Auditing; - assess compliance with the requirements of this consent, and other licences and approvals that apply to the development; - assess the construction against the predictions made and conclusions drawn in the development application, EIS, additional information and Commission of Inquiry material; and - review the effectiveness of the environmental management of the development, including any environmental impact mitigation works. <p>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</p>					

Appendix B. PROJECT APPROVAL CONDITIONS DA 453 – PATRICK PORT BOTANY REDEVELOPMENT

DEVELOPMENT CONSENT CONDITIONS: DA-453-12-2002-i – Patrick Stevedores Operations Pty Ltd (Patrick Port Botany Redevelopment)

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
1. GENERAL						
Obligation to Minimise Harm to the Environment						
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.	The 'Patrick Port Botany Terminal Operational Environmental Management Plan' (OEMP) – Version 0.7 (03/03/2015) has been prepared to document management measures and is available on the Operators website: http://www.patrick.com.au/environment-sustainability Details regarding the implementation of the OEMP are provided in section 2.3 of the report.	C			
Scope of Development						
1.2	¹ The Applicant shall carry out the development generally in accordance with: a) Development application DA-453-12-2002-I 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; b) Additional information provided in respect of development application DA-453-12-2202-I, including: 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> ; ii) <i>Upgrade of Port Botany Container Terminal, Revised Noise Assessment</i> , dated May 2003 and prepared by Wilkinson Murray Pty Ltd; iii) <i>Supplementary Avifauna Survey & Assessment of Impacts</i> , dated 26 May 2003 and prepared by AMBS Consulting; iv) the memorandum from Patricks Brinckerhoff dated 30 May 2003 and titled <i>Patrick Water Quality Assessment</i> ; v) the amended development application submitted to the Department on 30 May 2003 and associated drawings;	Compliance with these requirements is verified through this independent audit process, compliance reports etc.	C			

¹ Incorporates EPA General Terms of Approval – A 1.1

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
	<ul style="list-style-type: none"> vi) the letter from Patrick Terminals to Planning NSW dated 11 June 2003 titled <i>Patrick Port Botany EIS</i>; vii) the memorandum from Fielders Engineers Pty Ltd to Parsons Brinckerhoff dated 20 June 2003 titled <i>Transport NSW's Comments</i>; viii) the letter from Qest Consulting Group to Parsons Brinckerhoff dated 3 July 2003 titled <i>Preliminary Hazard Analysis for Patrick Stevedores</i>; 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; 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; e) 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); f) 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); g) 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); 					

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
	<p>h) modification application MOD-76-9-2007-i, lodged with the Department on 24 August 2007, accompanied correspondence 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"> i) Proposed Camco Trafficgate (Job No. PDS-07-84, Issue B, Drg. No.: 01); ii) Proposed Camco Trafficgate (Job No. PDS-07-84, Issue B, Drg. No.: 02); iii) Proposed Camco Trafficgate (Job No. PDS-07-84, Issue B, Drg. No.: 03); iv) Truck Portal Gate Frame Arrangement and Details (Project No. SY070313, Dwg No. S5.00, Issue A); v) Train Portal Gate Frame Arrangement and Details (Project No. SY070313, Dwg No. S4.00, Issue E); vi) Train Portal Gate Frame Footing Plan and Details (Project No. SY070313, Dwg No. S4.00, Issue D); vii) Structural Notes (Project No. SY070313, Dwg No.S1.00, Issue D); <p>i) 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>j) the conditions of this consent.</p> <p>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>					
Staged Development						
1.3	Under Section 80(4) of the Act, this consent applies to the development, as described in Schedule 1, only.	Noted.	C			
Provision of Documents						
1.6	<p>Where practicable, 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.</p> <p>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.</p>	Noted	C			
Statutory Requirements						

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
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.	The Federal EPBC Approval 2002/543 and EPL 6962 remain valid. Sydney Water Trade Waste Consent No. 24990 is current. A number of other permits, licences and approvals, as issued by various government authorities, have been obtained for the operation of the terminal and are listed in Section 2.2 of the OEMP which is available on the website: http://www.patrick.com.au/environment-sustainability	C			
Compliance						
1.9	The Applicant shall ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent.	The site induction was significantly revised in 2018 and now contains appropriate references to approval and licence requirements	C			
1.10	The Applicant shall be responsible for the environmental impacts resulting from the actions of all persons on the site, including any visitors.	Noted	C			
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.	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 & Environment to Mr Trevor Brown, NSW Ports).	C			
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.	The Department of Planning & Environment (DP&E) requested (22 December 2017) a copy of the Action Plan addressing the findings detailed in Patrick's 2016 Annual Environmental Management Report (section 7). This was provided to the DP&E on 5 January 2018.	C			
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.	See 1.13 above	C			
Dispute Resolution						

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)																	
			C	O	NC	NA														
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 Environmental Planning and Assessment Act 1979 provides mechanisms for resolution of disputes between the Department, the Director-General, councils and public authorities.</p>	There have been no known disputes in relation to this condition.				NA														
2. ENVIRONMENTAL PERFORMANCE																				
Noise Limits																				
3.3	<p>²Noise generated by the development shall not exceed the noise limits presented in the table below, unless otherwise agreed by the Director-General:</p> <table border="1" data-bbox="203 826 1249 1054"> <thead> <tr> <th>Location</th> <th>Day L_{Aeq} (15 minute)</th> <th>L_{A1} (1 minute)</th> <th>Evening L_{Aeq} (15 minute)</th> <th>L_{A1} (1 minute)</th> <th>Night L_{Aeq} (15 minute)</th> <th>L_{A1} (1 minute)</th> </tr> </thead> <tbody> <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> </tbody> </table>	Location	Day L _{Aeq} (15 minute)	L _{A1} (1 minute)	Evening L _{Aeq} (15 minute)	L _{A1} (1 minute)	Night L _{Aeq} (15 minute)	L _{A1} (1 minute)	Most affected residential premises	55	55	43	55	43	55	<p>Biannual noise monitoring reports (May and November 2018) are available on Patrick Stevedores website. Each report has been prepared by Rodney Stevens Acoustics.</p> <p>The reports conclude that 'operational noise is considered to comply with EPL 6962 day, evening and night-time noise limits'.</p> <p>It is noted It is noted that noise limits within the EPL are equal to or more stringent than those quoted here and in the Port Botany Consent.</p>	C			
Location	Day L _{Aeq} (15 minute)	L _{A1} (1 minute)	Evening L _{Aeq} (15 minute)	L _{A1} (1 minute)	Night L _{Aeq} (15 minute)	L _{A1} (1 minute)														
Most affected residential premises	55	55	43	55	43	55														
3.4	<p>³For 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>	Noted	C																	
Noise Assessment Report																				

² EPA General Terms of Approval – L 6.1

³ EPA General Terms of Approval – L 6.2

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
3.6	⁴ 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 NSW Industrial Noise Policy. The modification factors provided in Section 4 of the NSW Industrial Noise Policy shall be applied to the measured noise levels where applicable.	Noise reports referred to in condition 3.3 satisfy this requirement.	C			
3.7	⁵ Noise from the site shall be measured at 1 metre from the bedroom window to determine compliance with the L _{A1} (1 minute) and L _{A MAX} noise limits in condition 3.3 of this consent.	As above	C			
3.8	⁶ 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.	Noise reports referred to in condition 3.3 satisfy this requirement.	C			
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.	This was observed during audit inspection.	C			
3.23	No parking shall be permitted on the internal roadways and outside the designated parking areas.	Compliance observed during audit inspection.	C			
3.24	All trucks entering the development shall be wholly contained within the site before being required to stop.	This was observed during audit inspection.	C			
3.25	The use of landscaping shall not affect driver sight distance for vehicles entering and exiting the site.	This was observed during audit inspection.	C			
Water Quality Impacts						
Pollution of Waters						
3.33	⁷ Except as may be expressly provided by a licence issued under the <i>Protection of the Environment Operations Act 1997</i> in relation of the development, section 120 of the <i>Protection of the Environment Operations Act 1997</i> shall be complied with and in connection with the carrying out of the development.	No water quality monitoring is required by the EPL (6962) and there are no licenced discharge points. NB: A minor water pollution incident on 9 September 2018 reported to the EPA, NSW Ports and DPE	C			

⁴ EPA General Terms of Approval – L 6.3

⁵ EPA General Terms of Approval – L 6.4

⁶ EPA General Terms of Approval – L 6.5

⁷ EPA General Terms of Approval – L 1.1 and A 2.1

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)															
			C	O	NC	NA												
		occurred at the Patrick Terminal area covered by DA 453.																
Concentration Limits																		
3.34	⁸ 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.	Current EPL has no licensed discharge points.				NA												
3.35	⁹ 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.	As above.				NA												
3.36	¹⁰ To avoid any doubt, this condition does not authorise the discharge of emission of any other pollutants. Discharge Location - Point 1 <table border="1" data-bbox="203 751 1133 919"> <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	This discharge point was made redundant by the construction of the covered workshop area. A Trade Waste Agreement is now in place with Sydney Water for discharges from this area				NA
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																
Waste Management																		
3.38	¹¹ 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> .	A Waste Management Plan (V0.4, 2015) is available as part of OEMP on website. http://www.patrick.com.au/environment-sustainability EPL 6962 Condition L2 allows Patrick Stevedores to receive types of waste at the premises. Records of waste oils and filters, transporters and waste oil receipt locations are maintained in a Waste Register	C															

⁸ EPA General Terms of Approval – L 3.1

⁹ EPA General Terms of Approval – L 3.2

¹⁰ EPA General Terms of Approval – L 3.3

¹¹ EPA General Terms of Approval – L 5.1 and L 5.2

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
3.39	<p>¹²Except as expressly permitted by a licence issued by the EPA under the <i>Protection of the Environment Operations Act 1997</i>, only the hazardous and/or industrial and/or Group A waste listed below may be generated and/or stored at the premises:</p> <p>(a) waste oil/water, hydrocarbons/water mixtures or emulsions; and grease trap waste</p>	Site records and observations made during the audit inspection are consistent with this requirement.	C			
3.40	¹³ The quantity of hazardous and/or industrial and/or Group A waste generated on the premises shall not exceed 200 tonnes per year.	Sighted Waste Management Register. Records of waste oil (likely main hazardous waste generated from site) kept in register and total amount generated for 2018 was approximately 40 tonnes.	C			
3.41	¹⁴ 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.	According to Waste Register the most waste oil stored on site was approximately 11 tonnes in March 2018 which is well under the limit.	C			
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.	Waste streams have been identified in the WMP referenced in Condition 3.38. Implementation of waste recycling evident during site inspection.	C			
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.	Waste streams have been identified in the WMP referenced in Condition 3.38. Records of waste oils and filters, transporters and waste oil receipt locations are maintained in a Waste Register.	C			
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.	This is now covered in revised induction materials.	C			
Air Quality Impacts						
Dust Emissions						

¹² EPA General Terms of Approval – L 5.3

¹³ EPA General Terms of Approval – L 5.4

¹⁴ EPA General Terms of Approval – L 5.5

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
3.45	¹⁵ The Applicant shall design, construct, operate and maintain the development in a manner which minimises or prevents the emission of dust from the site.	Environmental Management Measures are documented in Section 5.2 of the OEMP. No dust emissions were detected during the audit site inspection on 30 January 2018 and no complaints from parties external to the site regarding dust emissions have been received.	C			
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.	Environmental Management Measures are documented in Section 5.2 of the OEMP. Surfaces are paved and no loose materials were noted during site inspection.	C			
Ventilation						
Hazards and Risk Impacts						
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 <i>Port Botany Land Use Safety Study (1996)</i> .	From Sep 2017 to Aug 2018 there were 253 tonnes of DG transited through Patrick's terminal which is well under the 825 tonne limit required under this condition.	C			
Incident Report						
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.	The Register Environment – Community Complaints was sighted includes details of incidents on 24 Jan 2018 and 9 Sep 2018 that were reported (among others) to the EPA, NSW Ports DPE. Internal communications sighted indicate that daily incident reports are made by ESC Manager to management.	C			
Hazard Audit						
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	As agreed with DPE in 2017 the audit was undertaken by Planager. Report of the 2017 Hazard Audit Of	C			

¹⁵ EPA General Terms of Approval – O 3.1

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
	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 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 <i>Hazardous Industry Planning Advisory Paper No. 5, "Hazard Audit Guidelines"</i> . The audit shall include a review of all entries made in the incident register since the previous audit.	Patrick Port Botany Terminal, NSW October 2017 (Planager).				
Further Requirements						
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 apply				NA
Landscaping						
3.57	¹⁶ 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.	The Vegetation Management Plan (Rev 0.2, 2014) is available as part of OEMP on website. http://www.patrick.com.au/environment-sustainability	C			
3.58	All noxious weeds, as listed under the <i>NSW Noxious Weed Act 1993</i> , on site shall be removed during construction and operation of the development.	Refer to Condition 3.57	C			
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).	Refer to Condition 3.57	C			
3.60	The Applicant shall install, operate and maintain an irrigation system throughout 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. 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.	The lease for the area of land under Ramp D (also known as The Undercroft) has been transferred from Patrick to NSW Ports and is now under the latter organisation's control.				NA

¹⁶ Waterways Authority General Terms of Approval

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
Lighting						
3.61	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> .	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	C			
Staff Induction Program						
3.62	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: <ul style="list-style-type: none"> a) The correct placement and/or lowering of containers to minimise potential adverse noise impacts and specifically the control of transient impact noise; 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 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.	Revised site induction dated June 2018 now includes noise control measures	C			
Telephone Hotline						
3.63	Prior to the commencement of construction, the Applicant shall establish and list with the telephone company a 24 hour freecall 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>The aim of the complaints line is to enable any member of the public to reach a person who can arrange appropriate corrective action to the complaint within two hours, 24 hours per day for the duration of construction and operation of the development.</p>	This information is available on the Project website. Complaints number tested and call was answered by Patrick's Environment Manager	C			
Complaints Register						
3.64	The Applicant shall record details of all complaints received in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to: <ul style="list-style-type: none"> a) the date and time of the complaint; 	Contact details and complaints line are available at: http://www.patrick.com.au/environment-sustainability Complaints Register sighted.	C			

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
	<p>b) the means by which the complaint was made;</p> <p>c) any personal details of the complainant that were provided, or if not details were provided, a note to that effect;</p> <p>d) the nature of the complaints;</p> <p>e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and</p> <p>f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.</p> <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>	<p>Patrick Stevedores Quarterly Community Feedback Reports are available on its website and contain the information and details required by this condition.</p> <p>http://www.patrick.com.au/environment-monitoring-reporting</p>				
5 ENVIRONMENTAL MONITORING						
General Monitoring Requirements						
5.1	<p>¹⁷The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the <i>Protection of the Environment Operations Act 1997</i>, 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.</p>	Noise monitoring carried out as per 3.3 above	C			
5.2	<p>¹⁸All records required to be kept by the licence shall be:</p> <p>(a) In a legible form, or in a form that can readily be reduced to a legible form</p> <p>(b) Kept for at least four years after the monitoring or event to which they relate took place; and</p> <p>(c) Produced in a legible form to any authorised officer of the EPA who asks to see them.</p>	<p>Biannual Noise Compliance Monitoring Reports have been completed for May and November 2018 and are available on the website at:</p> <p>http://www.patrick.com.au/environment-monitoring-reporting</p> <p>The reports meet the requirements of this condition.</p>	C			
5.3	<p>¹⁹The following records shall be kept in respect of any samples required to be collected:</p> <p>(a) The date(s) on which the sample was collected;</p> <p>(b) The time(s) at which the sample was collected;</p>	Refer Condition 5.2	C			

¹⁷ EPA General Terms of Approval – M 1.1

¹⁸ EPA General Terms of Approval – M 1.2

¹⁹ EPA General Terms of Approval – M 1.3

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)																																											
			C	O	NC	NA																																								
	(c) The point at which the sample was taken; and (d) The name of the person who collected the sample.																																													
Requirement to Monitor Concentrations of Pollutants Discharged																																														
5.4	<p>20The 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> <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>Construction related monitoring. Current EPL 6962 has no requirement for water quality monitoring Points. Construction of covered workshop has made this requirement redundant.</p>	C			
POLLUTANT	UNITS OF MEASURE	FREQUENCY	SAMPLING METHOD																																											
Oil and Grease	mg/L	Special Frequency 1	Representative																																											
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Zinc	mg/L	Special Frequency 1	Representative																																											
pH	pH	Special Frequency 1	Representative																																											
Water Quality Monitoring and Compliance Reporting																																														

²⁰ EPA General Terms of Approval – M 2.1

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
5.7	<p>²¹Within 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>As referred to in the 2017 AEMR reference to this requirement has been removed from EPL 6962 primarily because the main workshop area has been covered and a Trade Waste Agreement is in place with Sydney Water.</p> <p><i>NB: A Modification to this condition has been discussed internally and in brief with NSW Ports and DPE, and a draft has been prepared by Patrick. Patrick is now waiting for details of potential major upgrade to rail area which may necessitate modification to approval conditions that could also address this finding in a consolidated manner.</i></p>	C	O		
Noise Monitoring and Compliance Reporting						
5.8	<p>²²Within 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) 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;</p> <p>(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;</p> <p>(c) The results of all noise measurements undertaken to assess compliance with condition 3.3 of this consent;</p> <p>(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;</p> <p>(e) Where noise levels have been assessed to exceed licence limits, a statement explaining the reason</p>	<p>Biannual noise monitoring reports are available on Patrick Stevedores website. Each report has been prepared by Rodney Stevens Acoustics. All reports conclude that 'operational noise is considered to comply with EPL 6962 day, evening and night-time noise limits'.</p> <p>It is noted that noise limits within the EPL are equal to or more stringent than those quoted in this Condition.</p>	C			

²¹ EPA General Terms of Approval – E 1.1

²² EPA General Terms of Approval – E 1.1

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
	<p>why this has taken place; and</p> <p>(f) A statement of what feasible and reasonable additional measures may be implemented to further reduce noise levels below that specified in the licence.</p>					
6 ENVIRONMENTAL MANAGEMENT						
Operation Environmental Management Plan (OEMP)						
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> <p>(a) 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;</p> <p>(b) a description of the roles and responsibilities for all relevant employees involved in the operation of the development;</p> <p>(c) overall environmental policies and principles to be applied to the operation of the development;</p> <p>(d) standards and performance measures to be applied to the development, and a means by which environmental performance can be periodically reviewed and improved;</p> <p>(e) management policies to ensure that environmental performance goals are met and to comply with the conditions of this consent;</p> <p>(f) the Management Plans listed under condition 6.4 of this consent; and</p> <p>(g) the environmental monitoring requirements outlined under section 5 (Environmental Monitoring) of this consent, inclusive.</p> <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>	<p>The 'Patrick Port Botany Terminal Operational Environmental Management Plan' (OEMP) – Version 0.7 (03/03/2015) has been prepared to satisfy this condition and is available on the Operators website: http://www.patrick.com.au/environment-sustainability</p>	C			
6.4	<p>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:</p> <p>(a) 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> <p>(i) detailed plans showing the design of the stormwater control infrastructure;</p> <p>(ii) demonstration that the stormwater control infrastructure will conform with, or exceed all relevant Council requirements and guidelines;</p> <p>(iii) description of the procedures for the installation, inspection and maintenance of the stormwater</p>	<p>The following plans are available as part of the OEMP on Patrick Stevedores website to address the requirements of this condition:</p> <p>Stormwater Management Plan (V 0.5, 2015)</p> <p>Vegetation Management Plan (V0.2, 2014)</p> <p>The Operational Traffic Management Plan (V0.5, 2015)</p> <p>Waste Management Plan (V0.4, 2015)</p> <p>Operational Noise Management Plan (V0.5, 2015)</p>	C			

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
	<p>control infrastructure, including stormwater pollution control devices; and</p> <p>(iv) description of the procedures to be undertaken if any non-compliance is detected.</p> <p>(b) 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> <p>(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;</p> <p>(ii) details of existing and proposed utilities, as they relate to the development;</p> <p>(iii) maximisation of flora species endemic to the locality in landscaping the site;</p> <p>(iv) details of the proposed weed management system;</p> <p>(v) identification and details of staff recreation areas;</p> <p>(vi) details of car parking and measures to prevent vehicle encroachment onto landscaped areas; and</p> <p>(vii) a program to ensure that all landscaped and revegetated areas are maintained in a tidy, healthy state.</p> <p>(c) 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> <p>(i) details of measures that would be implemented to minimise noise and amenity impacts on residential areas resulting from heavy vehicle movements;</p> <p>(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;</p> <p>(iii) procedures for monitoring the effectiveness and suitability of these measures, particularly the periodic and random monitoring of heavy vehicle routes; and</p> <p>(iv) details of additional measures that would be implemented should non-compliance be detected.</p> <p>(d) 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> <p>(i) identification of the type and quantities of waste that would be generated;</p> <p>(ii) description of measures and actions to be taken to minimise waste generated by the operation of the development;</p> <p>(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 <i>Assessment, Classification and Management of Liquid and Non-Liquid Waste</i>; and</p> <p>(iv) details of programs for involving and encouraging employees and contractors to minimise</p>	<p>http://www.patrick.com.au/environment-sustainability</p>				

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
	<p>domestic waste production on the site and reuse/recycle where possible.</p> <p>(e) 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> <p>(i) identification of all major sources of noise that may be emitted as a result of the operation of the development;</p> <p>(ii) specification of the noise criteria as it applies to the particular activity;</p> <p>(iii) procedures for the monitoring of noise emissions;</p> <p>(iv) protocols for the minimisation of noise emissions;</p> <p>(v) description of procedures to be undertaken if any non-compliance is detected;</p> <p>(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</p> <p>(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.</p>					
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>AEMR 2017 states that 4 Feb 2016 was commencement of operations. Sighted Patrick's PBT <i>Environmental Action Plan Calendar</i> which indicates this review is targeted to be completed by 31 March 2019.</p>	C			
Annual Compliance Report						
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> <p>(a) Identify all the standards, performance measures, and statutory requirements the development is required to comply with, including the conditions of this consent;</p> <p>(b) Review the environmental performance of the development to determine whether it is complying with these standards, performance measures, and statutory requirements.</p> <p>(c) Identify all the occasions during the previous year when these standards, performance measures, and statutory requirements have not been complied with;</p> <p>(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;</p> <p>(e) Include the detailed reporting from any monitoring requirements, and identify any trends in the monitoring over the life of the project; and</p> <p>(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.</p>	<p>2017 AEMR dated 17 September 2018 covering period 1 January to 31 December 2017 is available on the website. http://www.patrick.com.au/environment-sustainability</p> <p>Sighted 2018 AEMR in preparation.</p> <p><i>NB: The AEMR (required under DA 494) includes compliance requirements for DA 453, EPL 6962 and Industrial Trade Wastewater consent no 24990.</i></p>	C			

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
	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.					
Independent Environmental Audit						
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> <p>(a) Be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General;</p> <p>(b) Be consistent with <i>ISO 14010 – Guidelines and General Principles for Environmental Auditing</i>, and <i>ISO 14011 – Procedures for Environmental Auditing</i>, or updated versions of these guidelines/manuals;</p> <p>(c) Assess the environmental performance of the development, and its effects on the surrounding environment;</p> <p>(d) Assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;</p> <p>(e) Review the adequacy of the Applicant’s Environmental Management Plan, and Environmental Monitoring Program; and, if necessary</p> <p>(f) Recommend measures or actions to improve the environmental performance of the plant, and/or the environmental management and monitoring systems.</p>	This audit has been undertaken to satisfy this requirement noting that it satisfies the 3 rd year element of this condition.	C			
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	This report was commenced in January 2019 and this report finalised in February 2019.	C			
EPA Annual Return						
6.9	<p>²³The Applicant shall provide an annual return to the EPA in relation to the development as required by any licence under the <i>Protection of the Environment Operations Act 1997</i> in relation to the development. In the return the Applicant shall:</p> <p>a) report on the annual monitoring undertaken (where the activity results in pollutant discharges);</p> <p>b) provide a summary of complaints relating to the development;</p> <p>c) report on compliance with licence conditions; and</p>	Annual Return submitted to EPA on 1 June 2018 covering the reporting period.	C			

²³ EPA General Terms of Approval – R 1.1

CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
	d) provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the Applicant will be required to submit load based fee calculation worksheets with the return.					
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.	Noted	C			
7 REQUIREMENTS OF BOTANY BAY COUNCIL						
Storage of Chemicals/Dangerous Goods (Other Than Shipping Containers)						
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 Australian Standard <i>AS1940-1993 The Storage and Handling of Flammable and Combustible Liquids</i> .	Appropriate bunding of liquids observed during site inspection on 17 Jan 2019 (Plate 1).	C			
Storage of Waste Oil						
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.	see 7.4 above	C			
Fuel Tanks and Fuel Filling Areas						
7.6	The fuel tank and fuel filling area shall be designed and operated in accordance with the <i>Code of Practice for the Design, Installation and Operation of Underground Petroleum Storage Systems</i> by the Australian Institute of Petroleum (CP4-1998) and <i>AS1940: 1993 The Storage and Handling of Flammable and Combustible Liquids</i> .	Site inspection confirmed fuel filling area consistent with this requirement.	C			
Fuel Bowsers						
7.7	Fuel bowsers and service areas shall comply with the EPA's Environmental Guideline: <i>Surface Water Management On The Covered Forecourt Areas Of Service Stations</i> .	As per 7.6 above	C			
Bunding – Multiple Containers (Excluding Shipping Containers)						
7.8	The area used for the storage of chemicals/liquids in containers (other than shipping containers) shall be bunded. 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 <i>AS1940-1993 The Storage And Handling Of Flammable And Combustible Liquids</i> .	Site inspection confirmed container storage bund consistent with this requirement.	C			

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			C	O	NC	NA
Bunding - Tank						
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 <i>AS1940-1993 The Storage And Handling Of Flammable And Combustible Liquids</i> .	Site inspection confirmed container storage bund consistent with this requirement.	C			
Maintenance of Banded Area						
7.10	Banded areas shall be properly maintained and all spillages and/or wastes within the banded areas cleaned up as soon as practicable and disposed of in a manner that does not pollute waters.	Site inspection confirmed compliance with this requirement.	C			
Traffic Bund						
7.11	All service entries to workshop areas shall be provided with a trafficable bund with a minimum height of 100mm to prevent any spillage exiting the workshop area and entering the stormwater system.	Site inspection confirmed compliance with this requirement.	C			
Spill Cleanup						
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.	Site inspection confirmed compliance with this requirement (Plate 4).	C			
Emergency Spill Response Management Plan						
7.13	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: (a) list of chemicals and maximum quantities to be stored at the site; (b) identification of potentially hazardous situations; (c) procedure for incident reporting; (d) details of spill stations and signage; (e) containment and clean-up facilities and procedures; and (f) the roles of all staff in the Plan and details of staff training.	The Emergency Management Plan (Rev 10, 2015) is available as part of OEMP on website. http://www.patrick.com.au/environment-sustainability	C			
AUTOMOTIVE / WORKSHOP						
7.14	All servicing, mechanical repairs and detailing shall be conducted in a covered, banded 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	Workshop under cover and being used for mechanical repairs, servicing etc.	C			

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			C	O	NC	NA
	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.					
Storage of Mechanical Parts						
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 7.14 above	C			
Spray Painting						
7.16	All spray painting is to be carried out in a spray booth constructed and ventilated in accordance with AS 1668.2-2002 – <i>The Use of Mechanical Ventilation and Air-Conditioning in Buildings</i> . 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 window. Disposal of wastewater from wet scrubbing shall be disposed of in accordance with Sydney Water's <i>Trade Waste Policy and Management Plan</i> .	As per 7.14 above	C			
Maintenance of Filters						
7.17	All spray booth filters shall be regularly maintained to ensure emissions of air pollutants are minimised.	Not specifically checked				
STORMWATER						
Vehicle Wash Bay						
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.	As per 7.14 above	C			
Signage on Stormwater Drains						
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 'H2O only'.	Trial of stencil signage is currently underway (see Plate 3) (email evidence sighted).	C			
Maintenance of Stormwater Treatment Devices						

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			C	O	NC	NA
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 drain wardens and pureceptors have been included into the maintenance scheduling system (Maximo).	C			
Wastewater Recycling For Vehicle Washing						
7.21	All vehicle washing bays that recycle filtered and treated wastewater for re-use for vehicle washing shall meet the following requirements: (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; (b) Is roofed and bunded so that all uncontaminated stormwater from the roof areas and uncovered areas, are directed away from the bay; (c) At a minimum the bay constructed with a minimum 20 mm bund around the perimeter of the bay; (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; (e) At a minimum the bay should have a roof that has a minimum height of 2.5m; (f) All uncontaminated stormwater/rainwater must be directed to the dedicated stormwater drainage systems; (g) Ensure all contaminants removed from the recycled wastewater are disposed of appropriately; (h) Have an appropriately designed wastewater/recycled water storage tank; (i) All contaminants and gross solids removed from the recycled water are disposed of appropriately; (j) Ensure that the wastewater recycling system is functioning as intended; and (k) Ensure that all wastewater is retained within the recycling system.	Recycled water has not been used for the single vehicle wash bay in use (the second wash bay has not been in operation since installation).				NA
Removal Off-Site By An Authorised Liquid Waste Disposal Contractor						
7.22	All vehicle washing bays that will have all wastewater removed off site shall meet the following requirements: (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; (b) Roofed and bunded so that all uncontaminated stormwater from the roof areas and uncovered areas, are directed away from the bay; (c) At a minimum the bay should be constructed with a minimum 20 mm bund around the perimeter of the bay;	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. 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.				NA

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			C	O	NC	NA
	<p>(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;</p> <p>(e) At a minimum the bay should have a roof that has a minimum height of 2.5 m;</p> <p>(f) All uncontaminated stormwater/rainwater must be directed to the dedicated stormwater drainage systems;</p> <p>(g) Have an appropriate capacity storage tank designed to hold all wastewater;</p> <p>(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</p> <p>(i) That the water storage tank is maintained so that there are no leaks and is functioning as intended</p>					
Discharge To The Sewer Via Appropriate Pre-Treatment						
7.23	<p>All vehicle washing bays that discharge to sewer shall meet the following requirements:</p> <p>(a) Discharges into the sewer requires a <i>Permission to Discharge Trade Wastewater</i> certificate issued by Sydney Water;</p> <p>(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;</p> <p>(c) Is roofed and bunded so that all uncontaminated stormwater from the roof areas and uncovered areas, are directed away from the bay;</p> <p>(d) At a minimum the bay should have a roof that has a minimum height of 2.5 m;</p> <p>(e) Have a roof that has a minimum height of 2.5 m;</p> <p>(f) Be constructed with a minimum 20 mm bund around the perimeter of the bay;</p> <p>(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;</p> <p>(h) All uncontaminated stormwater/rainwater must be directed to the dedicated stormwater drainage systems;</p> <p>(i) Have a 1000 L general purpose pit; and</p> <p>(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.</p>	<p>Wastewater from one of 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. (The second vehicle wash bay has not been in use since it was installed.)</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>	C			
Disposal of Wastewater To Land Incorporating Appropriate Treatment Devices						

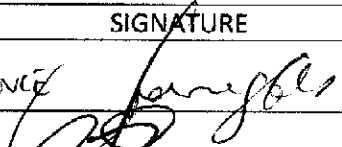
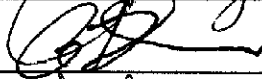
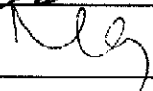

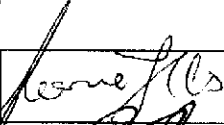
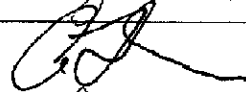
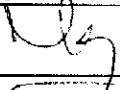
CoA No	Condition of Approval Requirement	Comments, observations, discussion, evidence, supporting documentation	Audit Outcome (See footer for key)			
			C	O	NC	NA
7.24	<p>All vehicle washing bays that discharge wastewater shall meet the following requirements:</p> <p>(a) The Applicant shall prove that 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;</p> <p>(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;</p> <p>(c) Site flood potential, exposure to sun and wind, slope, erosion potential, drainage, plant growth conditions;</p> <p>(d) Buffer distances from permanent surface waters, domestic groundwater wells, other waters, property boundaries, driveways, swimming pools and buildings; and</p> <p>(e) Other site assessment details as required by Council.</p>	<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>	C			
Energy Efficiency						
Energy Efficiency Compliance Report						
7.25	<p>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.</p>	<p>In Patrick's 2017 AEMR it was observed that a copy of the Energy Efficiency Report could not be located. Not currently evident however an action has been assigned for this Report to either be located or repeated / undertaken (email evidence sighted) by 31 Mar 2019.</p>			NC	

Appendix C. Audit Attendee List

PATRICK STEVEDORES PORT BOTANY TERMINAL

INDEPENDENT ENVIRONMENTAL AUDIT

17 JANUARY 2019

OPENING MEETING - ATTENDEES		
NAME	POSITION & COMPANY	SIGNATURE
MARIE GIBBS	ENVIRONMENT, SUSTAINABILITY / COMPLIANCE MANAGER	
ANDREW THOMSON	RELIABILITY MGR.	
GUS MAY	OPERATIONS MANAGER	
Bruce Guy	Terminal Manager	
CLOSING MEETING - ATTENDEES		
MARIE GIBBS	ESE Managers	
ANDREW THOMSON	RELIABILITY MGR	
Gus May	OPERATIONS MANAGER	
Bruce Guy	Terminal Manager	